

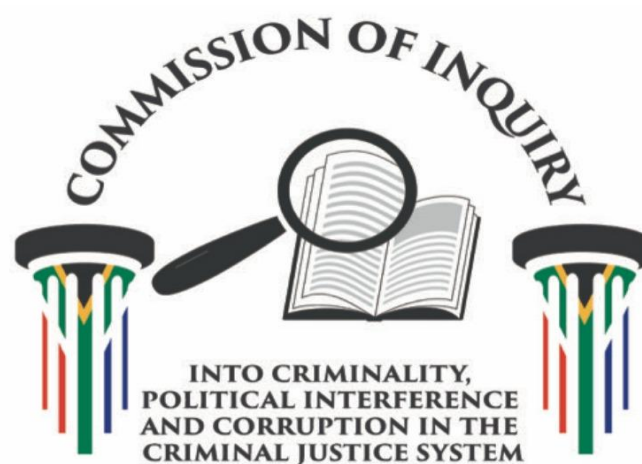
**JUDICIAL COMMISSION OF ENQUIRY INTO CRIMINALITY,  
POLITICAL INTERFERENCE AND CORRUPTION IN THE  
CRIMINAL JUSTICE SYSTEM**

**HELD AT**

**BRIGITTE MABANDLA JUSTICE COLLEGE**

**5 FEBRUARY 2026**

**DAY 54**



**PROCEEDINGS ON 5 FEBRUARY 2026**

**CHAIRPERSON:** Good morning, Ms Pooe.

**ADV POOE:** Good morning, Chair. Good morning, Commissioners. This witness, the witness for today is Brigadier Matjeng and Chair, she is represented. The representation are ready to put themselves on the record.

**CHAIRPERSON:** I prefer, unless you want to be close to your client, I prefer that perhaps you take a seat either there or across there. Thank you. Do you want to  
10 maintain visual contact, Ms Pooe.

**ADV POOE:** Yes, Chair. My apologies about that.

**CHAIRPERSON:** Thank you. Please, who is lead?

I am, Commissioner.

**CHAIRPERSON:** No, no, sit down, please, throughout, throughout. But, and switch on the mic and place yourselves on record.

**MR SHIRINDZI:** My name is Mr Shirindzi.

**CHAIRPERSON:** Shi what?

**MR SHIRINDZI:** Shirindzi.

20 **CHAIRPERSON:** Shirindzi.

**MR SHIRINDZI:** Yes, initials ...[intervenes].

**CHAIRPERSON:** Shirindzi.

**MR SHIRINDZI:** Shirindzi, yes, Commissioner. It is spelt S H I R I N D Z I. And then the initials are ...[intervenes].

**CHAIRPERSON:** After the I, R I?

**MR SHIRINDZI:** R I N D Z I.

**CHAIRPERSON:** N D Z I.

**MR SHIRINDZI:** Yes. And then initials ...[intervenes].

**CHAIRPERSON:** I heard you sound like the I after the H is E.

**MR SHIRINDZI:** So it is S H I ...[intervenes].

**CHAIRPERSON:** [Indistinct]... Shi.

**MR SHIRINDZI:** Shi, yes.

**CHAIRPERSON:** Okay.

10 **MR SHIRINDZI:** S H I R I N D Z I, Commissioner.

**CHAIRPERSON:** Thank you. Thank you.

**MR SHIRINDZI:** Yes, and then initials it is RT.

**CHAIRPERSON:** Thank you.

**MR SHIRINDZI:** Yes, I do confirm that I represent Mrs Matjeng, Brigadier Matjeng. Our instruction is, Commissioner, that our client is ready to proceed. However, we want to reserve the right to actually file the supplementary affidavit should the need arise. Yes, Commissioner.

20 **CHAIRPERSON:** Thank you. And you are sitting with?

**MR SHIRINDZI:** She will introduce herself, Commissioner.

**CHAIRPERSON:** Thank you.

**MS RATEMA:** My name is Kelebogile Ratema.

**CHAIRPERSON:** Ratema.

**MS RATEMA:** Ratema.

**CHAIRPERSON**: Thank you. Thanks, Ms Ratema. Are you attorneys or counsel, not that it matters or ...[intervenes].

**MR SHIRINDZI**: I am an attorney. She is a candidate attorney.

**CHAIRPERSON**: All right, thank you. Thank you. Yes, good morning and welcome.

**MR SHIRINDZI**: Thank you, Chair.

**CHAIRPERSON**: Yes, Ms Pooe?

10 **ADV POOE**: Chair, the witness is ready to be sworn in.

**CHAIRPERSON**: Thank you. Good morning, Brigadier.

**BRIG MATJENG**: Good morning, Commissioners.

**CHAIRPERSON**: Brigadier, I want to hear you pronounce your surname yourself, please.

**BRIG MATJENG**: Matjeng.

**CHAIRPERSON**: Matjeng.

**BRIG MATJENG**: Matjeng.

**CHAIRPERSON**: Thank you. Thank you.

**BRIG MATJENG**: Thank you, Commissioner.

20 **CHAIRPERSON**: Matjeng.

**BRIG MATJENG**: M A T J E N G, Matjeng.

**CHAIRPERSON**: Matjeng. Thank you. Thank you, Brigadier. Do you swear that the evidence you are going to give is the truth, the whole truth, nothing but the truth. If so, please raise your right hand and say "So help me God".

**BRIG MATJENG**: So help me God.

**RACHEL MATJENG** (duly sworn states)

**CHAIRPERSON**: Thank you. Thank you, Brigadier.

**EXAMINATION IN CHIEF BY ADV POOE**: Commissioners,  
as we have done with other witnesses in phase 2, Brigadier  
Matjeng will be taking through her statement and I will  
endeavour to only ask clarity seeking questions and try not  
to interrupt her as much as possible. And thereafter I will  
explore various themes arising from her testimony and the  
10 testimony of other witnesses before this Commission.  
Brigadier, just to confirm what you have in front of you, you  
should have a file that is marked statement, chats and  
annexures. Do you confirm that this file is in front of you?

**BRIG MATJENG**: I confirm.

**ADV POOE**: And if you open the file, up top on the  
statement will be your statement first. The second tab will  
contain the WhatsApp extract that was extracted from Mr  
Matlala's phone. And the last tab contains various  
annexures to the WhatsApp chats and other documentation.  
20 Do you confirm that your file is in the same order as mine?

**BRIG MATJENG**: I confirm.

**ADV POOE**: Thank you. And if you then go to your  
statement, do you confirm that this is a statement that you  
have prepared for purposes of giving testimony before this  
Commission?

**BRIG MATJENG**: I do confirm.

**ADV POOE**: And if you go to page 12 of your statement, do you confirm that that is your signature at the end of your statement?

**BRIG MATJENG**: I confirm.

**ADV POOE**: And do you confirm the truthfulness of the contents of the statement?

**BRIG MATJENG**: I confirm.

**ADV POOE**: Thank you, Brigadier. Now, if we go to the  
10 beginning of your statement, can you explain to the  
Commissioners who you are, the role you occupy, and your  
service history within the South African Police Service.

**BRIG MATJENG**: Okay.

“I am a female police officer with the  
rank of a Brigadier and currently  
working as a Section Head: Quality  
Management in Criminal Record and  
Crime Scene Management at division  
Forensic Services. I am stationed at  
20 271 Francis Baard, Bothongo Plaza  
West at Pretoria.”

**ADV POOE**: Brigadier, you can proceed to deal with  
aspects of your statement arising from that section as well  
as your service history. So you can go straight through.

**BRIG MATJENG**: -:

“I was transferred to this position with effect from the 16<sup>th</sup> of October 2023, as it appears from my job description below. I play no role in the award of a tender under discussion.”

Should I read 3 and 4, or must I go to my service history?

**ADV POOE**: Brigadier, you can read 3 and 4 or you can skip to your service history. It is really just an opportunity  
10 for you to put your version on the record.

**BRIG MATJENG**: Okay. My service history, I set out my career history in the South African Police Service as follows.

“1994, I joined the SAPS, went to basic training at Oudtshoorn. In 1996-07-01 to 2004-11-31, I moved through the ranks of Sergeant, Inspector, Captain in the criminal record and crime scene management training as a trainer. 5.3,  
20 2004-12-01, I was promoted to a Superintendent by then, now is a Lieutenant Colonel as a coordinator of automated fingerprint identification system. In 2010-08-01, I was further promoted to a Colonel as a Skills

Development Facilitator of division Forensic Services. In 2012-04-01, I was promoted to the rank of a Brigadier as a Provincial Head of Criminal Record and Crime Scene Management in Limpopo. In 2016, I moved with the same rank to division Human Resource Development as a Section Head for Crime Detection Development. 5.7, in 2023-10-16, then I was transferred to a division Forensic Services as a Section Head for quality management, criminal record and crime scene management. My qualifications are as follows. I obtained my National Diploma in Policing from Technicon SA, and I also attended management courses and other related certificate to the posts.”

**ADV POOE:** Brigadier, just before we move forward, your voice is a little faint, so we are going to try to move the mics closer to you.

**BRIG MATJENG:** My apologies, I have an irritation on my throat, but I will try to be as loud as possible.

**ADV POOE:** Thank you. Brigadier, you can then go on to your current responsibilities.

**BRIG MATJENG:** -:

“My responsibilities at my current post are the following. Manage the integrated quality management system to the component criminal record and crime scene management, the management and implementation of quality assurance and quality control principles, in line with International Organizational Standard ISO 9001, 1702031000 and 17025. The management of environmental compliance principle in line with the Occupational Health and Safety Act and related regulation, including ISO 4,501 and 14,001, respectively. My responsibilities in respect of environmental compliance functions entail the following, manage the occupational health and safety, legal appointments, risk assessment, emergency preparedness, occupational hygiene survey, waste management, medical surveillance, and biological monitoring, SHE, Safety, health, and

environmental inspection and audits in compliance to Occupational Health and Safety Act, number 85 of 1993. Manage the coordination of medical surveillance and biological monitoring, which is a planned program of periodic health monitoring for employees exposed to the specific workplace hazard such as lead, noise, biological radiation, and chemical agent.”

10

Number 10:

“It must be noted that the criminal record and crime scene management environment has various occupational exposure risks, which mandates the employer to conduct medical surveillance by a qualified occupational health and occupational medical practitioners. In the SAPS, such services are outsourced to the health risk manager and the issuing of authorization is managed by division Supply Chain Management, Safety Health Management Office.

20

How I got to know about the Health

Risk Manager contract service provider. Months in March 2024 into my new responsibility, I think I was six months into my new responsibility as the Section Head of Quality Management, Criminal Record and Crime Scene Management, I became aware of the health risk manager contract. The awareness was triggered by the coming to an end of the previous health risk manager contract, Metropolitan. There were discussion of the expired contract of Metropolitan. It was further alluded that there was an extension granted of three months to Metropolitan until a new service provider for health risk management is appointed. That is when I requested more information so that I can understand the implementation of medical surveillance and biological monitoring program within the component CR and CSM. Within health risk manager scope, since the environmental compliance officers,

which is ECO, within the quality management structure are responsible for the coordination of medical surveillance and biological monitoring program. 13. Later in the month of June, the management of quality management was informed by division Supply Chain Management, SHE management that the new health risk manager service provider contract was awarded to Medicare 24 Tshwane District. I then informed my supervisor, Major General Manamela, that I know Mr Matlala and explained the nature of our relationship and I further asked if I should recuse myself from the responsibility of managing the medical surveillance and biological monitoring program. Major General Manamela indicated that this is part of my scope of work and cannot relegate that responsibility, especially that the facilitation and coordination of medical surveillance and biological monitoring program is solely the responsibility of

Environmental Compliance Officer,  
which we will refer to as ECO, and if  
there are challenges, I still need to  
address them professionally. It must  
be noted that I was not part of the Bid  
Specification Committee, or Bid  
Evaluation Committee, nor Bid  
Adjudication Committee, and was not  
aware of the service providers that  
10 submitted the bids for the tender, or  
any engagement with any previous  
health risk manager that were  
contracted by SAPS.”

**ADV POOE**: Yes, Brigadier, you can continue.

**BRIG MATJENG**: Okay.

“Responding to the meetings with  
Medicare 24, as part of the onboarding  
in the component quality management,  
I was informed by my supervisor, Major  
20 General Manamela, that when the new  
health risk manager is appointed,  
presentations are made to ensure that  
the contractor understands the core  
business and occupational exposures  
into forensic services and the

applicable medical metrics, including required report for management report team, including holding meetings with the appointed health risk manager. I was further informed that it is a norm that when contracts are awarded, end user and contractor, stakeholder supplier engagement meetings will be held with the appointed service provider. This practice is also applied in the occupational exposure surveillance, waste management, proficiency testing, and personal protective equipment contracts. Medicare 24 meeting was held to plan the medical assessment to ensure that service delivery is not affected, including the discussion of abnormal results, so as to assess the effectiveness of internal controls, challenges experienced during the implementation of the contract, as well as familiarizing the service provider with the environment. Numerous meetings were held post the award of

the contract, between SAPS and the contractor, Medicare 24, where I was in attendance. The first meeting was held in July 2024 at head office, chaired by the Component Head of Employee Health and Wellness, Major General Themba, Management of Quality Management, Contract Manager, which is Brigadier Ntengwe, Supply Chain, which is SHE, Colonel Mugadi, and representative of Metropolitan, as well as representative of Medicare, where the handing over process was discussed. The second meeting was held on 2024-08-06, at CAT VIP offices. The overview of forensic service and medical metrics were in SHE management representative and quality management. Senior managers were also in attendance. There were several meetings that were held with the service provider, Medicare 24. The meeting in question, which is on my WhatsApp exchange between myself and Mr Matlala, was to discuss

challenges relating to the implementation of medical surveillance in the component CR and CSM. There were challenges experienced and I indicated to my supervisor, Major General Manamela, who in turn requested that I must arrange an urgent meeting with the service provider. Due to the urgency of the meeting and knowing the delays, we will normally experience with responding to emails, I then send Mr Matlala a WhatsApp to confirm our telephone conversation with a message and details of the meeting. The meeting was held on 2025-01-17 at Medicare offices with Major General Manamela, myself, I think here I have just skipped myself. The meeting was held in 2025-01-17 at Medicare offices with Major General Manamela, myself and Mr Matlala and we discussed medical surveillance authorization issued to the component CR & CSM, which were progressing at a very slow

pace. Outstanding certificate of fitness for members who attended the medical assessment and challenges raised by employees. The last meeting was held on 2025-04-16 at Medicare offices and was attended by quality management managers and Supply Chain, SHE management and the following were discussed. Authorization issued since the contract inception, finalized medical assessment, scheduling of appointments, outstanding certificate of fitness. 24.2, Medical surveillance roll out for 2025 to 2026. Since we were in the year, the financial year, 2024 to 2025. Establishment of a framework for ongoing communication and performance tracking. It must be noted that the certificate of fitness is critical for the forensic services for early detection of occupational diseases.”

Proceed?

**ADV POOE**: Yes, you can proceed.

**BRIG MATJENG**: -:

“WhatsApp communication regarding

the contract. Communication between myself and Medicare 24 was on email, telephone, and WhatsApp. Due to the delays or non-responsive on the email, we then agree with Mr Matlala that we can communicate by WhatsApp or telephonically because that line of communication was long established where we will also talk about our private matters. He will relay his frustrations about the contract, how they are financially affecting him, such as late payments and partial payments which are made by SAPS, which is affecting Medicare 24 ability to pay the subcontracted service providers. Delays in facilitating the authorization by making appointment with his contracted service providers, as most contracted service providers do not want to work with him because the company is owing them. Lastly, the stalling of work by SAPS in other streams, which is incapacity leave, short-term sick leave, awareness

program, and the health screening. On 2025-02-12, I received a call from Mr Matlala, who was frustrated, and he informed me that he received a non-performance letter from SAPS, but his lawyers already responded. I was surprised by the response letter as he did not mention some of the issues which he was long complaining about. I then highlighted to him that he could have included the issues of non-payment issues, failures to have quarterly meetings with the company as per service level agreement, and also the issues whereby members were insisting on going to their preferred doctors. On 2025-02-19, while I was on call with him discussing other matters, he then informed me that when medicals were conducted in our environment, there were more than 300 no-shows or non-arrival, which can be a mis-appointment for medical surveillance. They conducted from 2024-08-19 to 2024-08-23. Then I

disputed the figure and informed him that there was two follow-up appointments on 2024-08-26 to 2024-08-27, and a further date of 2024-09-30 to 2024-10-05, as more members attended the follow-ups, which drastically reduced the number of 300. But I further indicated that I will check and confirm the numbers the following day. I then confirmed the numbers and forwarded him the name list of 140 members, which he will confirm with the authorization they receive, attendance register as well as the refusal list. It must be noted that the list they already had, they just needed to compare with the 300 that he was indicating to me and it is also worth noting that even though it is non-arrival, the non-arrival fee was not claimed, nor paid to Medicare 24. On 2025-03-03, I informed him about the complaints that I received regarding the Lancet account, which was billed to members' account, and I sent him proof

of the Lancet statement. Some I sent through email, and later he sent me proof of email that James Murray saw that, and they are already attending to them.”

**CHAIRPERSON**: Can you please try to state this in your own, or rather these are your words, but can you, without looking at this, just explain what this paragraph means and also how James Murray features?

10 **BRIG MATJENG**: Paragraph 32?

**CHAIRPERSON**: Yes, yes, please.

**BRIG MATJENG**: What happened is when there are medical surveillance, the members will be sent to Lancet as well as Ampath to do the blood test. Now, because it is the organization that will be paying or urging members to go and attend the medical surveillance, then the account of Lancet, when it comes, it must be in the name of Medicare instead of the member's name, instead of a member being responsible for that account. So we had several issues  
20 whereby members were receiving statements from Lancet indicating that this account is on your name and they were threatening legal action.

So normally you will have delays when communicating with people from Medicare, hence me and Mr Matlala, we agreed that if there is any urgent thing or if

there are challenges, forward me a WhatsApp or call me. Then in this instance, I say, no, there is something wrong, our members are receiving bills from Lancet. And he said, send me proof of that Lancet statement and I send it to him whereby there was a member's name as an account holder. After that, he gave it to James who corrected it and it became on the account of Medicare 24.

**CHAIRPERSON**: And who did James Murray work for?

**BRIG MATJENG**: James Murray was working for Medicare  
10 24.

**CHAIRPERSON**: Thank you. Thank you.

**BRIG MATJENG**: Thank you.

**ADV POOE**: Brigadier, just before you move. Chair, Commissioners, if you can turn to page 33 of the chats, which is the second tab.

**BRIG MATJENG**: Page?

**ADV POOE**: 33. And Brigadier, if you can confirm there that that is the Lancet invoice you were referring to and the email from James Murray, which follows on page 34, if that  
20 is what you were referring to in your exchange.

**BRIG MATJENG**: That is correct. If you look at the tax invoice without mentioning the member's name, you can see that this account is billed to the member or the member was charged for this account.

**CHAIRPERSON**: So the member would be the person

whose name appears just above the address, PO Box, blah, blah, blah.

**BRIG MATJENG**: Yes, yes.

**CHAIRPERSON**: Okay, thank you.

**BRIG MATJENG**: So it will be the responsibility of the member. I am not sure if I shall go to the document which was printed by the Commission, which will indicate the change of the account holder.

**ADV POOE**: Yes, you can.

10 **BRIG MATJENG**: Can you remind me which page is that, which attachment is that?

**CHAIRPERSON**: Perhaps continue with your testimony, Brigadier, and if at a later stage you or Ms Pooe find the document, you can then make the point you want to make about it.

**BRIG MATJENG**: Okay.

**CHAIRPERSON**: Thank you.

**ADV POOE**: Sorry, Chair. It is at page 61 of the annexure, so that would be the last tab. It is labelled MTJ7.

20 Brigadier, can you confirm that is what you are referring to and ...[intervenes].

**BRIG MATJENG**: That is what I was referring to. If you look at the Lancet report that is on page 33 on the WhatsApp conversation between myself and Mr Matlala, the account is on the member's name. So after I have

communicated with him, then now the account is moved to Medicare 24 Tshwane District.

**CHAIRPERSON**: Merely reflecting the member's name to show which member it relates to.

**BRIG MATJENG**: That is correct, Commissioner.

**CHAIRPERSON**: All right, thank you.

**ADV POOE**: Thank you, Brigadier. You can continue.

**ADV BALOYI SC**: Can I just, in fact, I do not know its significance, but the one at page 33, Brigadier, carrying on  
10 to 34, has got a different amount from the one at page 62, which appears under the name of that member at page 33. It is different amounts. Is there an explanation? Are they the same? Are they speaking to the same thing, because the amounts that reflect in the invoice and in this report.

**BRIG MATJENG**: They are the same Commissioner. It is just because of him being a service provider, he had a contract. He had subcontracted Lancet. So Lancet maybe was giving him at a discounted price. Unlike when it is a member, then the member will be charged the full amount  
20 without a discount.

**ADV BALOYI SC**: Okay, thank you.

**ADV POOE**: Thank you, Brigadier. You are at paragraph 33.

**BRIG MATJENG**: Thank you.

“On 2025-03-04 I sent him a voice note

since I was going to attend the meeting and he needed to clarify to me when he will facilitate the outstanding authorization. I needed the confirmation so that I can report about it in a meeting since we were discussing the outstanding authorizations and the plan for the scheduled medical surveillance for 2025/2026. Later in the day, he requested my email address so that he can share outstanding medical authorizations with me. I then shared the email address with him. On 2025-04-03, he forwarded me a message that he received from one of his contracted service provider that was refused to conduct medical surveillance in Limpopo because they say the contract was cancelled. I did not respond but was surprised by the message because we have not received any communication about the cancelled contract. But the contract was still active and we continue with

scheduling appointment for  
authorization received.”

Thank you. Meetings with JK.

**CHAIRPERSON**: Who is JK?

**BRIG MATJENG**: JK is General Phahlane.

**CHAIRPERSON**: Oh, all right, Thank you.

**BRIG MATJENG**: -:

10 “On 2025-03-06, I received a call from  
JK and we discussed general life  
issues. While we were on call, that he  
indicated that he is available to meet  
Mr Matlala to touch base since they  
have seen each other long ago. Mr  
Matlala and JK have known each other,  
having met during our social  
engagement or circle in Pretoria, since  
I was in a relationship with him. It was  
during my conversation with JK that the  
two have seen each other ages ago  
20 that they should meet and greet,  
checking on each other within their  
social context. I accordingly sent Mr  
Matlala a message and he responded,  
tell him tomorrow at 1, same spot. I  
then forwarded the message to JK. I

cannot elaborate any further on what is  
and remains a social relation.”

**ADV KHUMALO SC:** Brigadier, is there a particular reason  
why you call General Phahlane JK?

**BRIG MATJENG:** His initials are JK.

**ADV KHUMALO SC:** But is that what you call him or how  
you address him on a daily basis when you see him? I just  
needed to understand why in your statement he is referred  
to as JK. I mean, some of my closest friends call me SK,  
10 but when they make a statement, they would not put SK in a  
statement. So I am trying to understand what  
...[intervenes].

**BRIG MATJENG:** On the statement, the reason I put JK on  
the statement is because in terms of the questions that I  
have received, I was asked to clarify the meetings between  
Mr Matlala and JK, hence, I proceeded to respond by saying  
JK.

**ADV KHUMALO SC:** Oh, so you simply followed the line of  
questioning. It was not your idea.

20 **BRIG MATJENG:** No, it was not my idea.

**ADV KHUMALO SC:** Okay.

**ADV POOE:** Brigadier, you are at paragraph 36.

**BRIG MATJENG:** -:

“On 2025-03-25, I received a message  
from JK that I must tell Mr Matlala that

they must reschedule their meeting to later or the next day. Then I forwarded the message as received and asked him to respond to JK. He then responded directly to JK and sent me a screenshot. It is through our social engagement circle that Mr Matlala met JK. The transparent social relationship has never been concealed, thus, I knew and had this occasional communication. They on few occasions met during lunch or early dinner meeting at a specific restaurant convenient to them, thus the reference “same spot”. As and when they were meeting ...[indistinct] was, when he wanted to meet Mr Matlala, JK will request that I inform or arrange because he knows that I have regular contact with Mr Matlala or will personally see him. Telephone number of General Thema. On 2024, 1220, Mr Matlala requested the contacts of General Thema because his phone was confiscated and he lost a lot of contact.

I forwarded him the number. I do not know the reason for requesting General Thema's number. Nature of the relationship with Mr Matlala. I met Mr Matlala early in the year 2017 through a colleague who downloaded my photo on her WhatsApp status. The following day, she told me that my picture have attracted a lot of people and there is a  
10                   guy named Cat who requested her my contact. She asked for my permission if she should give me my contact. I then asked more information about this Cat guy and she briefly described him. I then gave her permission to give Mr Matlala my contact number. We then started talking with Cat and ended having a romantic relationship. We had an on and off cycle relationship.  
20                   Sometimes we will even get a year break from one another without talking to each other. The romantic relationship is still in existence before his arrest. Mr Matlala is romantic and showered me with gift including money.

The romantic relationship ...”  
[intervenes].

**CHAIRPERSON**: Sorry, sorry, does this sentence just before Mr Matlala's arrest, I did not quite get what you were saying.

**BRIG MATJENG**: No, my statement here is saying the romantic relationship is still in existence.

**CHAIRPERSON**: Is still in a?

**BRIG MATJENG**: Existence.

10 **CHAIRPERSON**: Distance.

**BRIG MATJENG**: Ja.

**ADV KHUMALO SC**: Existence.

**CHAIRPERSON**: Existence.

**BRIG MATJENG**: Existence. That was before his arrest.

**CHAIRPERSON**: Apologies. Apologies.

**ADV KHUMALO SC**: The arrest did not end the relationship, it interrupted it. I just need to be clear. Sorry, it sounded like a joke. It is not. I just needed to understand that section of the statement.

20 **BRIG MATJENG**: It is a difficult question for me, Commissioner, because I have not spoken to him since.

**ADV KHUMALO SC**: Let me put it this way. The two of you did not end the relationship. You did not say either one of you or both, the relationship has ended.

**BRIG MATJENG**: I presume it is ended, ja.

**ADV BALOYI SC:** The answer to the question is none of you two has ended that relationship. You did not say to him, I am no longer in a relationship with you, and he has not said that to you either. I think that is what you are being asked. It is that direct question.

**BRIG MATJENG:** Normally, when two people go their separate ways, sometimes there will be no communication then you will have to assume that this relationship has ended. With him, we never have that thing of, no, I cannot  
10 continue with the relationship. It just it happened that no, we are not in speaking terms, I am not talking to him, he is not talking to me for a year and then it is the end of our relationship. Hence, when I explained it, I said we had an on and off relationship.

**ADV BALOYI SC:** Ja. Brigadier, the question is simpler than what you are explaining. It is. He got arrested. By the time he was arrested, you were in a relationship with him. That is what you tell us.

**BRIG MATJENG:** Yes.

20 **ADV BALOYI SC:** You were in a continuing relationship with him. What you are being asked is simply this. At no point after his arrest has he said to you, I no longer want a relationship with you, and neither have you done that. You have not said to him, now that you are arrested or for whatever reason, I no longer have a relationship with you.

And it is that simple a question, so you can either say yes or no, we are wrong.

**BRIG MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: Thank you.

**ADV POOE**: Brigadier, you were at the last sentence of paragraph 40.

**BRIG MATJENG**: -:

10                   “The romantic relationship was well  
known to people close to my circle, and  
it is an open secret that we were in an  
on and off relationship. Conclusion:  
During our relationship, I knew Mr  
Matlala as a businessman, having  
several businesses like Cat VIP  
company, Medicare 24 Tshwane  
District, and other companies. I have  
never borrowed money from Mr Matlala,  
and the monies and gifts received from  
2017 was a gift from a boyfriend. None  
20 of the gifts nor monies received from  
him were related to me having an  
influence to the awarding of the tender  
or the execution thereof as I started  
receiving them from 2017 while being  
in our on and off relationship. From

the inception of our romantic relationship, he will pay money directly into my FNB account, but when he was requesting another bank account, I asked him, why another bank account and he stated the following. He does not want the wife to find out about our relationship, the gift and the monies because she knows me only as a friend. Now that he has a contract with SAPS, he does not want it to look like he is paying me for favours and does not want the gift to jeopardize my career as other people might think about it in the wrong way. The account used was for a friend, Modiege Kakana, who owns a butchery, and Modiege will also complain to me that Mr Matlala owes her money for the meat that he will normally donate to the members of the community, the friends when they are having funerals, and as from one, and also from one of his baby mamas. I do not have further details on this issue, but I know ...”

Can I make a correction there? It was a typo. I said he owed her 38. It should be he owed her 338,000.

“While we were in a relationship, in my own knowledge, he was never arrested nor convicted of any criminal offence, which will have made me doubt or think that he is engaged in any criminal activities. I have never experienced any evil side which is being portrayed currently, And I know him as a humble, respectful, and romantic person.”

**ADV KHUMALO SC:** Brigadier, when you say in my knowledge, did you inquire? I mean, as far as I am aware, Mr Matlala has a long rap sheet. That is what they call it in - I think you understand what I mean. He is got a long record that includes convictions and various arrests and he was charged several times and charges were dropped. So when you say in my knowledge, what do you mean? Do you mean that you checked or you did not check and therefore you were not aware?

**BRIG MATJENG:** I remember at one stage when I met him, I did, I have checked. I required, because I do not have access to the systems in SAPS since I am not from the operational environment. I requested two people to check for me. One gave me feedback to say he has a previous

conviction on, I think it was possession of stolen property, if I am not mistaken, but that previous conviction was long time ago. And the other one, it was a Brigadier that I requested information from her, but she never gave me any feedback. It is only this Lieutenant Colonel that gave me feedback of his previous conviction.

**ADV KHUMALO SC:** So that statement cannot be correct, then. You cannot say, while we were in a relationship, in my knowledge, he was never. Maybe you can say from  
10 2017 onwards, but once you say never ...[incomplete].

**BRIG MATJENG:** Okay, that is correct, Commissioner. I meant to say from the 2017, since our relationship, he was never arrested, nor convicted of any criminal offence.

**ADV POOE:** Thank you.

**ADV BALOYI SC:** Also – sorry, just a follow-up ...[intervenes].

**BRIG MATJENG:** Lastly – oh.

**ADV BALOYI SC:** Carry on, carry on. You want ...[intervenes].

20 **BRIG MATJENG:** Lastly, he has never asked me for any favours which might jeopardise my career. Thank you.

**ADV BALOYI SC:** I just, it was a follow-up on Commissioner Khumalo and I just wanted to understand, you say that you were in a relationship, he was never arrested, you were never aware that he was arrested and

you have now corrected it. You, but can I just check this, in the course of your relationship with him up to the date of his arrest, you did become aware of the reports in the media where allegations were made against him?

**BRIG MATJENG**: That is correct.

**ADV BALOYI SC**: That you became aware of. Thank you.

**BRIG MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: Thank you.

**ADV POOE**: Thank you, Brigadier. Commissioners, they  
10 are a few questions arising from the statement, but in the main, I want to focus on the WhatsApp chats, because the structure of the statement is largely to respond to specific chats, and it may be better to display them during the questioning in order for us to see them alongside each other.

**ADV KHUMALO SC**: Maybe before you go to the chats, there was one paragraph in her statement, I had a question, but I thought maybe let us wait until, I think it is the second meeting. And I needed to know why it was held at CAT VIP  
20 services because CAT VIP is a security company and has nothing to do with this contract. I made a note, I think it is in paragraph 20 on page 6, that you have this service provider, Medicare 24, that has just been appointed. There is an introductory meeting in July 2024. And then in August 2024, you have a meeting at CAT VIP services. Why was

that and whose idea was it?

**BRIG MATJENG**: It was his idea to have a meeting in the CAT VIP offices, because by then the meetings were held in Boksburg Clinic, Medicare Boksburg Clinic. And seen that we were around Pretoria, then he indicated that we can come to CAT VIP offices, which was in Menlyn.

**ADV KHUMALO SC**: So this was an arrangement between you and Mr Cat Matlala?

**BRIG MATJENG**: That is correct, Commissioner.

10 **ADV KHUMALO SC**: And maybe when you are referring to Mr Matlala, just use his name so that we know who you are talking about.

**BRIG MATJENG**: Will do that. Thank you.

**ADV KHUMALO SC**: Thank you.

**ADV BALOYI SC**: Ja, Ms Pooe, I also had questions on the statement and I thought you were going to go back paragraph by paragraph.

**ADV POOE**: Similarly, I will go back. I just meant for most part I will focus on the chats, but there are some issues  
20 arising from the statement, but you can proceed, Commissioner Baloyi.

**ADV BALOYI SC**: I am going to take quite a while, so maybe we should do your, do it your way, and when you come back to the statement, I can then ask my questions.

**ADV POOE**: Commissioner Baloyi, excuse me, you are

proposing?

**ADV BALOYI SC:** No, I am saying I had a few notes that I would have wanted to discuss from the statement, but I do not want to derail you. And maybe you can proceed in your way and then when we go back, when you go back to the statement, I can then deal with my questions.

**ADV POOE:** All right.

**ADV BALOYI SC:** I am happy to do it that way.

**ADV POOE:** Thank you. Brigadier, there is just two  
10 questions I have that do not arise from the chats that I would want you to clarify. At paragraph 12, where you deal with your roles and responsibilities, you indicated there that you had been in this new environment for six months, and at that time the contract was then extended with Metropolitan for another three months. What role were you playing in that contract, in the management of that contract, if any?

**BRIG MATJENG:** The Metropolitan contract, maybe let me say the Metropolitan contract expired in March 2024, but because we had members that needed to conduct or  
20 subjected to medical surveillance, at that present moment we did not have a service provider and SAPS extended the contract of Metropolitan.

**ADV POOE:** Yes, Brigadier, my question is rather that you said by March 2024, when you assumed your new responsibilities as the Section Head, all right, at that point,

it was Metropolitan that was in place providing these services.

**BRIG MATJENG**: That is correct.

**ADV POOE**: That contract was then extended for an additional three months.

**BRIG MATJENG**: That is correct.

**ADV POOE**: So my question is, were you playing a role, a contract management role in that contract?

**BRIG MATJENG**: No. No, I was not.

10 **ADV POOE**: And ...[intervenes].

**ADV BALOYI SC**: Why not? You were appointed Section Head according to your, to page 2, 5.7. You became Section Head in October 2023. So Metropolitan was doing exactly the function that Mr Matlala's company later got to do. Is that correct?

**BRIG MATJENG**: That is correct, but ...[intervenes].

**ADV BALOYI SC**: Yes, so why were you not playing the same role that you later play with Mr Matlala's company?

20 **BRIG MATJENG**: I understand Ms Pooe's question to say I was playing a contract management role, not the implementation of the contract. That is how I understand it.

**ADV BALOYI SC**: Okay, she will clarify what she was asking you, but maybe answer my question. You are Section Head in October 2023. Metropolitan is the service provider and you say, I want to know what role you were

playing when Metropolitan was there and how different, if it was different, to the role that you now play with Mr Matlala's company.

**BRIG MATJENG**: Okay. Normally the role that I would be playing in the contract, or maybe let me answer it like this. We have environmental compliance officers that will be coordinating the medical surveillance in the environment and facilitating the appointments. But if they experience challenges, then it will be brought to my attention as the  
10 Section Head so that I can intervene and interact and resolve some of the challenges which they will be having with the service provider.

**ADV BALOYI SC**: So you were playing that role when Metropolitan was providing the service of resolving challenges.

**BRIG MATJENG**: That is correct.

**ADV BALOYI SC**: But the environmental compliance officers, I think you call them ECO's, you say, ECO's, were the ones that wereresponsible to make arrangements.

20 **BRIG MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: Okay. Now, when now it is Mr Matlala, and I am looking at your paragraph 4, you say, instead, I will urge him to facilitate appointment. That sounds like you are now involved with making of appointments for employees and yet, or for members, and yet my

understanding of your answer is that was not your role. It was the ECO's or ECO's, I think you call them.

**BRIG MATJENG**: The ECO will schedule the appointments with the service provider. Then when the service provider is not facilitating the appointments, they will send me emails or call me to complain to say, we are not getting joy from this service provider, we cannot get appointments. That is when I will communicate with the service provider.

**ADV BALOYI SC**: Thank you.

10 **ADV KHUMALO SC**: Brigadier, sorry, just look at paragraph 5.7 of your statement on page 2. Are you there?

**BRIG MATJENG**: I am there.

**ADV KHUMALO SC**: That is 16 October 2023. Do you see that? You are the Section Head. That is what it says. So after that, your CV does not say your role changed. So from 2023 October until now, your role has not changed.

**BRIG MATJENG**: No, it has not changed.

**ADV KHUMALO SC**: So whatever your role was in October 2023, that was still your role when Mr Matlala's company  
20 was appointed and while it was service provider for SAPS.

**BRIG MATJENG**: That is correct.

**ADV KHUMALO SC**: Yes, which means all the things that you mention in paragraph 4 of your statement on page 1 ...[intervenes].

**BRIG MATJENG**: Paragraph?

**ADV KHUMALO SC:** 4 of your statement.

**BRIG MATJENG:** Yes.

**ADV KHUMALO SC:** You could still do them under the Metropolitan contract.

**BRIG MATJENG:** That is correct, Commissioner.

**ADV KHUMALO SC:** So you could still be involved under the Metropolitan contract as you were under the Medicare 24 Tshwane contract. That is the point.

**BRIG MATJENG:** That is correct, Commissioner.

10 **ADV KHUMALO SC:** Yes.

**ADV POOE:** And, Brigadier, still on, at paragraph 12 where you are dealing with your responsibilities. What I wanted to understand there is your role was to then manage the complaints coming out of the ECO offices, the ECO's?

**BRIG MATJENG:** That is correct. I will, whenever there are complaints, like the service provider is not facilitating the appointments, maybe let me explain how the medical surveillance work. Our members are subjected to medical surveillance and is done on a yearly basis. So if last year  
20 you have conducted your medical surveillance in August, that means the following year in August, you must go for your medical surveillance. So whether I am there or I am not there, the scheduled appointment, the application, members being subjected to medical surveillance, it will continue.

**ADV BALOYI SC:** Are you moving from paragraph 12? Okay. Brigadier, the, your paragraph 12 suggest that the very first time you became involved with this function is after the Metropolitan contract had ended. You say, months March 2024 into my new responsibilities as Section Head, I became aware of the health risk manager contract. But you would have become aware of it in October already, after October, not in March, because this is, you say you were doing the same function.

10 In October, when Metropolitan was the service provider, you continue to do, you did the same function when Mr Matlala's company was appointed. So, the impression that is created there, in fact, let me read more of this. It says in March 2024, into my new responsibility, we now know you were in charge of this from October 2023, not only in March, I became aware of the health risk manager contract.

20 Now, it seems to me by that point you should have been aware of the Metropolitan one. You say the awareness was triggered by coming to an end of the previous risk manager contract, Metropolitan. I am not sure about the accuracy of this if already from October you were involved with Metro, or the service being rendered by Metropolitan, exactly the same service. I do not understand that you would then become aware only when the contract

ends. But you go on to say, there were discussions of the expired contract of Metropolitan.

It was further alluded that there was an extension granted for three months to Metropolitan until a new service provider is appointed. The impression created up to this point is you knew nothing about, you were not involved with, and you knew nothing about the Metropolitan contract, because the next thing you say, after you say it was alluded that an extension of three months was granted, you then  
10 say that is when I requested more information so that I can understand the implementation of medical surveillance and biological monitoring program within the component scope, that component being CR and CSM within health risk manager scope within that environmental compliance officer responsible for coordination of medical surveillance and biological monitoring program.

The point I am making to you is in paragraph 12, you create the impression that the first time you become aware and become involved with this service, this kind of  
20 service, is when a new contract is now being entered into and that new contract is with Mr Matlala. Before that, you knew nothing and you had no involvement.

That is the impression you have created in this paragraph 12 and I would like you to read it. I know you wrote this, but maybe read it and tell me I am wrong in my

reading of it, because until Commissioner Khumalo asked you the question about your involvement with the Metropolitan contract and you answered yes, I was under the impression from this paragraph that your very first involvement in this space is after Mr Matlala is awarded the contract, not any time before. Can you just explain that and why you have said what you said in paragraph 12?

**BRIG MATJENG**: When I started in October 2023 in the environment, my supervisor was still orientating me on the  
10 nature of work that is being conducted and also what is it that I need to be managing. My responsibilities in that environment does not only include the medical surveillance. There is quite a number of things that we are doing in quality management.

The issues of compliance in terms of the standard, which I was also still learning the standard. maybe I might be a slow learner, it might have taken me time to learn everything that was in the environment because one of the things you also need to know different standards that are  
20 there, how they are applicable in the environment. Then in this, the eco-environment space, I was still in a learning process. I did not even know that the medical surveillance in SAPS are conducted by a health risk manager.

When it was discussed in the meeting in March to say that the contract of Metropolitan is coming to an end,

but it will be extended. I then draw interest on it because it is part of my responsibility. Then I became involved in March with this responsibility of medical surveillance.

**ADV BALOYI SC**: Thank you.

**ADV POOE**: So, Brigadier ...[intervenes].

**CHAIRPERSON**: But when did you, put it this way. Did the person that orientated you as to what your functions were, did that person not also tell you that this contract was part of your responsibility?

10 **BRIG MATJENG**: No. No, they did not, Commissioner. They will just say, we do medical surveillance. That is it.

**CHAIRPERSON**: Which meant what?

**BRIG MATJENG**: Medical surveillance, it will mean that the ECHO officers will be the one that will be coordinating the whole program of medical surveillance. She did not go into details how we go about conducting the medical surveillance in the environment.

**CHAIRPERSON**: But surely all of that would have been in the context of the contract. It would not have been in the  
20 air, as it were.

**BRIG MATJENG**: Sorry, Commissioner, can you ...[intervenes].

**CHAIRPERSON**: I am saying all of that would have been in the context of or under the umbrella of the contract. It would not have been in the air, as it were.

**BRIG MATJENG**: I do not understand your question, Commissioner. Can you repeat?

**CHAIRPERSON**: This has been outsourced by SAPS to, at that stage, Metropolitan.

**BRIG MATJENG**: That is correct.

**CHAIRPERSON**: So I say everything relating to this function fell under what the contract provided for.

**BRIG MATJENG**: That is correct.

**CHAIRPERSON**: Not so?

10 **BRIG MATJENG**: That is correct.

**CHAIRPERSON**: So what I am saying is what you say you were aware of must have fallen under the umbrella of what Metropolitan was required to do, not so?

**BRIG MATJENG**: That is correct, Commissioner. That ...[intervenes].

**CHAIRPERSON**: So I find it difficult then for you to say that you had no idea of the existence of Metropolitan and the function that it performed.

20 **BRIG MATJENG**: That is correct, Commissioner, because if you are not involved or dealing with something on a daily basis, you will not get information about certain aspects of the environment. Like I have indicated, the ECHO members will be the one doing the application, then it will go somewhere else for approval. They will get authorization. This, it was not coming to my office.

**CHAIRPERSON:** But you are there from October and this is around five months later. For all the time you were completely in the dark.

**BRIG MATJENG:** I was not in the dark *per se*, but I was not fully involved.

**CHAIRPERSON:** You were not in the dark, but you were not in the light as well.

**ADV BALOYI SC:** Brigadier, you, someone was, you tell us in this statement that your superior said you must not  
10 recuse yourself from this contract because if there are challenges, you would have to deal with them. Someone was dealing with the challenges from October 2023. That is your position. You are in that position. You say at 9.2, part of your responsibilities is to manage the coordination of medical surveillance and biological monitoring. That is a function you had from October 2023. And so challenges, if your position means you resolve challenges, you would have been the person still at that point.

So it is very difficult to understand that you were  
20 completely blind or not involved with this function under the Metropolitan contract. And then with Medicare, you are so actively involved in a contract where there is an obvious conflict. So just make us understand how with Metropolitan, you are not involved when it is your responsibility you tell us, to manage coordination of medical surveillance and

biological monitoring, and to resolve challenges.

**CHAIRPERSON**: It is simply not enough for you to say you are in the dark, not for five months. It cannot be.

**BRIG MATJENG**: With, ja, no, with Metropolitan, Commissioners, more especially that the contract was coming to an end and they have been in the game for a long time, there were minimal, like minimal, sometimes no challenges at all. So hence, maybe by then, it was never brought to my attention so that I can intervene. And what I  
10 was informed is that normally in the first year of the contract, the service providers will be struggling with the implementation and also understanding the environment.

**CHAIRPERSON**: Actually, it is a period of nine months because Mr Matlala's firm was only appointed in June. So I was just looking at March. So his firm, Medicare 24, was only appointed in June. So you want us to believe that for nine months you were completely in the dark as to what you say were your responsibilities?

**BRIG MATJENG**: It is six months.

20 **CHAIRPERSON**: Do you seriously want us to believe that that was your position?

**BRIG MATJENG**: That was my ...[intervenes].

**CHAIRPERSON**: Or is this a way of wanting us to believe why you suddenly got interested once Mr Matlala was involved?

**BRIG MATJENG**: Commissioner, it is six months. It is not nine months. But like I have indicated, with the previous service provider, we had minimal challenges which members could resolve, but ...[intervenes].

**CHAIRPERSON**: No, it is October to June. How do you count your six months? It is October to June.

**BRIG MATJENG**: Oh, yes. Ja.

**CHAIRPERSON**: So for nine months you are not aware of your responsibilities and you suddenly become aware of  
10 them when Mr Matlala comes into the picture and you want us to believe that?

**BRIG MATJENG**: I became aware before Mr Matlala can come into the picture, which was in March. And like I have indicated with the previous service provider, there were minimal challenges. The challenges were never brought to my attention because the members could resolve or attend to the challenges. But when the new service provider came in place, there were a lot of challenges in terms of facilitating the appointments because there is a service  
20 level agreement which will indicate once they receive authorization the appointment must be facilitated. I think it says within 10 working days. You will have authorizations that have not been facilitated in two months, in 60 days. And members, the ECHO members will be sending emails left and right requesting the service provider to facilitate the

appointment. And if they do not get joy, that is when they will escalate it to my level.

**CHAIRPERSON**: Yes, Ms Pooe.

**ADV POOE**: Thank you, Chair. So, Brigadier, just so that I am also on the same page, you, in the orientation period, you did not play a role because that contractor in particular was effective and so no issues came to your attention and therefore you did not know about this aspect of your, the role that you have now assumed.

10 **BRIG MATJENG**: That is correct, until March 2024, that is when I started being involved in the medical surveillance.

**ADV POOE**: Okay, so this has always been part of your roles and responsibilities. It is somehow an oversight that occurred during the process of your orientation that it was not brought to your attention.

**BRIG MATJENG**: That is correct.

**ADV POOE**: All right.

**ADV BALOYI SC**: Brigadier, in paragraph 13, you say you were informed in June, you say in June, the management of  
20 quality insurance, quality management was informed of the appointment of Medicare 24 Tshwane District. Is this the first time that you knew Mr Matlala's company has been appointed?

**BRIG MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: Okay. Did you did you not know that he

submitted a bid?

**BRIG MATJENG**: We were not we were not in speaking terms by then.

**ADV BALOYI SC**: Well, if you were not in speaking terms, why did you disclose in paragraph 14 to Brigadier Manamela that you have a relationship with him, because you say, I know Mr Matlala and I explained the nature of my relationship and asked if I should recuse myself from the responsibility. Why would you do that if at that time you  
10 and Mr Matlala are not, are not in speaking terms and you have explained to us that that is how your relationship went. Sometimes you were, you were on-off, I think that is what you call it, and you would carry on for periods without talking because at that time you were off. Now, why would you tell Mr Manamela then, or ...[intervenes].

**BRIG MATJENG**: General Manamela.

**ADV BALOYI SC**: General Manamela, that you have a relationship with him?

**BRIG MATJENG**: I felt a need to tell her so that she can  
20 be aware that I know Mr Matlala and myself and Mr Matlala, we were, or we are in an on and off relationship in case now it becomes on again so that she become aware.

**ADV BALOYI SC**: Right, thank you.

**ADV KHUMALO SC**: Brigadier, I am going to be frank with you. Reading your statement, I think you are trying to avoid

the obvious. In paragraph 17, you call yourself the end user in relation to this service. That is why you had to attend these meetings with the new company, which means you would have attended service provider meetings with Metropolitan as well. What you are really avoiding is the fact that as end user, you were aware that a contract is coming to an end, and you were aware that in January of 2024, a new RFQ was going out and as the end user, you would have participated in the creation of that RFQ. And  
10 even though you were not a member of either the BEC or the BAC or the ultimate decision maker, throughout the process, you would have been made aware as end user, because I find it hard to believe that an end user will be in the dark for a period of eight months, Chair said, nine months, which is correct if you include the October month.

I find it hard to believe that an end user will not know that a contract is coming to an end, that there is a new RFQ, because you must know what is in the specifications, and you must know who are the shortlisted  
20 people and whether or not they qualify. That is the part you are avoiding. That is why you are telling this Commission that your involvement only starts after Mr Matlala is appointed or after his company is appointed, because you are avoiding the obvious fact that as an end user, you would have been aware and involved throughout. Do you

want to comment?

**BRIG MATJENG**: Yes, I do not agree, Commissioner, that I became aware of the specification. I did not know about the specification. I was not even aware of the people that bid for the contract because it is not within my responsibility. It is the responsibility of Supply Chain Management who is keeping this process very close without sharing.

10 So from my side, coming from a different environment that was not working with the medical surveillance, I could not have known the specification, who bid for the contract, what is the contract doing, how should it be implemented. And like I have indicated, there are a lot of responsibilities in that environment, in the environment that I am appointed at. As part of my orientation or onboarding process, they will take me through them step by step. If maybe I come into contact with something new, I will then ask my supervisor or I will call members in my environment to come and give me a  
20 presentation so that I can understand what is happening in my environment.

And maybe also one of the things that made me not to be aware of the medical surveillance is because all the administration regarding medical surveillance, it does not come to my level. It stays at the level of the ECO's. And

part of it, we also have provinces that are also managing the medical surveillance in the province. So they do it on their own unless there are serious challenges which they cannot resolve from their side, then it will be brought to my attention. And with the previous service provider, there were minimal, like minimal challenges. If they schedule appointment, the appointment will be given, the ...[indistinct] Health will also come and conduct the medical surveillance.

10           And with this new service provider, there will be challenges in terms of implementing the authorizations whereby members will stay for months without undergoing medical surveillance. And in our environment, medical surveillance are very critical. You will have environments whereby members will totally refuse to work, to say I cannot expose myself to chemicals or to whatever hazards that are there because I have not conducted my medical surveillance.

**ADV KHUMALO SC:** Thank you, Brigadier. I think what  
20 this Commission will do is we will subpoena some of the records of the meetings with Metropolitan and also some of the records leading to the RFQ and we will establish whether or not you were involved. Thank you.

**ADV BALOYI SC:** Brigadier, when you, the paragraph 14 where you speak about your disclosure to your supervisor,

can I just understand, when you spoke to General Manamela, what in fact did you say about what you say the nature of your relationship with Mr Matlala, what did you tell the General?

**BRIG MATJENG:** I told the General that - thank you, Commissioner. I told the general that I do have an on and off romantic relationship with Mr Matlala, but I have not spoken to him for quite a while. That is what I explained. And I also requested, can I be excused from doing the  
10 medical surveillance and she indicated that no, it is part of your responsibility and it is also on your job description. Although ...[intervenes].

**ADV BALOYI SC:** Why did you think, why did you consider that you should be excused or recused from having to deal with this? What was behind that?

**BRIG MATJENG:** The reason I wanted to be excused is that sometimes it is not easy to work with your ex-boyfriend. Although you try by all means to maintain a professional relationship, but sometimes it is not easy.

20 **ADV BALOYI SC:** I think you have clarified exactly what I wanted to establish when I asked you what did you tell General Manamela about the nature of your relationship. So you said to General Manamela, he is your ex-boyfriend or ex-partner. That is how you explained him.

**BRIG MATJENG:** No. No, Commissioner.

**ADV BALOYI SC:** [Indistinct]... what I am trying to establish. I am trying to establish whether General Manamela understood that you are in an ongoing relationship with Mr Matlala at the time when she says to you, it is okay, you can manage a contract that, where the service provider is your boyfriend.

I am trying to understand that, what exactly did you tell her, because there is a difference between he is my ex-boyfriend as a clear statement, it is a past relationship, and  
10 the other one is to say, well, he and I are in an on and off relationship, but we are in a relationship, I have just not been talking to him for the last six months. It is an, and it is an important distinction for purposes of this paragraph for us to understand, did General Manamela understand Mr Matlala is your partner, is your intimate partner as you describe him? That is your language, you say I have an intimate relationship with him.

Did General Manamela understand when you spoke and disclosed your relationship that in fact, you have an  
20 intimate relationship with him. You have an ongoing relationship, you have just not been talking to each other. General Manamela understood that, is that what you are saying?

**BRIG MATJENG:** Commissioner, I think she did understand, because I remember even her making a joke to

say ...[vernacular] this is a workplace.

**ADV BALOYI SC:** Yes. General Manamela had no difficulty and she may well, she may, she may not appear before us, so it is important that we get your answer clearly. General Manamela had no difficulty with you being involved in a contract, in managing a contract where your boyfriend is the service provider.

**BRIG MATJENG:** That is correct.

**ADV BALOYI SC:** Is that is that what you are saying?

10 **BRIG MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** Thank you. Thank you, Ms Pooe.

**ADV POOE:** And Brigadier, was any of this recorded formally or was this just verbal at that one meeting, the disclosure?

**BRIG MATJENG:** No, it was not recorded anywhere. It was just our verbal discussion.

**ADV POOE:** Right.

**ADV BALOYI SC:** Yes, which raises another question for me. I would imagine, and please correct me if I am wrong,  
20 because you know that environment better than I do, that the SAPS would have a policy on disclosures of conflicts of interest or potential conflicts of interest, and that policy would prescribe how that is to be done, where the disclosures should be made and to whom it should be made. Is there such a policy in the SAPS?

**BRIG MATJENG**: I am not aware of such a policy whereby you have to disclose your relationship. I am not aware of it.

**ADV BALOYI SC**: No, no, I am not saying disclose your relationship, disclose any conflicts of interest, potential conflict of interest or actual conflicts of interest. I am imagining there is such a policy in Government, including the SAPS. Are you saying you are not aware of a policy that requires you to disclose conflicts or potential conflicts of interest?

10 **BRIG MATJENG**: I am not aware of a policy.

**ADV BALOYI SC**: All right. Thank you.

**ADV POOE**: Chair ...[intervenes].

**ADV KHUMALO SC**: Sorry. Do you know if Mr Matlala's company disclosed the conflict when they responded to the RFQ, when they submitted the bid? Do you know if they disclose that actually the end user is my on-off partner?

**BRIG MATJENG**: I do not know if Mr Matlala have disclosed, Commissioner, because by then, as I have indicated, we were not in a relationship. So I am not aware  
20 on the document if he has indicated it. And I do not think you will even know that I was the end user because this contract has quite a number of end users. It is not only me who was the end user. You will get someone that is doing recruitment into SAPS. That person will be an end user. You will get people that are doing incapacity leave in the

organisation, you will have someone that is leading that stream. You will get a stream whereby ...[intervenes].

**ADV KHUMALO SC:** Brigadier, I think you have answered me and I am not cutting you short. I am worried about the time, because it is almost our tea time. So just one last question and a short answer, please, because it should be obvious. In June, when Mr Matlala's company gets appointed, the relationship is flat, nothing is happening. When did the two of you start the relationship again? When  
10 did you suddenly agree that, okay, now things are back to us being in a relationship?

**BRIG MATJENG:** I do not remember.

**ADV KHUMALO SC:** These things are important, Brigadier, so think carefully.

**BRIG MATJENG:** Ja. No, I ...[intervenes].

**ADV KHUMALO SC:** These things are important.

**BRIG MATJENG:** I do not remember when did we start again with our relationship after he was awarded the contract. I do not remember.

20 **ADV KHUMALO SC:** I want to remind you, Commissioner Mkhwanazi's words in this Commission were to the effect that at the end of it, we must make findings and recommendations and it would be unfair to make findings and recommendations on things that you are able to answer, but you choose not to. 2024 is not a long time ago

and if somebody is your partner or your lover, surely you must know when did things start again, because you were very clear that in June nothing was happening. So surely you must know when did things start moving again. Please think about it and try to answer it, Chair, after tea, because it is very important.

**CHAIRPERSON:** But may I just put in this question, but would it have been before December 2024 when you resumed your relationship?

10 **BRIG MATJENG:** Sorry, Commissioner?

**CHAIRPERSON:** Would it have been before December 2024 when you resumed your relationship? In June, you say you are still not. But by December, would you have resumed it already?

**BRIG MATJENG:** Yes, that is correct, Commissioner.

**CHAIRPERSON:** Thank you. I am not necessarily blocking Commissioner Khumalo's question because he wants specificity. You say June, not. So Commissioner Khumalo was, when did you resume? So that is what you should mull  
20 over during the tea break. Let us adjourn and resume at 20 past 11.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** We saw the live interview. We are still not late. Yes, Ms Pooe.

**EXAMINATION BY ADV POOE (CONTINUES)**: Thank you, Chair. Brigadier, just before the break, Commissioner Khumalo had asked a question regarding whether you remember when your relationship with Mr Matlala became on again. Did you recall, or you still do not remember?

**BRIGADIER MATJENG**: Thank you very much, Commissioners. I think it was in late 2024. Maybe around, maybe around September, September, October. But it was late in 2024.

10 **ADV POOE**: And in late 2024, when the relationship now was actively ongoing, did you perhaps think it was important to go back to speak to General Manamela? Given that the first description you gave her was we have an on and off relationship. Now you definitely know that you are in a relationship with a contracted service provider. Did you go back to talk to her about this?

**BRIGADIER MATJENG**: Yes, I did. Fortunately, General Manamela is someone that you can talk to most of the things. Yes, I did.

20 **ADV POOE**: Sorry, Brigadier, you went back to talk to her in, let us say, late 2024, and definitively confirmed you have a relationship. What was her response to that?

**BRIGADIER MATJENG**: Nothing. I think it was still the same response. I cannot remember. But I think it was the same response to say, I must just continue and being

professional at work.

**ADV POOE**: And again, this was not recorded in any form?

**BRIGADIER MATJENG**: No, it was not recorded, Commissioners.

**ADV BALOYI SC**: Brigadier, let me just go back to a question that Ms Pooe asked you, and I think you said, when she asked you about your involvement in what she described as contract management of this Medicare contract, and you denied that you are involved with contract  
10 management. Am I correct?

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: What do you understand to be contract management in the context of this Medicare contract? What would constitute contract management?

**BRIGADIER MATJENG**: My understanding of contract management, and in SAPS, you will have one person that will be a contract manager of that specific contract. If we are having challenges that we cannot resolve with a service provider, then we will have to escalate them to the level of  
20 a contract manager.

**ADV BALOYI SC**: Okay, so where you say in paragraph 4, you would urge him to facilitate appointments. It is because, you said it is because members were complaining, the CO, the CEO, or something you call them, environmental officers were complaining. So, you step in

and urge him to make appointments for members, that is what you say in your paragraph four.

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: And then you also say, you also urge him to pay his contracted service provider. That is his business, why do you come into it? Why are you involved in an issue about Mr Matlala's company paying his service providers?

**BRIGADIER MATJENG**: Sometimes members that are  
10 managing the contract, or that are giving out authorisation, because they knew the nature of my relationship with Mr Matlala, they will call me and say, you know, we are struggling to get an appointment for maybe for divers with doctor so and so, because Mr Matlala have not yet paid them. Can you not talk to him and ask him to pay the service provider? Yes, indeed, I will and urge him to pay the service provider.

**ADV BALOYI SC**: And so, from your description, what you  
20 have just explained now, this was not part of your functions, to urge him to pay his service providers. You were doing it because people know you have a relationship with him, so as his girlfriend, you are talking to him to pay his service providers.

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: So, it is not your responsibility.

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: So, at this point, you now have a relationship, you are back on with him, when you now talk to him about paying his service providers.

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: Okay, and then you say:

“And correcting him when numbers were not corresponding, which effectively qualified him to invoice lesser.”

10 This, to me, sounds like a purely finance function, not your monitoring, surveillance, and making sure that there is surveillance of your members. The discussion about invoices being corrected, I do not see how from how you have described your responsibilities, where it comes in, that you are responsible to now look at invoices for correction, even if it means him being paid lesser. I do not see how that flows from your responsibilities. Yes, you may comment.

**BRIGADIER MATJENG**: I was not correcting him for  
20 invoices. When medical surveillance has been attended by the members, there will be an attendance register, which will be kept by the service provider, as well as our ECHO members. They will keep the attendance register. Sometimes, the attendance register is not corresponding. His attendance register and our attendance register will not

be corresponding.

**ADV BALOYI SC:** Yes, what I am saying is, I do not see why that is part of your functions, that kind of engagement with Mr Matlala, that you are the one that has to solve non-corresponding registers. Your ECHO officers are responsible for this. They are the ones that know what appointments are being made. Just make me understand why and how that fits into your responsibilities relating to this contract.

10 **BRIGADIER MATJENG:** If there are any fruitless expenditures regarding the medical surveillance, I am the one that must account to the fruitless expenditure. And as much as possible, from my side, I was trying to avoid the fruitless expenditure. Reason being, when we started with medical surveillance in my environment, I received an email from the management, Colonel Mngadi, who indicated that the environment that I am managing, has a lot of, a huge amount of fruitless expenditure due to non-attendance of members.

20 **ADV BALOYI SC:** Okay, can I just stop you there? The point I am trying to make is, can you see from the three things that you have listed that in fact, this is contract management. You are managing now the day-to-day performance of this contract. Because to urge him to facilitate appointments, is to say to him, you are not

performing, our members are not getting their appointments.

How that, why that gets escalated to you, I think it is a different debate. But you say to him, comply with the contract. That is the management of a contract. At least, that is what I am suggesting to you. To pay his contracted service providers, I think this has absolutely nothing to do with you as a SAPS person, who is the end user of the contract. This you are doing as his girlfriend, because others have come and spoken to you. Has nothing to do  
10 with your responsibilities.

And then, correcting him when numbers were not corresponding, which effectively qualified him to invoice lesser, this is contract management. So, when you say to Ms Pooe, I was not responsible for contract management, officially, yes, maybe you were not. But you took on this function of this contract, of managing the contract in the name of solving challenges, when in fact, it is typical contract management. That is what I am suggesting to you. You may comment if you want to.

20 **BRIGADIER MATJENG**: From my side, Commissioner, I do not see it as contract management. I see it as stepping in whenever there are challenges. And in SAPS language, we understand contract management to be something else different. Hence, I indicated that I was not managing the contract.

**ADV BALOYI SC:** Thank you. Thank you, Brigadier.

**ADV POOE:** Brigadier, just to follow up on two aspects in relation to the answers you gave to Commissioner Baloyi. You mentioned that managers, so the actual contract managers would then approach you to do ostensibly what they were supposed to do when they had issues with a contract. Do you accept that?

**BRIGADIER MATJENG:** Yes.

**ADV POOE:** So, if you were ...[intervenes]

10 **BRIGADIER MATJENG:** Not managers, but there is someone that is issuing authorisation and doing payment as well. So, whenever there are challenges of non-payment, and it is very urgent that the divers must attend their medical surveillance, she will call me and say, hey, we cannot make appointments because doctor so and so has not been paid. Cannot you talk to him, at least prioritise this doctor so that our divers can conduct the medical surveillance?

20 **ADV POOE:** Yes, I understand, Brigadier. I guess the question is, if that sounds like a management issue, why was that then not directed to managers? If you are now saying that those people were indeed not managers.

**BRIGADIER MATJENG:** Yes, okay.

**ADV POOE:** And then if you look at paragraph 14, right, where you talk about your disclosure to General Manamela,

you say:

“I further asked if I could recuse myself from the responsibility of managing the medical surveillance and biological monitoring programme.”

And so that sort of management did not include actual contract management or the provision, at least of those services that affected your environment.

**BRIGADIER MATJENG**: That is correct.

10 **ADV POOE**: All right. Thank you, Brigadier. And then if you look at paragraph 15, just to clarify, at the end of that sentence or that paragraph, you say, perhaps, let me just read the whole paragraph:

“It must be noted that I was not part of the bid specification committee, bid evaluation committee, nor bid adjudication committee, and I was not aware of the service providers that submitted bids for the tender or any  
20 engagements with any previous health risk managers that were contracted by the SAPS.”

What do you mean by that? Are you solely limiting it for purposes of the procurement process?

**BRIGADIER MATJENG**: I am solely limiting it in the

process of the specification of the contract, the evaluation, or the adjudication of the tender.

**ADV POOE**: And I think this was a question that was posed by Commissioner Khumalo. As an end user, there was not a part that you were playing in the bid specifications behind the scenes, as end users would contribute to bid specifications, as they are the receivers ultimately of the service. So, there was no participation there.

10 **BRIGADIER MATJENG**: Nothing. The part of the specification, it even started before I can arrive in that environment.

**ADV POOE**: All right, thank you, Brigadier.

**ADV BALOYI SC**: Brigadier, in that paragraph 15, where you, well, you can read it together with 14, but I am raising this in the context of what you say in 15. Is there any reason you do not say in your statement at the time of the submission of the bid of Mr Matlala and at the time that the bid was awarded to him or the tender was awarded to him,  
20 he and I were not in a relationship? Is there any reason you are not saying it that clearly?

**BRIGADIER MATJENG**: Maybe it is the matter of English. For me, I see that I have already covered it. So maybe it is the matter of English and putting it the way you are saying, Commissioner.

**ADV BALOYI SC:** No, it is not a matter of English and putting it the way I am saying it. Nowhere in your statement do you say that. You tell us earlier on about your on and off relationship without saying that as of May or June 2024, we were not in a relationship. Your statement does not say that. And my question is, you clearly do see it is important.

That is why you are telling us what you tell us in paragraph 14 and that is why you tell us what you are telling us in paragraph 15, it is because you know it is  
10 important to convey something that - in fact, the fact of your relationship with him, whether on and off, you do know it is important for purposes of why you are here before us and for purposes of this contract.

What is curious is much as you know it is, you have decided it is important, nowhere in your statement do you say when he submitted the tender, which you do not know when, you have told us, and when it was awarded to him, he and I were not in a relationship at that time. You do not say that and my question is, is there a reason you do not say it  
20 that clearly in your statement?

**BRIGADIER MATJENG:** No, there is no reason, Commissioner.

**ADV BALOYI SC:** Okay, thank you.

**ADV POOE:** Commissioners, I am going to move to the chats for purposes of questioning the witness alongside

some of the statements that arise. So, I think it may be easier to just remove the statement and put it alongside the chats. And for just purposes of orientation, because the chats are slightly different from those that we were looking at with Witness F, under tab 2, you will see that the chat box that is green would represent chats from Mr Matlala and that which is white or grey, depending on the level of your eyesight, will be those of Brigadier Matjeng.

**ADV BALOYI SC:** Ms Pooe perhaps for the record, you  
10 should say the source of these chats, from whose phone, if you were already going to do that, I do apologise for anticipating.

**ADV POOE:** Thank you, Commissioner Baloyi. The chats originate from the phone of Mr Matlala and were extracted both the WhatsApp's and the metadata. So, we were able to get copies of the chats as well as annexures to the chats that includes multimedia like videos or audio. Brigadier, you have had consideration and sight of the chats?

**BRIGADIER MATJENG:** Yes.

20 **ADV POOE:** And you are satisfied that these are the chats that you had with Mr Matlala?

**BRIGADIER MATJENG:** That is correct, I am.

**ADV POOE:** Thank you. Commissioners, I would like to begin at page 2. Brigadier, you see there that on the 15<sup>th</sup> of December 2024, you send a number to Mr Matlala.

Whose number is that?

**ADV BALOYI SC:** Sorry, maybe ...[intervenes]

**ADV POOE:** Do you know?

**ADV BALOYI SC:** Ms Pooe, for completeness, maybe also give the timestamp because there is quite a number of messages on the same day.

**ADV POOE:** Yes, Commissioner Baloyi, that is at 12:37.

**BRIGADIER MATJENG:** This one, I tried to recall whose number is this because I do not have it on my contact.

10 Probably, maybe it was forwarded by someone while Mr Matlala was looking for it. I do not know whose number is this.

**ADV POOE:** And if you turn the page over, you will see you then text Mr Matlala at 15:04 on the same day. You say:

“Did you find him? Apparently, he changed his number.”

Does that help you recall?

20 **BRIGADIER MATJENG:** I know he was looking for, after his phone was confiscated, he was looking for a number of quite a lot of people. I am trying to recall, and I even dial it on Truecaller just to check whose number it is.

**ADV POOE:** So, we have done a check of the number. It is Captain Cartwright. Do you have any sense of why you would be providing?

**CHAIRPERSON**: Sorry, Ms Pooe, you said it is what?

**ADV POOE**: Captain Cartwright, C-A-R-T-W-R-I-G-H-T.

**CHAIRPERSON**: Thank you.

**ADV POOE**: Do you have a sense of why you would be sharing Captain Cartwright's ...[intervenes]

**CHAIRPERSON**: Or first, perhaps, do you know who that Captain is?

**BRIGADIER MATJENG**: I know him by surname. I have never met him personally. I, yes, I just know the name  
10 Captain Cartwright.

**CHAIRPERSON**: And then please respond to Ms Pooe's question.

**ADV POOE**: Do you recall why you would be sending his number to Mr Matlala?

**BRIGADIER MATJENG**: No, I do not remember. He was looking for a number, and I got him the number.

**ADV POOE**: Thank you, Brigadier.

**ADV BALOYI SC**: When he asked for the number, he would have told you why. He is asking for a number of a  
20 SAPS person, a colleague of yours, so he would have told you why.

**BRIGADIER MATJENG**: It is not always that when someone is looking for a number of a specific person, they will tell you why they are looking for that person. So, in this instance, I do not know why he was looking for the captain.

What I know is that on the 6<sup>th</sup> of December, when they took his phone, he lost a lot of contacts.

**ADV BALOYI SC:** Yes, I understand that, and my question has nothing to do with that. My question is, when Mr Matlala asks you for a number of your colleague, which you do not have on your phone, and so you do not just pass it on, you would have asked why, or he would have explained, I want this number. You would have had to look it up on your SAPS system, so you would know a bit about him,  
10 because you have to look it up.

You are sharing police information, or an employee's information, actually. You are sharing an employee's number with an outsider. I expect you would have said to you, I want this number for this reason. Two, when you look it up on your system, you would know who it is. They are employed in this section. I would imagine that information would have been there available to you. So, you would know more than just by name, from looking him up. You would know this is where he is employed.

20 **BRIGADIER MATJENG:** No, I do not have access to check where members are employed, but if it is Captain Cartwright, I know he is working at Supply Chain Management, and he is one of the people that he signed, when he was going to sign the contract, he signed it with Captain Cartwright. What he was looking for, or what he

wanted to discuss with Captain Cartwright, I really do not know, Commissioner.

**ADV BALOYI SC:** Okay, but you knew just at looking him up, if you did not know before, that this is someone in Supply Chain Management. You came to know that.

**BRIGADIER MATJENG:** No, after Ms Pooe mentioned Captain Cartwright, then I remembered to say, Captain Cartwright is the one that was working in, oh, he is still there in Supply Chain, I am not sure if he is still there.

10 **ADV BALOYI SC:** Okay, now you also say you tried, I mean, Ms Pooe seems to have had better luck than you, even though she is not in the SAPS, to locate who this number belongs to. When you say you tried, you even used Truecaller, are you saying you could not establish whose number this is?

**BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** Even when you called it?

**BRIGADIER MATJENG:** No, I did not call it. What I do, I just check on Truecaller, if it will show the name of the  
20 person. As I was writing my affidavit, some of the numbers, I will check them on my Truecaller, and it will give me the name of that specific person.

**ADV BALOYI SC:** All right, I do not know how Truecaller works, but thank you. Thank you, Brigadier.

**ADV POOE:** I can confirm, Commissioner Baloyi, that

when I used my Truecaller this morning, that is how I discovered the name, and then double-checked it with our IT.

**ADV BALOYI SC:** Brigadier just was not able to do the same. All right, thank you.

**ADV POOE:** And then, you will see, then let us go to the next chat, on still the 15<sup>th</sup> of December, at 17:04, you text Mr Matlala:

“You do not have money, Ontumele[?].”

10 And his response is:

“I do not have bank account.”

And you respond with *ja nè*[?]. I just wanted to understand in relation to this, this was just ordinary boyfriend-girlfriend talk.

**BRIGADIER MATJENG:** That is correct.

**ADV POOE:** And he also then indicates that he would be opening another account. Now, if you look at the next message, on the 18<sup>th</sup> of December, at 13:27, we will not get into it. You just sent Mr Matlala a correspondence that you  
20 received, and you asked him for assistance.

**BRIGADIER MATJENG:** That is correct.

**ADV POOE:** And again, here, just to confirm, this was regular boyfriend-girlfriend chats.

**BRIGADIER MATJENG:** Yes, because, yes, Commissioners, because previously, I told him about this

account that I was owing and could not settle the account. I told him Ka[?] September 2023, because I had an incident in September 2023, it is a very traumatic incident, which I do not want to divulge what happened there, but at the end of the day, my car was burned down. So, yes, and because of this account, I have challenges in getting finance to buy a new car.

**ADV POOE**: All right, Brigitte, you do not have to go into the specifics.

10 **CHAIRPERSON**: Ms Pooe, at this very early stage, I want to test this idea of the Brigadier having been involved in a romantic relationship with Mr Matlala. Brigadier, as romantically involved people, did you and Mr Matlala have any terms of endearment, like love, babe, hon, *et cetera*?

**BRIGADIER MATJENG**: Yes, Commissioner, I am not a romantic person. I am not into calling people honey, love, or whatever, but I will give you a pet name. So, for him, I was calling him Mr V, and from his side, he was calling me diva. That is how we call each other.

20 **CHAIRPERSON**: I must say I have gone through all the chats. Well, people differ, but I find it very, very strange that you do not have or you do not use, not at all, any of the usual terms of endearment that some people, if not most people, use. I find it very strange. Do you wish to comment on that? I have gone through all, from page 3 all

the way to the last one at page 49. Not once do you use any term of endearment, except as you say, you are saying Mr V, and he is saying diva. Even those, even that Mr V and that diva, those are very few. Do you accept that they are very few?

**BRIGADIER MATJENG**: I do accept it.

**CHAIRPERSON**: If you go beyond 5, that would be quite a lot, actually. I doubt that you even reach 5. The same with him. Starting from December to, what is the date of the last  
10 one? It is the 25<sup>th</sup> of, no, no, it is the 13<sup>th</sup> of May 2025. Very few, even of those, the Mr V and the diva, very few. Do you wish to comment on that?

**BRIGADIER MATJENG**: Yes, Commissioner. I do accept that in writing, there will be very few of that. But when you look at our chats, most of the time we will be talking through phone.

**CHAIRPERSON**: I have seen that there are lots of phone calls. But I will still say, it is very strange that you would use these terms of endearment the Mr V and the diva, if you  
20 are suggesting that you were using them during the calls. I would still find it strange that you would use them in the calls but not use them in texts. It is still the two people interacting. So, it does not make sense to me that you would change, you would switch or not relate in the same manner you do in phone calls.

**BRIGADIER MATJENG**: Sometimes when someone is having a girlfriend, you avoid using those terms a lot, because if maybe the girlfriend can get hold of the phone, they will be able to read and see the discussions between two people. So, in most of the time on our chat, we try to keep it professional.

**CHAIRPERSON**: But that can be the answer if you say, you ask for money from him because you were in a relationship. If saying love, hon babe or whatever, if you  
10 saw that as problematic for purposes of the wife, asking for money should equally have been problematic for the wife, if not worse. So, your answer, again, does not make sense to me. It would actually be worse to ask for money especially huge sums will of money like we have here. Your comment?

**BRIGADIER MATJENG**: I am not a romantic person.

**CHAIRPERSON**: I am not, that is not what I am asking you. I am not asking you that. I am asking you now about the point you make about it being problematic if the wife were to see terms of endearment. So now I am saying, if  
20 you say that would have been problematic, in my view, it would actually have been worse for the wife to see texts in which you were asking for money. And not money for airtime or anything like that, but huge sums will of money, hundreds of thousands of rand. Would that not have been worse than mere terms of endearment?

**BRIGADIER MATJENG**: It will be, Commissioner.

**CHAIRPERSON**: So, my question stands there. Or perhaps let me ask a different question or make a different comment and ask you to respond to that. To me, a huge doubt is cast upon this idea that you and Mr Matlala had a romantic relationship. The very fact that you did not use any terms of endearment suggests to me that you were not romantically involved. What do you say?

**BRIGADIER MATJENG**: I do not agree, Commissioner.  
10 People can go out and investigate around my circle, and my circle is very big. They will be able to confirm this relationship.

**CHAIRPERSON**: Why then are you not able to explain how you interacted, or why it is that you interacted in a manner that did not show that you were romantically involved? Because the reason you gave does not make sense. And you basically admit that when you say it would be worse if the spouse were to see that you were asking for huge sums will of money. So why is it, try to give a better response,  
20 why is it that you did not interact in a manner that showed that you were romantically involved?

**BRIGADIER MATJENG**: Thank you, Commissioner. I still stick to the point that I am not a romantic person. In all my relationships, I do not use – I would rather call someone Ntate Matlala. For me, it is romantic to be calling Ntate

Matlala. Maybe from his side, he will be saying Mama Tlala. For me, it is romantic. And to cut most of the things short, we will just say Mr V, and then he will go diva.

**CHAIRPERSON:** Let me just take you through a few. The first one that Ms Pooe has already referred you to says, oh yes, the first one is you give him a cell number, and it is just that cell number, no text at all. And then the second one, also referred to by Ms Pooe, says:

10                   “Did you find him? Apparently, he  
                      changed numbers.”

And then the next one, the date is 15 December 2024, timestamp, 17:04. You say:

                      “You do not have money on Ontumele.”

Then the first one by him:

                      “I do not even have a bank account.”

And that is on the same date, same time, basically. And your next one, *ja nè*, same date, 17:10. And his second text:

20                   “I am opening another account on  
                      Tuesday while they are busy  
                      investigating irregularities of funds in  
                      that one.”

Same date, 17:13. I will skip a letter from attorneys that is at pages 3, 4, 5. And I go to the top of page 6. That is your next one. Where is the timestamp? It is cut there at

the top. Let me see. Yes, it is at the bottom of page 5. It is on the 18<sup>th</sup> of December 2024, at 13:28. You say:

“I am in trouble now. These guys are on my case. Remember, I told you, Ka September.”

And then I will skip a few and go to page 14.

**BRIGADIER MATJENG**: 14.

**CHAIRPERSON**: One, four, yes, yes, yes. And there you say, and it is the 23<sup>rd</sup> of January 2025, 12:03 and there you  
10 simply say:

“Confirmed.”

The point I want to make about all these is that they sound business-like. All of those that I have read sound business-like. And in fact, I have gone through all the texts. All of them are like that, business-like. I find it very strange that this is how people who are romantically involved would write to each other. Do you wish to comment?

**BRIGADIER MATJENG**: Yes, Commissioner, as I have previously, my previous comment to say that we will have  
20 our regular phone calls whereby we will talk about our affairs and on WhatsApp. Like I said, I am not a romantic person. So, it will be ...[intervenes]

**CHAIRPERSON**: Would you be romantic during those phone calls? In terms of using, in terms of endearment for example?

**BRIGADIER MATJENG**: Sometimes, depending on.

**CHAIRPERSON**: But only using Mr V, nothing else?

**BRIGADIER MATJENG**: Yes, I only use Mr V.

**CHAIRPERSON**: So that is what you mean by being romantic during the phone calls?

**BRIGADIER MATJENG**: That is correct. But I am also inviting the Commission to investigate.

**CHAIRPERSON**: But please, let us not get distracted. Please answer my question. My question was, do you agree  
10 that it is very strange that people who are romantically involved would talk in this business-like manner? Do you accept that or not?

**BRIGADIER MATJENG**: I do not accept, Commissioner, because it will differ from one person to another.

**CHAIRPERSON**: Thank you, Ms Pooe.

**ADV BALOYI SC**: Brigadier, at that page 3 of these WhatsApp exchanges that the Chair has gone through about requests for money, you then get to - you forward him, you forward Mr Matlala at page three at the bottom, a letter to  
20 you, right?

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: And you do that on the 18<sup>th</sup> of December 2024. And then at page 6, you then say:

“I am in trouble now these guys are on my case. Remember I told you, Ka

September.”

So that these guys are on my case. You are referring to what is contained in that letter.

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: It relates to that letter.

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: And I told you, Ka September. It has to be September, 2024.

**BRIGADIER MATJENG**: 2023.

10 **ADV BALOYI SC**: Why 2023? Why do you say 2023?

**BRIGADIER MATJENG**: I had an incident in September 2023, whereby my car was burned down.

**ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC**: So, these guys are after me you are not referring to the people, to these attorneys who have sent you a letter?

**BRIGADIER MATJENG**: I am referring to the attorneys who has sent me this judgment. It was a judgment.

20 **ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: I am referring to it because this judgment, I am struggling to obtain vehicle finance because of this judgment.

**ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: Unless I pay them, then I will be

able to apply for vehicle finance.

**ADV BALOYI SC:** Yes.

**BRIGADIER MATJENG:** As I am saying, I am in trouble. Now these guys are on my case. Remember I told you, Ka September.

**ADV BALOYI SC:** Yes, if these guys are the attorneys, then the guys who are after you, I told you, Ka September, that these guys are after me. You must have been referring to this letter. These attorneys, not your incident.

10 **BRIGADIER MATJENG:** Yes, I agree with you, Commissioner. When I am saying I am in trouble, these guys are after me.

**ADV BALOYI SC:** Yes.

**BRIGADIER MATJENG:** I mean this letter.

**ADV BALOYI SC:** Yes.

**BRIGADIER MATJENG:** But when I say I told you, Ka September, I told him, Ka September, that I am struggling to buy a car because of this account. By then, there was no judgment on my name. Now, they went on to get a  
20 judgment for this account.

**ADV BALOYI SC:** Yes, they get a judgment in October.

**BRIGADIER MATJENG:** Yes.

**ADV BALOYI SC:** In October.

**BRIGADIER MATJENG:** Yes, Commissioner.

**ADV BALOYI SC:** And I am saying to you, according to

this text, and my reading of it is, you would have told him in September about this judgment. That makes sense. It does make sense that you would send a text which has an attorneys letter that has a judgment taken in August 2024, and then you say, I told you, Ka September, and that is all you say, and you are referring to September 2023 when you are attaching an attorneys letter that is in August. Let me just express it again. This is a judgment. A judgment is taken in August 2024, right?

10 **BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC**: So, we know that you get this letter after the judgment is taken because the letter refers to a judgment.

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: It is in August 2024. Then you send a text, you send that same letter, and you send a letter that says:

“I told you, Ka September.”

And I am suggesting to you that the September you are referring to is in 2024. You told him about this judgment in  
20 September 2024, not 2023.

**BRIGADIER MATJENG**: I do not agree, Commissioner, reason being, once you get a judgment or once there is a judgment on your name, you are not being informed immediately that there is a judgment on your name. The

first time that they sent me a message to say there is a judgment on your name, it was on this date.

**ADV BALOYI SC:** Yes. The more important point, I think, to me, Brigadier, is you are asking him for money in December, and you are showing him that you need to pay. That is why you are sending him this letter.

**BRIGADIER MATJENG:** That is correct.

**ADV BALOYI SC:** I have got this letter, there is a judgment against me, and I need to make payment. And  
10 that follows on that sequence of requests for payment from you to him, right?

**BRIGADIER MATJENG:** Yes.

**ADV BALOYI SC:** Is that – do you agree with that?

**BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** Okay, now and the point I wanted to make about it is, well, if you told him in September 2024, then we know that your relationship had started in 2024, September, and I think that is why you are saying 2023. You are avoiding, or conceding, that in fact, having told  
20 General Manamela in June about your relationship, which you say was off at that time, because that is what you tell us.

You say your relationship was off in June 2024. In fact, in September 2024, your relationship is back on, and that is consistent with an earlier answer to General - to

Commissioner Khumalo, that your relationship started the second, towards the late 2024. So, in September 2024, you are now back in a relationship with Mr Matlala. You are talking to him, and that is when you tell him that these guys are after you. You accept that?

**BRIGADIER MATJENG**: Commissioner, it might be that in September 2024, our relationship was already on, or it started in September 2024, but when I say, I told you Ka September, I am referring to September 2023, after my car  
10 was burned down, and I could not get a car.

**ADV BALOYI SC**: Okay, I just wanted to establish that we are on the same page, that by September, your relationship was, you say it is possible, but I wanted to put it higher than that, that by September 2024, your relationship was back on track. And the important point I want to make about it is that from the time you told General Manamela about your relationship, and you say to us it was off at the time, that is why you did not know he had been awarded. In fact, not too much time passed between the June award of  
20 the tender, on your version, the June award of the tender, and when you are back on. We know that latest in September, you are back in a relationship with Mr Matlala. That is the point I am making.

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: So, it is barely three months in there

somewhere.

**BRIGADIER MATJENG**: It might be that we were back together, or we were in the process of fixing our relationship.

**ADV BALOYI SC**: All right, thank you Brigadier. Thanks, Ms Pooe. Before we move on, I think you were answering a question of the Chair, and you spoke about your relationship was known to people close to your circle. You remember you also say that in the statement.

10 **BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: What does it mean? I mean, I do not know what it means. Who are the people close to your circle? Are you talking your family? Are you talking your friends? Are you talking your colleagues?

**BRIGADIER MATJENG**: It is family, it is friends. Some of my colleagues will know.

**ADV BALOYI SC**: Did that include General Phahlane, as people who knew about your relationship?

**BRIGADIER MATJENG**: That is correct.

20 **ADV BALOYI SC**: He knew about your relationship.

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC**: All right, thank you.

**ADV POOE**: Brigadier, then, if we can go to, again, still on page 6, there is an exchange of calls that we will not go through, but on the 20<sup>th</sup> of December 2024, at 18:33, you

send him a contact card giving him the details of one General Thema. Is that correct? That is the contact details of General Thema.

**CHAIRPERSON**: Ms Pooe, we really have to strain our ears. Can you please try to ...[intervenes]

**ADV POOE**: My apologies.

**ADV BALOYI SC**: Maybe bring the mic closer to you.

**ADV POOE**: Yes, the contact details of General Thema.

**BRIGADIER MATJENG**: That is correct. He called me and  
10 requested that I forward him the contact details of General Thema, and because by then, he lost a lot of contact, and I know that he knew General Thema, and he previously had the contact of General Thema. I then forwarded him her contacts.

**ADV POOE**: And Brigadier, you say that you knew that he knew General Thema. Maybe to start here, what environment is General Thema?

**BRIGADIER MATJENG**: General Thema has resigned, but  
20 previously, when she was in the organisation, she was the head of basic police training.

**ADV POOE**: Basic?

**BRIGADIER MATJENG**: Basic police training.

**ADV POOE**: Police training?

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: All right, and you knew that he had her

number?

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: And this is why you provided it?

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV POOE**: And just to say that you said in your earlier testimony that the reason why you provide contact details of SAPS members is because he lost his cell phone, and he could not access their numbers on ongoing correspondence, because he is a contractor, and I imagine frequently would  
10 be talking to these individuals.

**BRIGADIER MATJENG**: I think after losing, or after the phone was confiscated, he changed the numbers and used a different number. So, the number that we are communicating from December, it was his new number.

**ADV POOE**: I suppose my question is simply, could he not have gotten it through his emails? Most SAPS employees, in their email signatures, they put both the official and cell number. Is there a reason why he frequently asked you for these numbers?

20 **BRIGADIER MATJENG**: General Thema was not in the organisation by then, and he will see me spending much time with General Thema through the WhatsApp status photos, and she liked posting on Facebook, as well as on Facebook.

**ADV POOE**: So, in this context, he was asking for the

number because she is your friend?

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: All right.

**BRIGADIER MATJENG**: Not really a friend. She is a  
...[intervenes]

**ADV POOE**: Acquaintance.

**BRIGADIER MATJENG**: Yes, she is older than me, but  
yes, we do see each other as time permits.

**CHAIRPERSON**: An acquaintance.

10 **BRIGADIER MATJENG**: Yes, proper English acquaintance.

**ADV POOE**: And then let us move to - my apologies. Did  
you ask at that point why he required the number of General  
Thema?

**BRIGADIER MATJENG**: No, I did not, because I know that  
previously they were in contact, and because he lost most  
of his contacts, I just forwarded him the number.

**ADV POOE**: Thank you, Brigadier. And then if we could  
turn to – there is a series of calls that then follow since  
then, so we are not going to go through those calls, but if  
20 you turn to page 9, and Commissioners, just to make sure  
that you look at, have regard to a statement in particular,  
paragraph 45. Brigadier, you will see there at – on the 10<sup>th</sup>  
of January 2025, at 10:46. Perhaps maybe the best place  
to start is that there is a call that you make to Mr Matlala at  
09:31 on that day. Thereafter, Mr Matlala responds at

10:46 with:

“Morning, please send me account number. Not yours, please. Sorry, was busy with Polfin. They only paid 30 percent of the invoice.”

You see that?

**BRIGADIER MATJENG**: That is correct, I see it.

**ADV POOE**: And then you respond at 11:25 by saying:

“Good morning, Mr V.”

10 And you provide then an account number of Osizweni Meat Hyper.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And then you, at 16:03, I just want to cover the text for this day. You respond and say:

“Did you do it? I need to pay and send proof of payment today.”

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And then this is followed by two calls on this day. All right, so that is just the 10<sup>th</sup>. I will stop there for  
20 now. Now, you start there, Mr Matlala at that point, at 10:46 requests for you to send an account number that is not yours, and this was to send you money. This was to send you money.

**BRIGADIER MATJENG**: Yes, that is correct.

**ADV POOE**: And this is confirmed by what you say at

paragraph 45 of your statement.

**BRIGADIER MATJENG**: That is correct, Commissioners.

**ADV POOE**: And you - why, please explain why did he want you to use an account number that was not yours?

**BRIGADIER MATJENG**: Yes, I did ask him why he wants an account number that is not mine, because I knew that Mr Matlala had my, or have my account, my bank account details. Then he said to me, no, you see, I do not want the wife to find out that I am giving you money, gifts, and  
10 whatever. And furthermore, he says now that he has a contract in SAPS, it will end up looking like gratification.

**ADV POOE**: Okay, and when he then says this to you, what is your response?

**BRIGADIER MATJENG**: I understood the reasons that he provided me.

**ADV POOE**: And did you think these reasons were sound to engage in this sort of transaction?

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: That it would be, okay? Did you think it would  
20 be okay?

**BRIGADIER MATJENG**: As my boyfriend, I did not see anything wrong with it.

**ADV BALOYI SC**: Brigadier, when did you – did you ask him for the reasons before you gave him the bank account details of Osizweni?

**BRIGADIER MATJENG**: No, I gave him, but we previously spoke about it, and I could understand the reasons why he wanted a different account number than mine.

**ADV BALOYI SC**: When you say previously, what do you mean? We have a WhatsApp message where, for the first time, he is asking you to give him an account number, which is not yours, please. That is what he does at 10:46. And then at 11:25, you send him these details of this bank account that he is asking for.

10            Now, clearly, if you had had a call in between, it would show here on this trail, because that is the order of this WhatsApp message, of what we have in front of us. Now, we know from this that there was no telephone call between you and him after he requested, and when you gave him this. Hence my question, when would you have had that discussion before he asked you to give him a bank account other than yours?

**BRIGADIER MATJENG**: That would be before he asked for the account number during our calls or during our visits,  
20            whereby he was showing me or he was saying to me, I will no longer transfer money into your direct bank account because of the following reasons.

**ADV BALOYI SC**: So, if you had that discussion, why would he say to you at 10:46, not yours, please? Because you have already discussed it. You have already agreed.

He is told you in advance. You have understood the reason. Why would he at 10:46 say to you, not yours, please, if you knew and understood that you are not to give him your account number?

**BRIGADIER MATJENG**: I do not know, Commissioner. Maybe it is a reminder. He is reminding me not to give him my account number.

**ADV BALOYI SC**: No, let me suggest to you that it is not true that you had discussed it before he sent you this  
10 message. It is not true. You had not discussed it at all. If you had discussed it, he would not tell you, he would not need to tell you, do not send me yours. And the reason he is doing that it is because you do not know to send him yours. So, what you are saying there now is it is not true.

**BRIGADIER MATJENG**: I do not agree, Commissioner. We had a discussion before regarding this matter. Even when I was sending him the statement of a judgment, we also had this discussion.

**ADV BALOYI SC**: But the records do not bear that out.  
20 Unless you have a recording, the record that we have here and my interpretation of it is it does not bear that out. What it tells me is that at 10:46, he asks you for a bank account which is not yours. There is no discussion between you, according to the record that is in front of us. There is no discussion between the two of you. And then you give him

an account number which is not yours. So, there was no discussion at least in the face of this. Thank you, Ms Pooe.

**ADV POOE**: Brigadier, let us turn to the reasons that you say Mr Matlala gave you. The first reason is that he did not want his wife to find out about your relationship, gifts and monies, because she knows me only as a friend. That is paragraph 45.1. If you can then turn to, it is the annexures section of the file, so tab 3, the last tab at page 92. You noted earlier in your answer that Mr Matlala used to send  
10 you money directly to your account. Do you see those transactions there and can you confirm if that is your account?

**BRIGADIER MATJENG**: That is correct. I can confirm.

**ADV POOE**: And you see over that period Mr Matlala was sending you money directly to your account.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: Would that not have triggered his wife?

**BRIGADIER MATJENG**: No, I think by then he has not met the other one, the latest one. With the previous one, yes,  
20 he could send money directly into my account.

**ADV POOE**: So, your understanding is with the previous wife he could send, there was no problem.

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: This issue only arose with the latest one.

**BRIGADIER MATJENG**: With the current one.

**ADV POOE**: The current one.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And by the current one you mean?

**BRIGADIER MATJENG**: The current one that he is saving now.

**ADV BALOYI SC**: Ms Pooe, can I just understand, you say what does page 31 represent?

**ADV POOE**: My apologies.

**ADV BALOYI SC**: The top part represents into Brigadier  
10 Matjeng's account.

**ADV POOE**: 92.

**ADV BALOYI SC**: At 92. Thank you.

**ADV POOE**: Yes, so in that account the Brigadier is confirmed to be hers. Okay, so this concern only arose with the latest wife, the current wife.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: Sorry for my phrasing. And then the second reason that he provides is that he does not want SAPS to know and to jeopardise your career.

20 **BRIGADIER MATJENG**: That is correct.

**ADV POOE**: Okay, and so you then agreed, no, actually you do agree to use this separate account.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: The account that you provided, if you go to page 91, those, you confirm that that was the account that

you provided at the top?

**BRIGADIER MATJENG**: I confirm.

**ADV POOE**: And just to orientate everyone, the top part is the transactions from one of Mr Matlala's accounts to the account number that was provided by Brigadier Matjeng. And the bottom one is the contra account being the account of Osizweni Meat Market.

**CHAIRPERSON**: And the first one, the Luxor Africa, that is the company, Mr Matlala's company?

10 **BRIGADIER MATJENG**: Yes.

**CHAIRPERSON**: And I think it is the same company, the bearer or owner of the card that was referred to during the testimony of?

**ADV POOE**: Witness F.

**CHAIRPERSON**: Yes, all right. Thank you.

**ADV POOE**: Yes, it is the very same account.

**ADV BALOYI SC**: Ms Pooe, the heading, the first heading, it says into Brigadier Matjeng's bank account. And you have got an account number. And then the second one, it is  
20 Osizweni's bank account and it is the same number. Is there not an error somewhere? The first heading?

**ADV POOE**: Yes, it was represented as Brigadier Matjeng's bank account number, but it really should be the account number given by ...[intervenues]

**ADV BALOYI SC**: The account of Osizweni?

**ADV POOE:** Yes. The account that was used to pay into that account would be the one that is in the table itself.

**ADV BALOYI SC:** Yes, I understand that part. Thank you.

**ADV POOE:** And then Brigadier, is that then the amount of money that was then sent to you through that account?

**BRIGADIER MATJENG:** It is the amount that was sent by Mr Matlala through this account. But unfortunately, I never benefited from this money. Because Mr Matlala was owing Osizweni Meat Hyper the money. On the first one, the lady  
10 just totally refused to give me the money. She said she cannot give me the money if Mr Matlala is owing her.

**ADV POOE:** Maybe before we get into that, if you go to 45.3, you say there that you used that account because of your friend who owns a butchery.

**BRIGADIER MATJENG:** That is correct.

**ADV POOE:** So, did you have an understanding with her before the money came in that you would be using her account for this purpose?

**BRIGADIER MATJENG:** Yes, we did.

20 **ADV POOE:** And at the point that the money was paid, she then refused to give you the money on account of Mr Matlala's debt?

**BRIGADIER MATJENG:** That is correct.

**ADV POOE:** Okay, then maybe to understand that, let us go back into the chats. In particular, if you look at the

correspondence, let us start at page 9, at 16:03, on the 10<sup>th</sup> of January.

**CHAIRPERSON**: Are you going to be coming back to the bank statements, Ms Pooe?

**ADV POOE**: Yes.

**CHAIRPERSON**: At 91?

**ADV POOE**: Yes, it was just to deal with the claim that she never benefited.

**CHAIRPERSON**: Oh, all right. You are dealing with that?

10 **ADV POOE**: Yes.

**CHAIRPERSON**: All right, thank you.

**ADV POOE**: Page 9. My apologies. If you look at 16:03, you say:

“Did you do it? I need to pay and send proof of payment today.”

Over the page, at page 10, at 10:51, so this is the following day, 11 January 2025, you say:

20 “I spoke to Modiegi and she did not receive it. Given my desperate situation, I thought you will gladly assist me, I guess, once more, I do not deserve to be assisted by you. It is okay.”

He responds at 10:53:

“What you mean, Diva?”

And 10:53, he says:

“They made payment in front of me. I do not know why you are saying such things. That money is going to be reflected, so we can please be patient.”

And then there is a call. And then on the following day, on the 12<sup>th</sup> of Jan, at 18:10, he says:

“Please ask your friend to check the balance. I just got notification that the transaction went through.”

10 And you respond at 18:15:

“Yes, got it, thank you very much and apologies.”

So, from this exchange, it does not seem that you did not get the money as intended.

**BRIGADIER MATJENG**: No, the money went into the bank account of a Osizweni Butcher. And the owner confirmed that she did receive the money, or the money is in her account.

20 **ADV POOE**: So, are you suggesting that when you say to him, yes, got it, thank you very much, you meant you had just confirmed with your friend that the money is in her account?

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And then, did you then say to him at any point that this money did not get to me?

**BRIGADIER MATJENG**: Yes, I did.

**ADV POOE**: And this was not, I guess, in any of - it is not in the text?

**BRIGADIER MATJENG**: Yes, it is not on the text, but I did say to him that Modiegi has been complaining that you are owing her a lot of money and she is not going to give me that money.

**ADV POOE**: Okay, and if you look at the text that you write to him just before that, I guess you say, I spoke to  
10 Modiegi, you see that text on page 10?

**BRIGADIER MATJENG**: Yes, I see it.

**ADV POOE**: It seems as if you would have spoken to Modiegi, and who confirmed that the money has not been received, but it seems like - it does not seem like Modiegi would be a hurdle.

**BRIGADIER MATJENG**: It could be, sorry.

**ADV POOE**: From the way the text is written, it seems as if you have spoken to Modiegi, who then responded to you and said the money has not been received yet, right?

20 **BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And from that, it does not seem like Modiegi was a hurdle, it seems like Modiegi was somebody who was going to give you the money. At what point does then Modiegi become the person who does not give you the money?

**BRIGADIER MATJENG**: That is correct, because for me, I saw it that maybe she was playing me so that the money can be paid in order for her to keep the money so that the debt can be paid through that money.

**ADV POOE**: All right, I want to ...[intervenes]

**ADV BALOYI SC**: No, Brigadier, page 10, the bottom email, you say:

“Yes, got it, thank you very much, and apologies.”

10 And you have an emoji of hands that ordinarily I used to say thank you. At this point, Modiegi has told you the money has come in, and if she had told you, you are not getting the money, you would have said it here, and you would not have apologised because you do not have the money.

**BRIGADIER MATJENG**: No, I said, yes, got it, she got it, thank you very much, and apologies.

**ADV BALOYI SC**: No, you did not say, yes, she got it. You said, yes, got it. Yes, so you got the money. Let me finish. You got the money, one. Two, you thank Mr Matlala  
20 for the money. Three, you apologise for the tantrum that you threw earlier on about this. All of that is inconsistent with Modiegi having just said to you, yes, I have got the money, but I am keeping it, or even just saying, I have got the money. It is inconsistent. Whatever explanation you seek to give us now, these documents, these WhatsApp

exchanges, is not consistent with your explanation.

**BRIGADIER MATJENG**: She confirmed that she got the money, Commissioner, and I thanked Mr Matlala for transferring the money. But when I went to her so that she can transfer the money, she just totally refused.

**ADV BALOYI SC**: And did you go back to Mr Matlala to say, I am still in trouble financially. Give me that R300 000 that you gave me, because you still have these people that are chasing you.

10 **BRIGADIER MATJENG**: Yes, I did.

**ADV BALOYI SC**: Did he give you?

**BRIGADIER MATJENG**: No, he did not.

**ADV BALOYI SC**: Okay, let me tell you what it suggests. Let me suggest to you what this is. In fact, it is not even a suggestion. Your WhatsApp message does not say, yes, she got it. You are now inserting she in a WhatsApp message where you are saying, you have got it. You say, got it. You are not saying, Modiegi got it. You say, yes, got it.

20 Any reader of this WhatsApp message, except you, will understand it to mean you have the money. That is what you are telling him, that I now have the money. And any reader will understand this WhatsApp message to say you are thanking him very much because you have the money. You are no longer under the pressure that you were

earlier on in the early WhatsApp messages. And any reader will say you are apologising because now you have the money. You were pressuring him. Now you have the money. Your explanation just does not accord with this WhatsApp message, and it cannot be true.

**BRIGADIER MATJENG**: Can I respond?

**ADV BALOYI SC**: Yes, you can if you want to.

**BRIGADIER MATJENG**: Okay, Commissioner, if you look at the message above this one, he is saying, please ask  
10 your friend to check her balance. That is him. He says, please ask your friend to check the balance. Then my response is, yes, got it.

**ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: I am responding to the question or to the request of, check your friend if she must check her balance. I am responding to ask your friend.

**ADV BALOYI SC**: Well, you have heard my view about it. I read your text word for word, the way it is. It does not say, yes, she is got it. It says, yes, got it, thank you, and I  
20 apologise. Thank you, Ms Pooe.

**ADV POOE**: Brigadier, staying in this line of questioning, if you go to, and I do not mean to deal with all three transactions now, but I fear we have to. If you go to page 24.

**BRIGADIER MATJENG**: 24.

**ADV POOE**: My apologies, of the chats.

**ADV KHUMALO SC**: Adv Pooe?

**ADV POOE**: Of the chats.

**CHAIRPERSON**: Page?

**ADV POOE**: Page 24.

**ADV BALOYI SC**: 24.

**CHAIRPERSON**: Thank you.

**ADV KHUMALO SC**: Just to make sure that we do not steal your thunder, I want to ask questions about this conversation with Modiegi. But if you are going to ask  
10 about it, I would rather leave it to you.

**ADV POOE**: Commissioner Khumalo, what I wanted to show was the implausibility of Brigadier's response to the line of questioning that Commissioner Baloyi just engaged in. Just one tiny simple point. If you have regard to page 24, correct, which is a proof of payment of 100 000 sent to the account that you provided to Mr Matlala, and Mr Matlala provides you with this proof of payment on the 4<sup>th</sup> of February at 13:10.

20 If it was correct that after Modiegi refused to give you the first 100 000 that was sent or received on the 12<sup>th</sup> of Jan, by this stage, Mr Matlala would know that you do not get the money when he sends it through this Osizweni Meat Market. Why would he send the next 100 000 through that same account and send you the proof of payment?

**BRIGADIER MATJENG**: He sent it to Osizweni Butcher to pay his debt. And even on the 3<sup>rd</sup> one, he was paying the money that he is owing Modiegi. But he will send a proof of payment for me so that I can inform Modiegi that the money has been paid into his account.

**ADV POOE**: Brigadier, if you look at the message that follows just after the proof of payment is sent, and Mr Matlala then says:

10                    “I will calm you, still fighting with  
                         Odire[?] and the lawyers.”

I do not understand your answer when you say he is sending you the proof of payment so that you can communicate that to Modiegi, yet he is clearly saying here that he is calming you.

**BRIGADIER MATJENG**: I think he wanted to say, I will call you. Still fighting with Odire and the lawyers.

**ADV POOE**: Why is Mr Matlala sending you this proof of payment as opposed to sending it to Modiegi?

**BRIGADIER MATJENG**: I do not know.

20 **CHAIRPERSON**: You cannot ...[intervenes]

**BRIGADIER MATJENG**: Maybe because I ...[intervenes]

**CHAIRPERSON**: You cannot not know. They have a business relationship according to you in terms of which Mr Matlala buys meat that runs into hundreds of thousands. You said, what, 300 000 and something?

**BRIGADIER MATJENG**: Yes, that is correct, Commissioner.

**CHAIRPERSON**: So, they have a direct relationship. Why should you be the conduit when it comes to Mr Matlala proving that he has made payments? It does not make sense at all. Why must you suddenly be the conduit? They have an existing business relationship. Mr Matlala buys the meat there directly, without your involvement. Is it so that that is without your involvement?

10 **BRIGADIER MATJENG**: That is correct.

**CHAIRPERSON**: So why now, when he pays his debts, does he have to give the proof of payment to you for you to forward to Osizweni? It does not make sense, Brigadier. Think of something better than that.

**BRIGADIER MATJENG**: Most of the time, when I will have queried him to pay his debts, he will pay them and send me a proof of payment and to say, I have honoured my debts.

**CHAIRPERSON**: I will tell you why you are saying this. Commissioner Baloyi engaged you on you saying, you got it,  
20 thank you very much, and then the thank you emojis as well. And you said you actually did not get the money. Now you foresee, having gone through the bank statements, you foresee that you are going to be questioned by the evidence leaders and possibly the Commissioners as well on why there would have been a payment in January of

2025, there would have been a payment in April of 2025, there would have been another payment in March of 2025, all of which are R100 000 each.

So, you foresee that it does not make sense for Mr Matlala to continue paying into this account when you actually do not receive the payments and you come up with this story that he owed money to Osizweni. That is what is happening here, and we see through it, Brigadier. We see right through it. Your comment?

10 **BRIGADIER MATJENG**: It is not a story, Commissioner. Indeed, he owed Osizweni Butcher the money.

**CHAIRPERSON**: And why do you suddenly become an agent in all of that when they have been dealing with each other without your involvement? Why do you suddenly become an agent?

**BRIGADIER MATJENG**: I was not an agent, and I think that Osizweni Butcher, the lady, she was not the only person that I assisted to get Mr Matlala to pay them.

20 **CHAIRPERSON**: Why was that your business? You should have actually been mad with Osizweni that they took away R100 000 that you would have used to pay in respect of your car that got burnt down. You would have been mad with Osizweni. Why it should have been your business to see to it that they are paid escapes me.

**BRIGADIER MATJENG**: I think I have a way of talking to

him so that he can honour.

**CHAIRPERSON:** But why was it your business to do that?

**BRIGADIER MATJENG:** I felt sorry for the lady because she has a good heart. Mr Matlala is owing her, and he has been owing her for quite a number of years.

**CHAIRPERSON:** You have said that the R100 000 was paid so that you could make a payment in respect of your car that was burnt down, because now you were being chased by attorneys. And you said this was by no means a  
10 gratification, gratification in the sense of corruption/bribery. I will suggest to you that a plausible explanation for these payments, R300 000 on what we see, was actually what you say they were not, that is the payments were not.

Is that not the plausible explanation? Because otherwise what you say does not make sense. In particular, why do you become a conjugate for Osizweni when Mr Matlala was dealing directly with that business? So, the plausible explanation for me was that this was actually a gratification, or at least to soften it. Indications are that it  
20 was a gratification. And you would then assist him in whatever way you could in respect of the contract. What is your comment?

**BRIGADIER MATJENG:** Commissioners, I do not disagree that the money was meant for me. And I do not disagree that I am the one who requested the money. But at the end

of the day ...[intervenes]

**CHAIRPERSON**: When you say the money, I refer to R300 000. So, when you say the money was intended for you, you are referring to the R300 000?

**BRIGADIER MATJENG**: No, I am referring to the R100 000.

**CHAIRPERSON**: Okay, continue about the plausibility of what I am positing to you. Please comment on that.

**BRIGADIER MATJENG**: The R100 000, even though it was  
10 meant for me, at the end of the day, I never received that money due to the debt that Matlala had with Osizweni Butcher.

**CHAIRPERSON**: And then for the remaining part of the debt, you suddenly become the conjugate for the payment of that debt.

**BRIGADIER MATJENG**: I think it was only the one.

**CHAIRPERSON**: Just the one. Just the one Ms Pooe referred you to.

**BRIGADIER MATJENG**: Yes.

20 **CHAIRPERSON**: I will leave it because I have already asked you questions around why you suddenly became a conjugate in that regard.

**ADV BALOYI SC**: Just to make sure, Brigadier, that I understand your evidence, are you admitting that you received the second R100 000 that was paid in February,

and you received the March one? Or are you saying Modiegi took all of this money?

**BRIGADIER MATJENG**: All three of them I never received.

**ADV BALOYI SC**: Okay, and so the January one, because you asked Mr Matlala the first time, at least that we can see, not ask actually, he says to you on the 12<sup>th</sup> of January:

“Please ask your friend to check a balance. I just got notification that the transaction went through.”

10 That is Mr Matlala to you at 18:10. And then at 18:15, on the 12<sup>th</sup> of January, you say:

“Yes, got it, thank you very much, and apologies.”

You say you never received that R100 000 because on this schedule on page 91, there is a transaction from Mr Matlala to Osizweni between the 12<sup>th</sup> and the 13<sup>th</sup> of January, so we know it has to do with that WhatsApp message that I just read now, right?

**BRIGADIER MATJENG**: That is correct, Commissioner.

20 **ADV BALOYI SC**: Okay, and you say you never received that R100 000.

**BRIGADIER MATJENG**: I never received it.

**ADV BALOYI SC**: And you told Mr Matlala?

**BRIGADIER MATJENG**: Yes, I did.

**ADV BALOYI SC**: Okay, that Modiegi has kept the money.

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC**: Why would you have him pay the next amount in February? You have told us in your statement that he owed her 338. You have made a point of correcting so that it fits in perfectly with his payments. You made a point of correcting that it is R338 000, not R38 000. Now, if Modiegi kept - so you knew how much he owed her, 338. If Modiegi keeps the first 100, why would you have Mr Matlala pay into the same account the second 100?

10 **BRIGADIER MATJENG**: Because I wanted her to pay his debt. He was owing quite a lot of people, and in most of the instances I will intervene.

**ADV BALOYI SC**: No, this is money meant for you, which you never got. So, what do you mean you wanted him to pay his debts? This is your money. It is supposed to come to you in February. It is not Modiegi's money. It is not Mr Matlala settling a debt, at least not to other people, maybe to you. But we know that this is money meant for you in February.

20 But Modiegi has already kept your January money. Why would you still have Mr Matlala pay into Modiegi's account when you know that he owes her and Modiegi keeps the money? Why would you do that? It is not normal human conduct that when they have kept your money, you say, oh, to Mr Matlala, pay again into that same account,

where I know and I expect she will do exactly the same thing.

**BRIGADIER MATJENG**: I never said to him he must pay again to that account, and I never requested the February and the March money. He paid it into that account knowing very well that he is owing Osizweni.

**ADV BALOYI SC**: Yes, I am sorry. Can you just make it make sense, please? You see, so you say the money at page 91 was meant for you, right, all of it, those R100 000?

10 **BRIGADIER MATJENG**: No, the first one, only the first one.

**ADV BALOYI SC**: I thought you accepted that even the February was meant for you.

**BRIGADIER MATJENG**: No, it was not for me.

**ADV BALOYI SC**: And the third one?

**BRIGADIER MATJENG**: It was not for me.

**ADV BALOYI SC**: Okay, so you know that he was paying Modiegi. You knew that. It was not your money. He was not helping you.

20 **BRIGADIER MATJENG**: I knew that he was paying his debt to Osizweni Butcher, but the first money is the one that was meant for me.

**ADV BALOYI SC**: So, the second and third were not meant for you?

**BRIGADIER MATJENG**: They were not meant for me.

**ADV BALOYI SC:** Okay, so at page 24, where he sends you proof of payment for February, you say why he sent you that proof of payment?

**BRIGADIER MATJENG:** He sent me a proof of payment to show that he is paying his debt from Modiegi.

**ADV BALOYI SC:** Why did he need to show you that he is paying Modiegi?

**BRIGADIER MATJENG:** Because most of the time I will urge him to pay the people that he is owing. I will urge him  
10 to pay the service providers. I will also urge him to pay the doctors. And he will call me back to say, I have paid so-and-so, either send me a proof of payment, to say we already did as a company.

**ADV BALOYI SC:** Well, Brigadier, maybe let me, in fairness to you, say to you that I do not believe you for what it matters. I think you are not being honest with us about these payments and these Modiegi issues. These are monies that were meant for you. These are monies that you received. And when Mr Matlala sends you proof of payment  
20 on page 24, it is to confirm to you that I have paid. The money is in that account. When you say, I got it, thank you, apologies, it is all money meant for you. What you are telling us now in trying to explain away these payments as monies owed to Modiegi, that is not true. In fact, it is false. I want to put that to you. You can comment if you want to.

**BRIGADIER MATJENG:** No, I am not going to comment, Commissioner.

**ADV KHUMALO SC:** Adv Pooe, let me deal with my questions now, because they follow from what has been asked. Brigadier, you were good friends with Modiegi, correct?

**BRIGADIER MATJENG:** That is correct.

**ADV KHUMALO SC:** And before you gave Mr Matlala this account number, you must have told Modiegi that you are in  
10 a desperate situation and you desperately need money, correct?

**BRIGADIER MATJENG:** That is correct.

**ADV KHUMALO SC:** So, she was aware of your desperate situation.

**BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV KHUMALO SC:** And a good friend that she is would have understood that you need this money.

**BRIGADIER MATJENG:** Sometimes they say money can come between friends.

20 **ADV KHUMALO SC:** And the fact that you kept enquiring means you were desperate. You would not even wait for Monday, because Mr Matlala even says to you, wait, it is a weekend, be patient. That is how desperate you were, correct?

**BRIGADIER MATJENG:** Not that desperate, because

already I was paying that money on a monthly basis from my salary.

**ADV KHUMALO SC:** Yes.

**BRIGADIER MATJENG:** But now the frustration that I had with him is that here we are once again, he promised me money, he is not delivering. And it was not the first time that it happens that he will promise me something and he does not deliver. And we will stop talking to each other.

**ADV KHUMALO SC:** This is what I find difficult to believe,  
10 that a friend of yours, knowing that you are desperate for this money because you want to settle a judgment debt, would take advantage of you and use the money for her own benefit and not care that you desperately needed this money. I find that hard to believe.

**BRIGADIER MATJENG:** From my side, I understood her situation, because if you are owed money for a long period, now the person that is owing you, he is paying the money which is meant for another person. I will also keep the money, despite my friend's situation.

20 **ADV KHUMALO SC:** Did you continue to become good friends with Modiegi after this incident?

**BRIGADIER MATJENG:** No, we did not.

**ADV KHUMALO SC:** The friendship ended?

**BRIGADIER MATJENG:** It did not end, but it was no longer a nice relationship, friendship.

**ADV KHUMALO SC:** Now, if what you are saying about the first payment is correct, the normal reaction, as Chair put to you, would have been to tell Mr Matlala, I do not care about Modiegi anymore. Do not even pay her what you owe her. She is a bad person. That is the normal reaction. She is a thief. She stole my money. She is not a loyal friend. She knew about my desperate situation. She took advantage of it. Whatever you owe her, do not pay her anymore. Let her sue you for it, but I do not care about her anymore. That  
10 would have been the normal reaction.

**BRIGADIER MATJENG:** It would be unfair of me to react in that manner, knowing Modiegi's situation very well, and again, knowing how Mr Matlala is always assisting people when they have funerals. He will go there, or he will send people to go and collect the funeral packs from Modiegi. So, if I say, do not pay money anymore, then the people of the community will not be assisted.

**ADV KHUMALO SC:** Last question. If we were to call Modiegi to this Commission and ask her about these  
20 payments, and if she confirms that you did get the payments, what should this Commission do with your evidence on this point and the rest of your evidence? Remember, I qualified it with 'if'. If we call Modiegi to come and give evidence and she confirms that you got these payments, what should this Commission do with your

evidence on this point and on all the other issues?

**BRIGADIER MATJENG:** I guess I must be charged because I lied under oath.

**ADV KHUMALO SC:** I am glad you understand that.

**ADV BALOYI SC:** Can I just check this with you? You say to Commissioner Khumalo that the relationship with Modiegi has ended because the money has come between you two, right?

**BRIGADIER MATJENG:** It has not ended.

10 **ADV BALOYI SC:** It is no longer good?

**BRIGADIER MATJENG:** Yes.

**ADV BALOYI SC:** It is no longer good. So, when you gave Mr Matlala Modiegi's number, Osizweni Butcheries's bank account details, you had a good relationship at that point.

**BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** Then he pays the R100 000. That is meant for you.

**BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** You do not get it.

20 **BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** And your relationship continues to be good.

**BRIGADIER MATJENG:** Not good.

**ADV BALOYI SC:** Sorry to say that?

**BRIGADIER MATJENG:** Not good.

**ADV BALOYI SC:** Okay, so, if at that point she is taken your money and the relationship is not good, how do you go to Mr Matlala and say, pay Modiegi her money that you owe her. When your relationship is no longer good, she is kept your money. You now go to him and say, you know what? Pay her you owe her. How do you do that and why should we believe that happened?

**BRIGADIER MATJENG:** I never went to him and say, Pay Modiegi the money that you owe her after she kept my  
10 money. I just indicated to him that you are owing Modiegi a lot of money and she does not want to give me that money. Please make sure that you pay her the money. And like I am saying, Commissioner, I have intervened in a lot of people that Mr Matlala was owing.

**ADV BALOYI SC:** No, do not tell me about other people. I am interested in the story that you have told us. Remember you have already told us something, so I am really interested in just that story. And I am interested in it because it does not make sense that your friend keeps your  
20 money. Remember you are desperate. You are very desperate. And that is why you are harassing. Harassing is my word. I am not meaning it in a negative way.

But you apologise eventually because you appreciate that your conduct towards him about this money was quite forceful. So, you are desperate for this money

because these guys are chasing you. Your friend gives you a bank account for you to receive payment. She keeps the money. Your friendship, as one would expect, your friendship, if someone has kept my money, I would react like you immediately. My friendship with them gets affected immediately.

What I do not understand is after that, how are you still the same person who is still desperate because you have not told us that you got the money elsewhere, right?  
10 She took your R100 000. You have not told us, well, I went and got it somewhere. What you actually have told us is Mr Matlala did not replace that money that Modiegi keeps. But you are the same person that says to him, you owe Modiegi, pay her.

That is not consistent with human conduct of a person who is desperate for money and who is been betrayed by a friend who is keeping her money, notwithstanding her desperation. And then you go and you feel sorry for her because she is desperate. It just does not  
20 make sense. And it is improbable that things happened the way you described them. It is just improbable. Do you want to comment?

**BRIGADIER MATJENG**: I do not know how to comment further than what I have commented, Commissioner, but that is the sequence. That is the way it happened.

**ADV BALOYI SC:** A different question arising from your earlier discussion with the Chairperson. In page 92, you have got that list of payments to use starting in 2019 to 2021. And you say you accept that. They indicate that they come from Mr Matlala's different companies, Falcon, CAT, Medicare 24, Black AK, and another one from him personally.

It indicates, or at least it says, Vusimuzi Matlala. You have confirmed you received those payments. Now, in  
10 the period between 2019 June, which is what this schedule is, to September 2021, you have received from Mr Matlala a total of R113 500. That is what you have received. And they are broken down into small amounts, R10 000, R3 000, R10 000, 10, 10, 10, R15 000, R5 000, R20 000, R10 000, and then R10 000.

How do you explain the sudden escalation? I mean, he used to give you small numbers. And I am asking this because the Chair earlier suggested to you that the huge amounts that you now receive, the hundred that you  
20 are now being paid, suggests that there may well have been a part of it, if not all of it, being gratification.

Now, if you look at that huge amounts, the hundreds that you are receiving, vis-à-vis what you were receiving in 2019 to 2021, all of which totals to just over R100 000 over a longer period than what you get in

January, February, March, it does suggest that what you now receive after the Medicare contract may well be or include gratification for your role in managing this contract, the facilitation that you are making, the role that we see you playing now, the active role you are playing in this contract. That is what it looks like.

**BRIGADIER MATJENG**: I do not agree, Commissioner. Maybe by then, his financial status was a little bit low. Hence, you could give the R10 000 and the R20 000. And  
10 now, his financial status has changed.

**ADV BALOYI SC**: He is become richer now. That is why he is giving you so much money. That is what it is, right? That is what you want to say.

**BRIGADIER MATJENG**: His financial status has changed for the better, and knowing my current situation, that by then I was struggling to buy a vehicle. We were pushing so that he can buy me a car.

**ADV BALOYI SC**: Okay, thank you.

**ADV POOE**: Chair, I see that it is 4 minutes past, but can I  
20 ask one more question so that when we return, I can move to the next chat?

**CHAIRPERSON**: It relates to this subject?

**ADV POOE**: Yes.

**CHAIRPERSON**: All right, all right, please go ahead.

**ADV POOE**: Brigadier, just one small thing. If you look at

after the message where you say, yes, got it, thank you very much and apologies ...[intervenes]

**BRIGADIER MATJENG**: Which page?

**ADV POOE**: On page 10 of the chat, in particular, if you look at the days that follow, so the next chat, or rather, there is a call that happens on the 16<sup>th</sup> , there is a series of calls thereafter, more calls on the 17<sup>th</sup> , and then on the 17<sup>th</sup> at 10:15, you text Mr Matlala:

“Morning, Mr V.”

10 And from your interaction with Chair earlier, this is your way of calling him affectionately. Now, if you then consider that from the 11<sup>th</sup>, you were desperately asking for assistance, he says, calm down. On the 12<sup>th</sup>, you are checking again, you say:

“Thank you, got it, apologies.”

And then you do not get the money. So you are still in that desperate situation, and I use desperate because that is the wording you use in that text at 10:51. You are still in the desperate situation, yet if you look at the days that follow,  
20 there is nothing that says you communicated with him your desperation, or is it that you gave up then asking?

**BRIGADIER MATJENG**: By this time, he promised me that once he is settled, then he will see what he can do. But remember ...[intervenes]

**ADV POOE**: After he settles, the entire 300 000

...[intervenes]

**BRIGADIER MATJENG**: Not yet. No, it is not yet. This is still in January.

**ADV POOE**: Yes.

**BRIGADIER MATJENG**: The other monies came in February, as well as in March.

**ADV POOE**: No, I am saying to you that you – here you display that you are in a desperate situation. You say, thank you, you got it, but you did not get it. But there is  
10 nothing in the days that follow that displays that sense of desperation continued because you did not get the money. And in fact, the next text that you send on the 17<sup>th</sup>, you are back to the affectionate, mourning Mr V.

**BRIGADIER MATJENG**: Yes, because I understood that it was not his fault that money did not come through to me. He did what he was supposed to do from his side.

**ADV BALOYI SC**: And can I just add something to that, to Ms Pooe? You see, your last text of the 12<sup>th</sup> of January, it is where you say, got it, thank you. And I think that is  
20 where Ms Pooe is seeking your comment on, is on these records, your next communication with Mr Matlala is the 16<sup>th</sup> of January. So, 12, 13, 14, 15. In fact, the 16<sup>th</sup> is at quarter to 1.

So, the 13<sup>th</sup>, the 12<sup>th</sup>, after you said, got it, at 18:15. After that, you do not call Mr Matlala to say Modiegi

is refusing to give me the money. You do not call. And the next call between the two of you is on the 16<sup>th</sup> of January. So, after Modiegi told you, I am keeping the money, you say nothing to Mr Matlala, at least according to these records. So, even your earlier answer that you did tell him, certainly not on the 12<sup>th</sup>, not on the 13<sup>th</sup>, not on the 14<sup>th</sup>, and not on the 15<sup>th</sup>, which is really strange and curious for someone who, from the 9<sup>th</sup>, was calling intermittently, sending messages, many per day, as you know.

10           You were doing that, saying, where is the money, where is the money? Send me proof that you have paid it. You did that, and we have all of that on page 9 and page 10. And then you stop at, yes, got it, thank you very much. You stop, and the next time you engage with him is the 16<sup>th</sup>. That is inconsistent with your conduct earlier about your desperate situation, and someone who did not get the money that was paid into Osizweni's account, which they desperately need. It is truly inconsistent. It cannot be true, what you are telling us.

20    **BRIGADIER MATJENG**:   Commissioners must just take note that in between the calls, there will also be visits. It is not only that we were restricted to their calls and their WhatsApp messages. There will be visits whereby he will come and talk to me. After the money, I did not go directly, after it was transferred to Modiegi to request the money or

to discuss how he will give me the money. Hence, maybe after that, there are no calls. I am not saying anything to him. But in between this chat, we will see each other maybe twice in a week, three times in a week.

**ADV BALOYI SC:** Are you now saying to us that you told him during a visit that Modiegi - we know you did not tell him on the phone because there were no telephone calls between you. Let me finish my question. We know you did not do a call. You did not tell him on the phone on the 12<sup>th</sup>  
10 and the next time you talked to him was on the 16<sup>th</sup>. We know you did not WhatsApp him in that period.

Are you now telling us that you told him during a visit and it has to be because it is not only recorded calls and WhatsApp messages? It can be, it might be. If it is not recorded here, as I have pointed out, there is no record of calls, there is no record of WhatsApp messages. You could only have told him on a visit.

**BRIGADIER MATJENG:** I am not sure which word should I be using because I said it might be. And you say I must not  
20 use it might be.

**ADV BALOYI SC:** Yes, and might be means you are uncertain. And I am saying to you, you can do better than that. If it is not on a call, which we have agreed there are no calls. After you said thank you, got it. There are no calls until the 16<sup>th</sup>. We have agreed there are no WhatsApp

messages. And you say, well, there were visits in between. And I say, well, then you could only have told him during one of your visits. The answer is obvious, it is obvious. Of course, it would have been one of your visits.

**BRIGADIER MATJENG**: During the visits.

**ADV BALOYI SC**: Otherwise, it did not happen. Thank you.

**BRIGADIER MATJENG**: Thank you, Commissioner.

**ADV POOE**: Brigadier, just the last question. And then  
10 after this, you never gave him an alternative account  
number to send you the money?

**BRIGADIER MATJENG**: No, I never.

**ADV POOE**: Thank you.

**CHAIRPERSON**: Let us adjourn and come back at 14:15.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON**: Ms Pooe.

**ADV POOE**: Thank you, Chair. Brigadier, we were at page  
10, but we can move to page 11 of the WhatsApp chats.  
20 Brigadier, are you there? Okay, thank you. And there, on  
the 17<sup>th</sup> of January at 10:15, you sent a message to Mr  
Matlala confirming the meeting.

**CHAIRPERSON**: Again, Ms Pooe, if you may please speak  
up?

**ADV POOE**: Is that better?

**CHAIRPERSON:** Yes, yes, yes.

**ADV POOE:** My apologies. You sent a message to Mr Matlala at 10:15 confirming a meeting that was going to take place that afternoon. And in response, he said:

“Okay, I will see you at 14:00. Sorry, it was not a meeting.”

You then asked:

“Medicare or CAT VIP offices?”

And his response is:

10 “Medicare.”

Just to ask a clarity question, earlier in your testimony, in response to a question from Commissioner Khumalo, you indicated that some of the meetings were held at CAT VIP offices. Why was that?

**BRIGADIER MATJENG:** I indicated that before they had an office in Menlyn, it is either the meetings would be held at CAT VIP because it was around Pretoria, or otherwise it would be in Boksburg Medicare, I think it is Medicare Clinic.

**ADV POOE:** Is there a reason why it was not then held in  
20 Boksburg, and rather that it was held at CAT VIP offices?

**BRIGADIER MATJENG:** I think Mr Matlala was trying to accommodate us because we are based in Pretoria, and the CAT VIP offices were around Pretoria in Menlyn. But later, they had offices, Medicare offices in Menlyn. So in this instance, when he says Medicare, it was now their new

offices in Menlyn.

**ADV POOE**: If it was a reference to their new offices in Menlyn, what necessitated the question?

**BRIGADIER MATJENG**: Because the last meeting, he indicated that it must be at CAT VIP offices. So now I wanted confirmation whether we are still going back to CAT VIP offices, or it will be at Medicare offices.

**ADV POOE**: All right. Thank you, Brigadier.

**CHAIRPERSON**: Are you moving on, Ms Pooe?

10 **ADV POOE**: Yes.

**CHAIRPERSON**: And why did you not meet? You were attending these as a SAPS officer, were you not, the meetings?

**BRIGADIER MATJENG**: That is correct, Commissioner.

**CHAIRPERSON**: Why did you not meet at SAPS offices in Pretoria? Why did you have to go to Mr Matlala's offices?

**BRIGADIER MATJENG**: We never thought, ja, I think maybe, I do not know. I do not know. Either at SAPS offices, or it would be at Medicare. And I was informed that  
20 even with the previous service provider, they will go to their offices where they are, instead of them coming to SAPS premises.

**CHAIRPERSON**: All right. Thanks, Ms Pooe.

**ADV POOE**: Thank you, Brigadier. But in that instance, would it have been the Metropolitan offices? In this

instance, it would be CAT VIP as opposed to Medicare.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: I think the point of contention is not that you went to a service provider, it is that you went to a business unrelated to the contract.

**BRIGADIER MATJENG**: You mean for CAT VIP?

**ADV POOE**: Yes.

**BRIGADIER MATJENG**: I mean, if it is a boardroom, and we want to have a meeting, and all the relevant stakeholders were there, I do not see what difference does  
10 it make for the location of the meeting.

**ADV POOE**: Thank you, Brigadier.

**ADV KHUMALO SC**: Can I just ask something in relation to the 2025 meetings? Were you aware that Mr Matlala resigned as a director of Medicare 24 at the end of 2024? So at the beginning of 2025, he was no longer a director.

**BRIGADIER MATJENG**: We were not aware, but we heard about it afterwards, that he resigned as a director of Medicare, but he was still part of Medicare.

20 **ADV KHUMALO SC**: But why were you still dealing with him if he was no longer a director and he was just a shareholder?

**BRIGADIER MATJENG**: I am not sure if it is my ears. I cannot hear you properly, Commissioner. My apologies.

**ADV KHUMALO SC**: So you say you heard that he

resigned as a director in 2024, December, or thereabout. We are talking here about a meeting in January 2025 on the 17<sup>th</sup>, and my question is, why are you still dealing with Mr Matlala because he is no longer a director of Medicare 24? Why are you still organising meetings with him, meetings between SAPS and Medicare 24, because he is no longer a director of Medicare 24?

**BRIGADIER MATJENG**: Hence I say, Commissioner, we heard about it, but it was not in December. It was late  
10 towards the end of the contract.

**ADV KHUMALO SC**: So you were not aware that he was no longer a director?

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV KHUMALO SC**: Did you not see the letterheads when you were getting letters from Medicare 24 Tshwane?

**BRIGADIER MATJENG**: No, nothing.

**ADV KHUMALO SC**: Or you do not remember?

**BRIGADIER MATJENG**: I do not think on his letterhead his name will be there as a director. It will just be the logo of  
20 Medicare. I am just trying to check one of the letters.

**ADV KHUMALO SC**: If you are not sure, you can just say I am not sure, so that we do not waste time.

**BRIGADIER MATJENG**: I am not sure, Commissioner.

**ADV KHUMALO SC**: All right, thank you.

**ADV BALOYI SC**: Brigadier, you have a relationship with

Mr Matlala, and you have told us that in your discussions and exchanges, you discussed both private and – you had social conversations, but we know also that you were talking about work as well, to do with this contract. How can it be that you do not become aware that he has resigned? Because you say we became aware of it later, as if you do not have proximity to him. Surely, if you are as close as you have indicated to us, you would know that he is resigning, he has resigned. You would know, ahead of  
10 even the SAPS officials. How could you not have known that?

**BRIGADIER MATJENG**: No, I did not know, Commissioner, because not every time he will tell me his businesses, he will limit the conversation between me and him.

**ADV BALOYI SC**: Ja, but this is not just his businesses. This is a contract that you are involved with, in that you are managing it. We have seen, and I have said to you, something that you say in your statement suggests that you played a role, some role in the management of this contract.  
20 You are communicating with him about this contract, in particular, but this is someone that you have a personal relationship with, how would you not know that he is resigning and these are the reasons for resigning, or even if he does not tell you the reason that he is resigning, or he has resigned? You did not need to hear it from the SAPS.

**BRIGADIER MATJENG**: No, I do agree with you. I was not aware that he resigned as a director of Medicare, but he was still actively involved in the running of the company.

**ADV BALOYI SC**: Thank you.

**ADV POOE**: And then, Brigadier, on page 12, between 15:30, still on the 17th, Mr Matlala sends you a series of documentation all related to a Buena Vista Learning Academy.

**BRIGADIER MATJENG**: Page 12?

10 **ADV POOE**: Page 12 of the chats.

**BRIGADIER MATJENG**: Okay.

**ADV POOE**: And the actual attachments can be found in the next tab, so it is MTJ124, and you will see there, if you go there, on page 1, you will see there is a notice of registration for this Buena Vista. Then if you go to page 12, it is accreditation as a skills provider, it is a letter confirming that. If you go to page 30, it is another accreditation as a skills provider, a letter confirming that. And then if you go to page 37, there is a provider  
20 accreditation notification. Do you see that?

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: So, back to the WhatsApp chat, what was the reason for Mr Matlala to send you this documentation?

**BRIGADIER MATJENG**: While we were in a meeting with him, he indicated that he was exploring his businesses, and

he will be focussing now, or he will be adding something that has to do with training. And then I draw interest in that because I wanted to enhance my skills and do relevant training for my environment, like your occupational health and safety, since I was in a new environment. I then asked him the type of training that they are presenting. He forwarded me all of this document.

**ADV POOE**: Brigadier, just to understand your evidence, while at the meeting?

10 **BRIGADIER MATJENG**: After the meeting.

**ADV POOE**: After the meeting?

**BRIGADIER MATJENG**: Sorry, after the meeting.

**ADV POOE**: Okay. He just randomly informed you that he is branching into, expanding into training, or has a company in training?

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And then your interest was in advancing your own skills?

**BRIGADIER MATJENG**: Yes. Then I say:

20 "What training are you presenting?"

And he says:

"I will send you all the documents so that you can see it."

And all of this is something that is not related to my environment. It is municipal training, municipality training.

**ADV POOE**: That would have been the next question, because on consideration of the documents and the areas of competence, it does not appear that anything in your environment would have been taught at this institution.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: So now, Mr Matlala knowing your environment, and assuming that he knows your qualifications and what you are interested in, why would he have sent you this, or profited as a possibility for you to  
10 enhance your skills?

**BRIGADIER MATJENG**: It is me that requested that he send it to me, because he did not have knowledge of the training that was presented. I think he also had to ask someone to forward it to him so that he can forward it to me.

**ADV POOE**: Brigadier, maybe for me to understand, he says to you there is a training centre that offers this. You say send me the details, because I want to enhance my skills. Then he sends you the details, but nothing is related  
20 to your environment.

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: Okay, and outside of these documents, did you know anything about this entity?

**BRIGADIER MATJENG**: No, nothing.

**ADV POOE**: Brigadier, if you just have regard to the third

tab, I will tell you the page. If you look at two documents that we have added to the bundle, the first being a News24 article, which is at page 80, and a report that confirms the company registration details at page 151. Have you had regard to those two documents?

**BRIGADIER MATJENG**: A newspaper article, yes. This is a new document that I saw on Tuesday when you were delivering the document, the file.

**ADV POOE**: Yes, but have you had regard to it? Have you  
10 had regard to it?

**BRIGADIER MATJENG**: No, I did not go through it.

**ADV POOE**: Not a problem. And the other document at page 151.

**BRIGADIER MATJENG**: Okay, page 151.

**ADV POOE**: Yes. In particular, if you go to page 152, in both that article and this document, particularly – my apologies, page 153, you will see that this learning academy is registered under Mr Matlala's wife.

**BRIGADIER MATJENG**: Okay.

20 **ADV POOE**: In your conversations with him, did he indicate this?

**BRIGADIER MATJENG**: No, he did not.

**ADV POOE**: Brigadier, I want to test this with you. Given that, I mean, having regard to the contents of the letters and seeing that nothing is tied to your environment, is it at

all possible that a different person viewing this may assume that he was sending this to you and because of your experience and your role in SAPS as another business opportunity that perhaps his company or the company of your wife can do some or other business with SAPS?

**BRIGADIER MATJENG**: That is not true because if you look at the content of the learning programme, they are all based in the municipalities, municipality training, and also I am not in the training department. So there is no way that  
10 he would have sent me the document thinking that he would do business with SAPS.

**ADV POOE**: Do you accept that it is equally unlikely that he would send you training material for something that is completely unrelated to your specialisation or your interest for that matter or your current role?

**BRIGADIER MATJENG**: As I have indicated, when he was telling me about the training opportunity, I indicated to him that I want to advance my skills and I asked him the type of training that they are presenting and he says he does not  
20 know it. He then forwarded it to me.

**ADV POOE**: And you would want us to believe that he did not know the training that his wife's company was doing?

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: Thank you, Brigadier.

**ADV BALOYI SC**: I think, Brigadier, for me it is a different

question really. It is if you say to him you wanted training for yourself, that is why you are interested in this business which we now know is Buena Vista Learning Academy, you want training for yourself, then I do not, I am confused why he would send you this full batch of documents because MJ4 is the accreditation notification, right?

And then it lists what this organisation is accredited for. Buena Vista is accredited, what services, teaching services it is supposed to provide. I can see how maybe  
10 that is necessary information to someone who says I want to join this institution, what actually training do they provide?

But the preceding ones, MJ1 up to 3, I do not see why he would have sent you this if it is for your training. What did you understand? How did you understand that this was – and by the way, if you look at the MJ1, the first one, MJ1, and you go from page 2 to the end of that document, it talks about NQF level trainings, which, and please forgive me if I am wrong, which seems to be you are already out of  
20 that league.

He knows that. He knows you, he is close to you, so he knows where professionally and by way of qualifications where you are, that he would send you something like this after you said to him I want to consider, or I am considering enhancing my skills. And then he sends

you something so random that also that has nothing to do with you. What did you make of it, if you made anything of it?

**BRIGADIER MATJENG**: No, he just forwarded the document to me as received, and I went through them, and I saw that this has nothing, or it is not relevant to my environment or the skills that I want to enhance.

**ADV BALOYI SC**: Okay.

**BRIGADIER MATJENG**: Nothing more than that,  
10 Commissioners.

**ADV BALOYI SC**: Okay, thank you.

**ADV POOE**: Brigadier, if we can then move from this, you will see at page 13 it is a series of phone calls, and then if you go to page 14, in the middle of the page on the 23<sup>rd</sup> of January 2025 at 12:03, you send – or prior to that there is two calls at 10:22, and at 12:03 you then send a message saying confirmed. Mr Matlala responds with a thumbs up emoji. Do you recall what this was about?

**BRIGADIER MATJENG**: No, I do not recall.

20 **ADV POOE**: Thank you, Brigadier. And if you proceed, there is more calls and at page 15, in particular let us go to the 28<sup>th</sup> of January 2025, Mr Matlala sends you what is a picture. Can you explain what that picture depicts?

**BRIGADIER MATJENG**: I do not know. Maybe perhaps it is a picture of the outstanding payment or the

authorisations that were captured. I am not 100% sure what does the picture depict.

**ADV POOE**: The text below the picture says:

“I believe tomorrow, since they did send a notification to you and there is a new four-generation ...[indistinct] include.”

Do you remember or recall what the context of that is and what would be the significance of Mr Matlala sending that to you?

10 **BRIGADIER MATJENG**: No, I do not know.

**ADV POOE**: If you look at the text itself, it is clearly related to the picture, the contract itself.

**BRIGADIER MATJENG**: Ja.

**ADV POOE**: And it may be a list of approvals, I am not entirely sure. The question remains, why would Mr Matlala send this to you?

**BRIGADIER MATJENG**: I do not know. I do not know. I am trying to look at the next conversation.

**ADV POOE**: Perhaps ...[intervenes].

20 **ADV BALOYI SC**: Could he not have been telling you, I mean you have a telephone call with him on the same day at 11:11 and then at 14:24 he sends you a screenshot and there is stuff like ACB information, ACB information and I think approved, checked, I think that ACB has to do with banking, I think I can say that to you. And I see you

nodding, you agree. Could it be that you had been discussing with him issues about payment to him? It seems that is the sensible reading of this. Otherwise you would have called him and said, I do not know what this is, why are you sending me this?

**BRIGADIER MATJENG**: You know, I think, I am not 100% sure, Commissioners. By this time he was in dispute with one of his contracted service providers that did not want to give him work that was completed. And the service provider  
10 wanted him to do a payment before he can give him work, and he was under pressure. So I think maybe you are showing that he will receive payment so that he can pay the service provider.

**ADV POOE**: So he is sending it to you to do what? To update you?

**BRIGADIER MATJENG**: Yes. As I have indicated, I would normally ask him why is he not paying the service provider.

**ADV POOE**: And this would have been as part of your work on, I do not want to use the word management, of the  
20 contract?

**BRIGADIER MATJENG**: It was affecting my work. In a way that, if he is not paying the service provider, then the appointment will not be scheduled. We will try to make appointments with the contracted service provider through him, but they will refuse to assist us because they did not

receive any payment.

**ADV POOE**: And this would not be the duty of the contract manager?

**BRIGADIER MATJENG**: If there are challenges in my environment that is affecting the facilitation of the appointments, then as a brigadier in that section, I need to intervene.

**ADV POOE**: Thank you, Brigadier. And if you continue, then there is two more calls that happen on that day, and  
10 then there is a video attachment. If we can just play the video attachment.

[VIDEO FOOTAGE PLAYED BACK]

**MALE SPEAKER**: I have had ExCo update with my team, and currently now we are standing at 3.4, and then the 50% for Western Cape is payable because we are beginning to lose trust in the payments which are due to us.

**MALE SPEAKER**: On the one hand, I  
20 understand 100%, but the biggest concern is that you have made a deal for two million and now we are pushing the target to another 1.4 million, and I mean, I was open and honest with you to say we cannot afford it, we need to settle

everybody because there is a lot of work coming, but if I do not settle everybody, how do I generate funds in the business? So I think it is a little bit unfair what is happening now, and I think it is, you know, I fully understand your concerns, I grasp it, but I think, you know, if I was in touch, if I was – what is the right word – vindictive to say I am not going to pay you, I would not have allowed you in the building to come see me, and where I said to you I will give you even an access card, come sit here, you will see as we operate, money comes in, we can pay. So I mean, we are trying our best, but you guys are making it now a little bit uncomfortable. And I do not want that, because I think you guys are amazing service providers, you have gone beyond the core, and all I am saying is let us just do it properly. I mean, we cannot change the ballgame, that does not work.

10

20

MALE SPEAKER: Ja, the ballgame has completely changed after the negotiations that continued today.

MALE SPEAKER: Okay, I think what we must do is, let us have a chat. I need to speak to you, because it does not help I tell you certain things, I need to wait for him to give me feedback. Let us stay in chat whenever we chat, and then we will manage it from there.

10 MALE SPEAKER: All right, no problem. Ja, because right now, you have put me in a difficult position. I have to keep calling ExCo meetings just to, you know, proceed with decision making.

MALE SPEAKER: Ja.

MALE SPEAKER: Ja.

MALE SPEAKER: So ja, and ...[intervenes].

20 MALE SPEAKER: And I fully understand, I mean, the family must decide together, and I fully understand. It is just 3.4, I do not know, I cannot see that happening, but it is not my call to make. That is our chairman's call to make, but I know the funds at this point of time.

MALE SPEAKER: All right, no problem.

Mike, I want you to know that I really want to assist you, especially to meet your deadline, but that is going to be in your guys' hands.

MALE SPEAKER: Cool, I will give you a shout back. I see he is on the other line.

MALE SPEAKER: All right, thank you.

MALE SPEAKER: All right, bye-bye.”

Brigadier, do you recall this video, and what it was about?

10 **BRIGADIER MATJENG**: Ja, now I remember. It will also go with the screenshot that you asked me about on page 15. This video, it was regarding a meeting, or a negotiation, which they had with one of the service providers, who was refusing to give them work that has been completed. They wanted to receive payment first, before they can give them the files. Mr Matlala is one person that would like sharing document and sharing info.

**ADV POOE**: And here again, the purpose of him sharing this with you was to keep you informed, or was there  
20 anything that he expected you to do about this?

**BRIGADIER MATJENG**: No, it was just to keep me informed.

**ADV POOE**: And given that it affects your environment, knowing this, you took no steps internally?

**BRIGADIER MATJENG**: No, it was not in my environment,

it was affecting a different environment.

**ADV POOE**: My apologies. Earlier you said that the reason why you are intervening would be because it affects your environment. So this one did not affect your environment?

**BRIGADIER MATJENG**: This one did not affect my environment. It had to do with pre-employment. My environment is medical surveillance. Like I have indicated, there are different streams. You will have your pre-employment, you will have your incapacity leave, your short-term capacity leave. So it was in a different environment.

**ADV POOE**: So, in essence, Mr Matlala was sharing with you a problem he was experiencing in a different environment and updating you on something that had nothing to do with you, essentially?

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: Okay. And then there is a call that happens at 19:10 and thereafter, there is another screen. No, it is a picture. Do you recall this picture? And if you do know, what does it depict?

**BRIGADIER MATJENG**: I do not know. Whether there was payment or it is what he was paid. So far, I do not know how to interpret this picture because I can see there is an amount there. So I am not sure whether it was a payment

which was to be paid to him or whatever that he has been paid since the inception of the contract.

**ADV POOE**: And when you get this picture and you do not understand what it means, did you ask Mr Matlala what is he trying to convey to you?

**BRIGADIER MATJENG**: The way he likes sharing information, sometimes you do not even ask why are you sending me this document? What must I do with this document? I just open it and leave it there.

10 **ADV POOE**: So you say in essence, again, Mr Matlala would send you random information from the contract, the Medicare contract, which part of it is serviced by your environment and you would not understand what it is for, you would not ask and you just leave it at that.

**BRIGADIER MATJENG**: You will see a lot of times when he sends me documents or pictures, I am not even commenting on them.

**ADV POOE**: But equally there would be calls in between or following those messages. For example, if you look at that  
20 document, before that at 09:10 there was a call between you and Mr Matlala. The day after at 09:14 he sends the picture.

**ADV KHUMALO SC**: 19.

**ADV POOE**: Sorry, my apologies.

**ADV KHUMALO SC**: 19:10 and 19:14.

**ADV POOE**: My apologies. 19:10 and 19:14.

**BRIGADIER MATJENG**: I believe it has to do with the same video or concern that he had that he is not receiving the certificate of fitness from a specific service provider. And sometimes we will discuss our own personal issues.

**ADV POOE**: All right. Thank you, Brigadier. If you look at the next message that comes in, it is on the 30<sup>th</sup> of January 2025 at 11:10. That is at the bottom of page 16. But if you turn the page over you will see the contents of it. And there  
10 it is an email correspondence with the subject line SAPS Recruitment Project 5500 Outstanding Medical Certificates of Fitness. Have you had regards to those screenshots? They continue on, my apologies, at page 18 and it ends at page 19.

**BRIGADIER MATJENG**: This is the same information that will be relating to the picture and the video that was played. This one will be in connection with the outstanding certificate of fitness which were not submitted by his company.

20 **ADV POOE**: So this was a non-performance complaint of sorts from SAPS?

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: And here again is your evidence that you got this, it was not related to you and it was just an update or random sharing of information.

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: Why would Mr Matlala send you this? If it has nothing to do with your work environment and it obviously has nothing to do with your relationship, it does not say anything about your relationship, why does he send you this?

**BRIGADIER MATJENG**: Because he related to me that he was struggling with one of the service providers that did not want to give him the certificate of fitness.

10 **ADV BALOYI SC**: Yes. Why does he tell you that? What are you supposed to do when he tells you that he is struggling with getting certificates of fitness?

**BRIGADIER MATJENG**: Nothing. Nothing. Just sharing of information, maybe also wanting to talk to someone.

**ADV BALOYI SC**: Is he not perhaps sending this to you so that you can speak to assist him get payment so that he can pay the service providers? I mean, it is strange that he would send you things that have nothing to do with you and that he does not expect you to do anything about.

20 **BRIGADIER MATJENG**: This has nothing to do with the payment of Mr Matlala.

**ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: It is the outstanding certificate of fitness which he must submit to recruitment.

**ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: Which he must submit to recruitment. Now he is just showing me that he is struggling with the service provider that he has contracted because the service provider wanted money before he can give him the certificate of fitness. As shown on the video, they were negotiating with the service provider.

**ADV BALOYI SC**: Yes, no, I understand the video and how you have explained the video. What I do not understand is SAPS writes to him effectively complaining about  
10 performance on the contract and he shares it with you and there is no explanation why it is being shared with you. That is why I am proposing to you that perhaps he sent this because you had a discussion with him and he is showing you what is happening in your organisation and he is sending this to you so that you can assist him internally with your people.

**BRIGADIER MATJENG**: There is no way that I will assist Mr Matlala on a stream that I am not involved in. Unless it was for medical surveillance in my environment, maybe then  
20 I will try. But if it is for a different stream, there is no way that I will be able to assist him.

**ADV BALOYI SC**: Well, you could assist him by speaking to your colleague in that stream to help him out. You could. There is always that possibility that you could speak to someone in that other stream to try and understand what is

going on in your relationship with someone. Do you understand what I am putting to you?

**BRIGADIER MATJENG**: I do understand, but the only way that he could be assisted was to pay the service provider, then the service provider must give him certificate of fitness so that he can submit it to the recruitment.

**ADV BALOYI SC**: Yes.

**BRIGADIER MATJENG**: From my side, there was nothing. Even if I can talk to my colleague, because it was for  
10 members that was supposed to go for basic training. Now he must give certificate of fitness to show that those members, those students, they have already been tested. So, there was no way that I could assist Mr Matlala.

**ADV BALOYI SC**: Well, you see, he is sharing with you his money troubles. Even that video, it is about a service provider saying we have not been paid. We do know, let me not assume we do know. Let me suggest to you that you do have access to people in finance. It is not your stream, but you do have access because they are your colleagues.  
20 They work with you.

So, when one tries to make sense and here it is really inferences because you are getting these videos, you are getting these WhatsApp messages that all speak to his money issues, right? His money troubles with the SAPS contract. There is no plausible explanation why he would

send these things about his financial troubles. There is no plausible explanation that you are offering or from the WhatsApp messages, and so we have to draw inferences what could he possibly have been intending.

And it is not the same as saying you did speak to your finance people. I am not in any way at that point of suggesting it. I am saying perhaps he sent this because he is hoping and expecting that you would speak to somebody to facilitate payments to him so that he can pay his service providers. No?

**BRIGADIER MATJENG**: No, Commissioner.

**ADV BALOYI SC**: Okay, you are telling us that you never did anything about all of these things that he is sending to you.

**BRIGADIER MATJENG**: Nothing, because with this contract, as much as we have a finance department within our component, our division, this one, it was managed differently. There was a specific office that was dealing with the payment of this specific service provider.

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

**ADV KHUMALO SC**: Just on that issue, did you play any role in the processing or payment of invoices to Medicare 24?

**BRIGADIER MATJENG**: No. No.

**ADV KHUMALO SC**: In the approval? You were going to

explain, but remember approval is a different process and then there is the processing and payment. You were about to explain what your role was.

**BRIGADIER MATJENG**: Okay. This is how it works. The Echo members, in accordance to their database, will identify members that needs to do medical, maybe the following month or under specific month. Then they will draw a list of those members. They will take it to the relevant managers of those members. Then the managers  
10 will sign the application.

After signing the application, they will forward it to Supply Chain Management, SHE Management, who will create the authorisations. Once they create the authorisation, one authorisation, let us say it is an authorisation of Brigadier Matjeng. It will be one paper of an authorisation.

Now one authorisation will go to the service provider, which is Medicare 24, and the other one will be coming to the Echo member. Then the Echo member will  
20 schedule an appointment with the service provider. If they try to schedule an appointment with the service provider and the service provider is not coming to party and it has been weeks since they tried to schedule the appointment, then they will inform me. That is where I will intervene. After ...[intervenes].

**ADV KHUMALO SC:** Let us not focus on the appointments because appointments are about trainees and members in service. I am more concerned about invoices.

**BRIGADIER MATJENG:** That is where I am going.

**ADV KHUMALO SC:** Because you are saying the dispute was between Mr Matlala's company and another provider or a service provider to him.

**BRIGADIER MATJENG:** Yes.

10 **ADV KHUMALO SC:** And that is what they were fighting about.

**BRIGADIER MATJENG:** Yes.

**ADV KHUMALO SC:** Now, if SAPS was delaying Mr Matlala's payments, obviously he could not pay his suppliers or his providers.

**BRIGADIER MATJENG:** That is correct.

**ADV KHUMALO SC:** Now, did you play any role in the payment of Mr Matlala's invoices or their processing?

**BRIGADIER MATJENG:** Within SAPS? Within the organisation?

20 **ADV KHUMALO SC:** Yes. So say Medicare 24 submitted invoices to SAPS. Would you ever see them or have a look at them or approve them?

**BRIGADIER MATJENG:** They are not even coming to me those invoices. That is where I was explaining to say once the authorisation has been issued and appointment has

been honoured, members conducted their medical surveillance, then you will have something that will be called a certificate of fitness for that specific member.

Now, so Medicare will take the certificate of fitness together with the authorisation and submit it to SHE management in supply chain management, who will certify the payment.

**ADV KHUMALO SC:** If they delayed the payments, would you intervene?

10 **BRIGADIER MATJENG:** No, I would not because I do not know what certificate of fitness did he submit because it is not one invoice. I think the payment are based on the certificate of fitness that will have been submitted.

**ADV BALOYI SC:** Can you then, so you are saying he did not become involved at all with invoices?

**BRIGADIER MATJENG:** That is true, Commissioner.

**ADV BALOYI SC:** Then explain what you said earlier in the day that sometimes you would deal with him about his invoices and in some cases he has ended up with lesser  
20 amounts in the invoices that you are dealing with. I think it is in your statement. You did speak to your involvement here at paragraph 4.

**BRIGADIER MATJENG:** Paragraph 4?

**ADV BALOYI SC:** Of your statement.

**BRIGADIER MATJENG:** I do not think it was, I was

referring to invoices.

**ADV BALOYI SC**: No, you said in correcting him when numbers were not corresponding, which effectively qualified him to invoice lesser. So at least I read it and understood it to mean that you do have something to do with, which ultimately is about invoices. Can you just explain that in the light of your answer to Commissioner Khumalo?

**BRIGADIER MATJENG**: I think the statement was reference to the name list that was on the chat, whereby I  
10 sent him a name list of 140 members on the non-arrival. From his side, he had an impression that the non-arrival or the mis-appointment were 300, forgetting that he did other follow-ups with the medical surveillance. And I was just sending him a name list to say that no, you only have 140. It is not 300.

So my further statement was just to say whatever information that I was sending him, it did not benefit him as a service provider. It did not benefit him as a service provider, but it disadvantaged him for claiming for more.

20 **ADV BALOYI SC**: Okay. Thank you.

**ADV POOE**: Then, Brigadier, if we just keep to those chats on the 30<sup>th</sup>, maybe this will shed more light. After the screenshot with the non-performance email, there is two calls that then take place at 11:12 and 11:17. Mr Matlala then calls you back at 12:52, which is then followed by a

message at 12:53:

“Good morning, *Nthathi* Matlala, yes, the doctor completed the files already, COFs to be scanned.”

What is that in relation to?

**BRIGADIER MATJENG**: It is a message that he forwarded to me, which is relating to the previous conversation to say that the service provider did not want to give him the COFs before he can make payment.

10 **ADV POOE**: All right, let us just complete that. Then you call him at 13:49, and if you turn the page over, he then texts you:

“Are we winning, Diva?”

And this is then followed by two calls at 16:17 and 16:32. Now, considering what you have said about this interaction on the 30<sup>th</sup>, what was he referencing when he says, are we winning, Diva?

**BRIGADIER MATJENG**: I am trying to recall.

**ADV POOE**: Sorry, I did not get that?

20 **BRIGADIER MATJENG**: No, I am saying I am trying to recall why will he send a message to say, are we winning?

**ADV POOE**: Remember, the context, if one has regard to it, is that on this day in particular he started by sending you the non-performance letter, so saying to you that SAPS have sent me this letter, and he, like you said, it was a

continuation of his struggles with a service provider or a subcontractor of his, and he is sharing to you all of these complaints. And then at the end of that, having shared to you all of his complaints and that SAPS is not paying, therefore he cannot pay a service provider, he says to you, are we winning, Dive?

**ADV BALOYI SC:** Maybe before you answer. Let me say that the are we winning, Diva, you are obviously doing something for him. He was expecting you to come back  
10 with a response that yes, I am winning or not. So whatever your answer is, it must move from a premise of you were doing something for him and he was expecting you to give him a response.

**BRIGADIER MATJENG:** I agree, Commissioner. It might be that maybe he requested me to do something, and he was asking me if we are winning, but I cannot remember what was it.

**ADV POOE:** Do you think that that something had something to do with the series of conversations and  
20 documents that were shared before? Because it does not happen in the vacuum, it happens after this exchange about his issues with SAPS and communicating what issues SAPS has with him. And maybe to tie it all together and refer to the exchange that you had with Commissioner Baloyi about him sending you all of this, was there not an expectation

that you would do something, and could there be something to talk to your colleagues?

**BRIGADIER MATJENG**: Talking to my colleagues, I do not agree. I do not remember calling any of my colleagues regarding this matter. But when he says are we winning, probably there must be something that he requested me to do. Then he is asking if we are winning.

**ADV BALOYI SC**: Let me say what it looks like to me. It looks like on page 16, the very last message from him, or  
10 WhatsApp from him, the 30<sup>th</sup> of January at 11:10, which is that letter of complaint, that email of complaint from the SAPS about certificates, outstanding certificates of fitness, that is on the 30<sup>th</sup> at 11:10. And then at 11:12 you have a call with him on the same day. So remember, the letter from the SAPS or the complaint email from SAPS is at 11:10.

You call him because it is an incoming call, you call him at 11:12. It looks like your call is prompted by that letter, just looking at the sequence, including the  
20 timestamp. You call him again at 11:17. And then he, it says sent, there is an audio call from him at 12:52, and then at 12:53 he forwards you the message that says:

“Good morning, *Nthati* Matlala, yes, the doctor's completed the files already, COFs to be scanned.”

He forwards this. So you are obviously discussing with Mr Matlala the COFs that, according to SAPS, were outstanding at the time. So you are discussing that with him. So now we do have an explanation, when you look at the sequence, we do have an explanation of what was going on here, otherwise he would not have sent you, forwarded to you, that speaks about COFs being sent.

And then you call him, so this is at 12:53 that he forwards you that good morning *Nthathi* Matlala message.  
10 And then at 13:49, you call him. And then at 16:15, the same day, he says, are we winning, Diva? I did not skip any communication. That is the complete communication until he asks you, are you winning, Diva? And two minutes later, at 16:17 you call him, and at 16:32 you call him. And I will stop there for now.

So what it looks like, it looks like he sent you this SAPS letter of complaint, not just to share, for the sake of it. He sent it to you to alert you there is a problem, this is what SAPS is saying. And then he forwards you that  
20 message that tells you, you have that communication with him and I, and I am suggesting to you that in the telephone conversation you must have been discussing this letter because the next thing that happens is he forwards you the message from somebody, and then Diva, right? He asks you that question.

So what it looks like or what it suggests is that he sent you, you are doing something for him about this, right? You accept that, that is what it looks like.

**BRIGADIER MATJENG**: I agree, Commissioner.

**ADV BALOYI SC**: All right, thank you.

**ADV POOE**: And then, Brigadier, at the end of that day there is a series of calls between yourself and Mr Matlala. Now, if we go to the 31<sup>st</sup> of January 2025 at 10:26, Mr Matlala sends you the following video.

10 **ADV BALOYI SC**: Ms Pooe, I am so sorry, can I just finish off something that I have mentioned to you? So you and I, Brigadier, have agreed that this suggests you were doing something for him.

**BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: Ja. I just want to confirm finally that this is the same area where you said it is not your company. This is about trade, recruitment.

**BRIGADIER MATJENG**: Recruitment, that is correct, Commissioner.

20 **ADV BALOYI SC**: Okay, thank you. Thank you, Ms Pooe.

**ADV POOE**: Thank you, Commissioner Baloyi.

[VIDEO FOOTAGE PLAYED BACK]

“In ...[indistinct] of the state of the national interest in terms of the commitments that the President will have

made to the nation, so now I cannot say to the President we are not achieving our target of 10 000 because of the youth risk management. No, we cannot make like that. You made a commitment in my presence that by the 20<sup>th</sup> of December you will give us everything that we want. We are now at the end of January. We have to give us everything that we want.

10 And there is that possibility that we might not even reach our target, not because of ourselves, but because of you, the health risk manager. So I hope you are going to give us a better feedback when you come to the podium on the 1.2, on the 2.2 item. And I do not want to hear anything, Mr James. I do not know you. I do not want to hear anything. The only thing that I want, I want you to say your certificates

20 are delivered. They are being delivered today. That is the only thing that I want on the table now. Nothing else. No more stories. I want those certificates by today. Otherwise, I have to escalate it. Because now it will mean that it is

beyond me. I cannot do anything about it. Next week, the kids must go to the college, the 4<sup>th</sup> of February. We are late. And who is delaying us? The health risk manager is delaying us. The service provider, whom we are paying. No, we cannot wait like this. So general ...[indistinct] of this item will say it is green. You tried to arrange a meeting, one meeting set. You tried to arrange the meeting. The meeting was postponed as a result of the request by the health risk manager. That is the way it is going to be captured and you can make it green. We are not going to come back to meet again. Let us move to the next item, item number eight.”

Brigadier, you have had regard to this video.

**BRIGADIER MATJENG**: Yes?

20 **ADV POOE**: And do you know what it was about?

**BRIGADIER MATJENG**: It is, ja, it is in relation with what we discussed previously regarding the email and the other screenshot whereby the COFs were outstanding and I think they were in a meeting with, I think it is General Nkhua that is speaking there. So he forwarded me this video. So

it is a follow-up of all those documents and videos that he sent me to say I am in trouble now.

**ADV POOE**: And then he then sends a message saying:

“They even imposed that penalty fee.”

**BRIGADIER MATJENG**: Yes, on his payment. He indicated that according to the service level agreement, if he is not delivering on time, then they will impose a penalty fee because he was not delivering this COF. He is just indicating to me they even imposed that penalty fee.

10 **ADV POOE**: And then what did Mr Matlala expect of you in this context?

**BRIGADIER MATJENG**: Nothing.

**ADV POOE**: And if it flows from the conversation that you would have had with him the day before, do you still maintain that he just, he did not want you to do anything about this?

**BRIGADIER MATJENG**: Like I have indicated to the Commissioner, there must be something that he asked me to do if we follow the context of the messages, but I cannot  
20 remember what was it, but it ...[intervenues].

**ADV KHUMALO SC**: Brigadier, it must be that he said to you please buy me time with General Nkhuoa because I am already late with the certificates. They were supposed to be submitted in December. It is already the end of January. Because what else could it be if the conversation is about

the late certificates of fitness?

**BRIGADIER MATJENG**: Commissioner, I cannot. I do not even have the contacts of General Nkhuoa, nor talk to General Nkhuoa. I do not think so. I think it has to do with a certificate of fitness that he did not receive that was delaying the recruitment in the organisation. And the service provider was withholding those certificates of fitness. So I cannot remember. Or maybe he wanted me to talk to the service provider to give him the COFs.

10 **ADV POOE**: So your evidence is that he would – it is much more plausible that he would ask you to speak to a service provider than asking you to engage your own colleagues?

**BRIGADIER MATJENG**: This one is complicated. It is complicated. But he wanted me to do something. It is either I spoke to the service provider that was holding up the COFs, because it was also affecting our COFs. There was medical surveillance which was done in our environment, and we also have not yet received those COFs. So it might be that he wanted me to talk to the  
20 service provider regarding the COFs.

**ADV BALOYI SC**: Brigadier, I think something like that you would remember it because this issue about the COFs was a big issue for you, for the organisation.

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC**: It was a big issue. It would have been a

big issue. And this is in January '25, so just a few months before the cancellation of the contract. So I would expect that you would have a clearer memory of issues surrounding this, because you are not distant from this. He is sharing with you.

The two of you are talking about this problem. And so I would expect that you would have a clearer recollection that, yes, I ended up speaking to a service provider and this is what the kind of conversation we had, or I ended up  
10 speaking to a colleague in that component, whichever one it was.

I am not sure I understand why you do not have a clear recollection on something so specific. This is not just asking you what was the telephone call about, that sometimes you may be excused for not remembering it. But there was a big deal about this. As you say, it was affecting even your work environment. And if you did do anything about it, I expect that you remember that. It is difficult to understand you do not remember.

20 **BRIGADIER MATJENG**: That is why, Commissioner, I am saying I do agree he expected me to do something. But what comes into my mind is talking to the service provider regarding the COFs. That is what comes into my mind. And as I am reading, I can see I am asking him, did she give you the file? And he is saying she did not. Now, further follow

up, did you pay her? So maybe it is regarding the COFs which were held up by the service provider. Not maybe. It is.

**ADV POOE**: Brigadier, but you maintain that you cannot say for sure. You just think it could have been related.

**BRIGADIER MATJENG**: Ja.

**ADV POOE**: And assuming that you were speaking about the service provider, in what capacity were you then taking on what is essentially his issue with a service provider?

10 **BRIGADIER MATJENG**: The service provider did not give him the COFs and I also had outstanding COFs from my environment.

**ADV POOE**: Brigadier, I am asking in what capacity would you be approaching the service provider? If I understand you correctly, this would be Mr Matlala's company would have subcontracted some other service provider. In that, the service provider does not release the COFs on account of non-payment. You say you would have, you think the most plausible thing or what you have in your mind would  
20 have been to approach the service provider. In what capacity would you be approaching the service provider?

**BRIGADIER MATJENG**: I think I overstepped there. I was not supposed to approach the service provider.

**ADV KHUMALO SC**: And whose interests would you be advancing if you approach the service provider?

**BRIGADIER MATJENG:** Both.

**ADV KHUMALO SC:** Both?

**BRIGADIER MATJENG:** Because I also have outstanding COFs.

**ADV KHUMALO SC:** So when you say both, what do you mean? Both Mr Matlala and SAPS.

**BRIGADIER MATJENG:** And the organisation.

**ADV KHUMALO SC:** Yes, not you as an individual?

**BRIGADIER MATJENG:** No.

10 **ADV KHUMALO SC:** Or maybe three, not two.

**BRIGADIER MATJENG:** No, not me.

**ADV BALOYI SC:** You really cannot quite divorce your interest from his. You are his partner. And let us face it, when you speak to a service provider, in this case, it is really to assist Mr Matlala, right? You are not, you did not do it to assist SAPS. You did it to assist Mr Matlala because his penalties are being applied. So when you approach a service provider, it is to make it possible for him to get those certificates in the training. Because you said  
20 that is for recruitment, right?

**BRIGADIER MATJENG:** Yes.

**ADV BALOYI SC:** So you are making it possible for him to get those certificates of fitness so that he complies with the terms of the contract, because General Nkhua has now said I will escalate it. That is it. So you are helping him.

There is no question about it. But you must also accept that assisting him benefits you as well, personally, because you are his partner.

He gives you money. He assists you. And I am not criticising that he gives you money. It is not my emphasis now. My emphasis is a financial resolution of Mr Matlala's conundrum now, the fix that he is in with this contract, if that is resolved, the certificates and therefore the finances, the payments to him also benefits you.

10 **BRIGADIER MATJENG**: You might look at it in that way, Commissioner, but it is also benefiting the organisation. Because delays in submitting the COF, the COF members will not go to training on the allocated time or the planned time, as well as from my environment. If I do not receive the COF, some members are refusing to go to the lab and work.

**ADV BALOYI SC**: Ja, but that is not a concern here. You have said the COFs, these ones, this stuff that he is sending you, those COFs have to do with recruitment. You  
20 said it is not your, I think you said component. I do not know what it is called, but you said it is not your area. So it is somebody else's area.

**BRIGADIER MATJENG**: Ja.

**ADV BALOYI SC**: If SAPS benefits, it is incidental. It is not what you were trying to do. You were not solving a

problem for SAPS because that area of recruitment, they have the ability to solve this. Contract management, as you say, contract management, that is their function to solve this kind of stuff when it happens. Your direct involvement here, when you speak to, if that is what you did, you spoke to a service provider, which you say you realised it was overstepping. It was to benefit him, to solve a problem for him, so that SAPS stops giving him a problem.

And the proposition I am making to you, and I do  
10 not see why you would, how you would deny it, is that a resolution of his financial difficulties to do with his contract benefits you or his other partner or his wife, anybody, his children, if you like, right? That is a proposition I am making, that you do get a benefit from this.

**BRIGADIER MATJENG**: Commissioner, over and above that, I do not want us to leave the fact that SAPS was benefiting as well.

**ADV BALOYI SC**: Ja, no, no, no. The consequence, if the certificates are submitted, SAPS benefits because it gets,  
20 but that was not your intention. You were not, you did not act to help the SAPS. You did not. It was not your job. You say you overstepped. You did not do this for the SAPS. It was not even your unit or your section that was at issue here. You were not doing it for the SAPS. You were doing it for Mr Matlala.

Can we agree that? You were helping Mr Matlala in an area which had nothing to do with your functions. You use your position and relationship with a supplier because you deal with this supplier. I am assuming it has to be a supplier, that otherwise why, how would you even call them, a cold call?

So I am making the assumption that it is a supplier that you know because of your work, of your area. So you are able to pick up a call and speak to the supplier. If it is  
10 not a supplier that you know and have dealings with, or you have encountered because of your area, then you were using your position as a SAPS person to call a supplier cold to say you are giving Medicare trouble because they have not paid you. Please work with them and help them to get those COFs.

But it was to benefit Mr Matlala when you made that call. That SAPS benefited is incidental to that or it is a natural consequence of assisting Mr Matlala. So let us take it step by step. Do you accept that your call to the supplier,  
20 you called to assist Mr Matlala, that was the reason you called because he is having trouble with COFs for recruitment? Do you accept, are you prepared to accept that, to concede that?

**BRIGADIER MATJENG:** I am partially accepting because it was not only to benefit Mr Matlala.

**ADV BALOYI SC:** Okay.

**BRIGADIER MATJENG:** And I hear what you are saying Commissioner, but I was assisting both individuals, not individuals, Mr Matlala as well as the organisation. From my side, from my environment, I also had the outstanding COFs.

**ADV BALOYI SC:** Okay. My second proposition to you is that you are assisting Mr Matlala, if successful, if you are successful assisting Mr Matlala, you also get a benefit from  
10 it because your partner's financial troubles and contractual troubles get resolved. You do have an interest, I would have an interest in my partner's business getting money and their contract not being terminated.

So I do not think you should be shy to accept that you of course would benefit because he would be able to pay, to give you R100 000 without, and he would not be able to give it to you if he is not getting paid by the SAPS. I mean it only in that way.

**BRIGADIER MATJENG:** Commissioner, I will accept only if  
20 you add also that SAPS was also benefiting from this.

**ADV BALOYI SC:** I am prepared to accept, Brigadier, that the SAPS benefited as well.

**BRIGADIER MATJENG:** Thank you.

**ADV BALOYI SC:** They did get a benefit.

**BRIGADIER MATJENG:** Thank you.

**ADV BALOYI SC**: Thank you.

**ADV POOE**: Brigadier, if we can then go and just finish off that conversation that was happening on the 31<sup>st</sup>.

**BRIGADIER MATJENG**: We are on page 21?

**ADV POOE**: On page 20. I think the timestamp is at the bottom for the next message on the 31<sup>st</sup> at 10:32. You ask him:

“Did she give you the file?”

**BRIGADIER MATJENG**: That is correct.

10 **ADV POOE**: And he responds:

“She did not.”

You then revert and say:

“Did you pay her?”

And he then sends you a screenshot of what seems to be a conversation with someone who then confirms that they say payment is done. So if you look at the bottom of that screenshot, they say payment is done on the following page:

“I am waiting for the remittance.”

20 And then he says:

“Okay, I will be waiting.”

What was that in relation to?

**BRIGADIER MATJENG**: It is relating ...[intervenes].

**ADV POOE**: Same issue. My apologies, you can proceed.

**BRIGADIER MATJENG**: It is relating to the question that I

have asked him, did you pay her? And now he is just showing me that payment has been done and I am waiting for remittance. It is a screenshot of someone that forwarded to him.

**ADV KHUMALO SC**: Brigadier, is it payment to an individual or payment to a company?

**BRIGADIER MATJENG**: Payment to a company.

**ADV KHUMALO SC**: Why do you refer to the company as her? And he answers she did not. I mean your first  
10 question was did she give you a file?

**BRIGADIER MATJENG**: Yes.

**ADV KHUMALO SC**: And then he says she did not. And then you say did you pay her?

**BRIGADIER MATJENG**: Yes.

**ADV KHUMALO SC**: So both of you are speaking about a female person here and not a CC or a company.

**BRIGADIER MATJENG**: Yes, because the company owner is a female.

**ADV KHUMALO SC**: Is that?

20 **BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC**: This company is a service provider. You know that.

**BRIGADIER MATJENG**: It is a service provider.

**ADV BALOYI SC**: So that is who you spoke to.

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC:** That is the person you spoke to.

**BRIGADIER MATJENG:** I believe so.

**ADV BALOYI SC:** No, it looks like that. When he asked are you winning, Diva, he was asking are you succeeding with a service provider? And you succeeded with a service provider and you expected that she would give Mr Matlala a file.

**BRIGADIER MATJENG:** Yes.

**ADV BALOYI SC:** And you asked did you pay her? Pay  
10 her what? What had you been discussing with Mr Matlala about payment?

**BRIGADIER MATJENG:** The payment that he is owing to the service provider, seeing that the service provider does not want to give him files.

**ADV BALOYI SC:** So this file would have what? If it is a service provider file, what would be in the file?

**BRIGADIER MATJENG:** It will be the certificate of fitness, feedback from medical surveillance, and it will depend on the test that has been conducted for medical surveillance.  
20 It will be your height, your weight, your BP, your respiratory, your lung function, maybe your urine test and your blood test.

**ADV BALOYI SC:** Okay.

**BRIGADIER MATJENG:** And if they have detected anything on your urine test or your physical examination or

your blood test, then they will indicate on the COF.

**ADV BALOYI SC:** So how should we read – if you go back to page 19, where he forwards you someone who has said to him COFs to be scanned, that is on the 30<sup>th</sup>. And then on the 31<sup>st</sup> you are asking about did she give you a file and did you pay her? It seems to be out of sequence because already on the 30<sup>th</sup> someone is saying the COFs are going to be scanned. How should we read and understand this?

**BRIGADIER MATJENG:** I think this is a message that Mr  
10 Matlala forwarded that he received from the other service provider. Because the previous, the other service provider is saying:

“Good morning, *Nthati* Matlala. Yes, the doctor has completed the file already.

The COFs to be scanned.”

**ADV BALOYI SC:** So we can accept that when someone says to him the COFs to be scanned, it must mean he is already paid, right? Otherwise he will not be getting the COFs because that is what this fight is about.

20 **BRIGADIER MATJENG:** Sometimes, what I have noted after this whole thing, they will give the COFs. Then after giving the COFs, he will pay them later.

**ADV BALOYI SC:** Okay.

**BRIGADIER MATJENG:** Based on the COF that they have gave to him and also the quality check that will have been

done on the COF.

**ADV BALOYI SC:** Okay.

**BRIGADIER MATJENG:** So in this instance, I think he promised him that the COF will be scanned. Then he realised that Mr Matlala is owing him money and he never gave him the COFs. Hence that video whereby they were negotiating the money.

**ADV BALOYI SC:** So are you saying that the message about COFs to be scanned and the message at 21 where  
10 you asked did she give you the file, she did not, did you pay her, are you now saying they relate to the same service provider or it is different service providers?

**BRIGADIER MATJENG:** That is the same service provider.

**ADV BALOYI SC:** Thank you.

**ADV POOE:** Brigadier, after the screenshot there is a series of calls. And Mr Matlala had essentially told you that payment is done. Did this constitute that everything was now sorted as it related to the service provider?

**BRIGADIER MATJENG:** No. No, I think this is a  
20 screenshot.

**ADV POOE:** Yes.

**BRIGADIER MATJENG:** I do not think Mr Matlala will call the service provider and say:

“Brother, can you please check with your guys how far is the payment?”

It should be someone who is having access to the PERSAL SAPS system. Now he is sending me this screenshot to show that payment has been done. He has not yet received the money in his bank because he says, I am waiting for remittance. So once payment is in his account, then he will be able to pay the service provider.

**ADV POOE**: And so at this point, do you, is this the end of your intervention then?

**BRIGADIER MATJENG**: I believe so.

10 **ADV KHUMALO SC**: Did you ask for anything after all your efforts? I hope I am not going too far.

**BRIGADIER MATJENG**: No, I know where you are going.

**ADV KHUMALO SC**: I hope I am not going too far. You know where I am going, but not too far.

**BRIGADIER MATJENG**: No, I did not.

**ADV BALOYI SC**: With this screenshot, what is he doing? Is he reporting to you that now he is being paid?

**BRIGADIER MATJENG**: Ja, he is waiting for payment.

20 And once he receives his payment, he will be able to pay the service provider.

**ADV BALOYI SC**: Ja. All right, thank you.

**BRIGADIER MATJENG**: That is how I understand ...[intervenes].

**ADV BALOYI SC**: That is how you read it.

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC:** All right, thank you.

**ADV POOE:** And so now the following day, this is now on the 1<sup>st</sup> of February at 10:12, you call Mr Matlala and at 11:41 you send him a picture of what looks like, I want to say a mechanic and a car, and attached to that picture, you say ...[vernacular] with a crying emoji.

**BRIGADIER MATJENG:** Yes.

**ADV POOE:** And maybe let us ...[intervenes].

**CHAIRPERSON:** Meaning what?

10 **ADV POOE:** My apologies.

**BRIGADIER MATJENG:** Please borrow me a car.

**CHAIRPERSON:** Meaning what, Brigadier?

**BRIGADIER MATJENG:** Please borrow me a car. And I am crying that I do not have a car.

**CHAIRPERSON:** Thank you.

**ADV POOE:** And then if we can just play the voice note that you send to Mr Matlala?

[VOICE NOTE PLAYED BACK IN VERNACULAR]

20 Okay. Thank you, Brigadier, because there was some Setswana in there, I will just ask you to translate what you said or just recount what you said in that voice note.

**BRIGADIER MATJENG:** No, I am just saying, why is he ignoring me? The car which they were fixing, they could not fix it, because now they are telling me about – I am not a mechanic, I am not good in car parts, they are telling me

about valves, cam valves, and ja.

**CHAIRPERSON**: There was something about mid-week, or did I miss here, ...[vernacular] or something?

**BRIGADIER MATJENG**: Ja, I think it was during the week.

**ADV BALOYI SC**: I think you say, he says he'll fix it. I think you said in that clip, he says he will fix it during the week. [Vernacular].. that the Chair is referring to.

**BRIGADIER MATJENG**: Ja, the mechanic. The mechanic has indicated that they will fix the car during the week.

10 **ADV POOE**: And then in response at 14:21 Mr Matlala says:

“I do not have a car. Rather I will rent a car on Tuesday for you.”

So, he then sends you this message.

**BRIGADIER MATJENG**: The one that says:

“I do not have a car. Rather I will rent you a car on Tuesday for you.”

Yes.

20 **ADV POOE**: So, just to understand this interaction regarding the car, in what capacity do you then send this request?

**BRIGADIER MATJENG**: As Dali [?].

**ADV POOE**: As?

**BRIGADIER MATJENG**: Dali.

**ADV POOE**: Dali?

**BRIGADIER MATJENG**: Lovie.

**ADV POOE**: Lovie, my apologies.

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: You listen to the Chair, right? Okay, so now you have reverted back to advancing, this was a conversation in the context of two lovers.

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: All right, and as Commissioner Khumalo asked, did you ask for anything in return? This was not in  
10 return for the favour you had done, but rather...

**BRIGADIER MATJENG**: And my answer is no, I asked nothing in return.

**ADV POOE**: Okay, this request is just purely coincidence that it happens after, and it was just lover to lovie.

**BRIGADIER MATJENG**: Ja.

**ADV POOE**: Okay.

**ADV KHUMALO SC**: So, is it a coincidence that the 4<sup>th</sup> of February was a Tuesday?

**BRIGADIER MATJENG**: Is the what, Commissioner?

20 **ADV KHUMALO SC**: Just go to the previous page. Remember now, as Dali, as lovie, he says I will rent a car for you on Tuesday. Now, is it a coincidence that the 4<sup>th</sup> of February 2025 was a Tuesday?

**BRIGADIER MATJENG**: No, remember the money was not going to me. It was going directly to the butcher.

**ADV KHUMALO SC:** I was not asking about the money.  
So you already know where I am going.

**BRIGADIER MATJENG:** Yes.

**ADV POOE:** I suppose for good measure, then on the 4<sup>th</sup>,  
which would have been then – so on the 4<sup>th</sup> of February at  
13:10 Mr Matlala sends you proof of payment at the account  
of choice being Osizweni Meat Market for a payment of  
R100 000. And just to confirm, you still maintain that that  
was for him to settle his account with the butchery and it  
10 was not to direct a payment to you through that account?

**BRIGADIER MATJENG:** That is correct, I confirm.

**ADV POOE:** And on the same day, he also tried, sends  
you a message saying:

“I will come, you still fighting with the  
lawyers?”

And you say that you think that would have been call you. I  
will call you. Still fighting with the lawyers.

**BRIGADIER MATJENG:** Ja. And lawyers is the service  
provider that we have been discussing regarding the COFs.

20 **ADV POOE:** Okay, so he is updating you extensively on a  
conversation you have been having.

**BRIGADIER MATJENG:** Yes.

**ADV POOE:** All right. Then this is followed by a series of  
calls, one at 20:27, another at 20:30. Then on the 12<sup>th</sup>  
...[intervenes].

**ADV KHUMALO SC:** Ms Pooe, just let us deal with the issue of the car first. Your car troubles at the end of January, Mr Matlala promised you a car on Tuesday the 4<sup>th</sup>. What happened to your car troubles? We are now on the 12<sup>th</sup>, which is a week later.

**BRIGADIER MATJENG:** It was fixed.

**ADV KHUMALO SC:** Before it was fixed? Did he rent a car for you?

**BRIGADIER MATJENG:** It was fixed the following day.

10 **ADV KHUMALO SC:** So he did not need to rent a car for you?

**BRIGADIER MATJENG:** No.

**ADV KHUMALO SC:** Or to give you money to rent a car?

**BRIGADIER MATJENG:** No. No, Commissioner. I have been driving this *coro-coro* that you are seeing here.

**ADV POOE:** All right. Now we are at page 25 on the 12<sup>th</sup> of February at 08:15. You initiate a call with Mr Matlala, and at 08:31 you request that he send you the letter. The letter. Then Mr Matlala responds at 08:33 with two letters.

20 If we could just go to the annexures tab to MTJ5 and 6 at page 51 of the annexure bundle?

**BRIGADIER MATJENG:** 5 and 6?

**ADV POOE:** Yes. So page 51. Maybe let us start with page 51.

**BRIGADIER MATJENG:** Okay.

**ADV POOE**: All right. So at page 51 is a letter of demand for non-performance on the contractual obligations for Medicare 24. And in the letter, SAPS details a series of non-performance in most of the areas that Medicare is supposed to be servicing. Can you confirm that? And at MTJ6 is a response from Medicare, a response to the letter of demand. And in that response, generally, Medicare tries to explain its position in relation to all the areas that SAPS had pointed to non-performance. Can you confirm that?

10 **BRIGADIER MATJENG**: I confirm.

**ADV POOE**: And ultimately, they promise to essentially do better. They say they will ensure that various work streams within 14 days that a bilateral meeting is held to ensure the backlogs are addressed and timelines given for the submission. That is on page 60.

**BRIGADIER MATJENG**: That is correct.

**ADV POOE**: All right. So if we can then go back to the chat? In response to the two letters, you then write to Mr Matlala and say:

20                   “On your response, you should also indicate the challenges experienced from SAPS, delays in payment, failure to have QTR meeting with SAPS to discuss challenges in order to improve service delivery as per SLA, members insisting

on using their preferred doctors.”

Right? So you deal with this exchange at paragraph 23 of your statement.

**BRIGADIER MATJENG**: 23? No.

**ADV POOE**: My apologies, 28. I cannot even read my own handwriting.

**BRIGADIER MATJENG**: 20?

**ADV POOE**: 28. 28 and 29. In particular, you note there that:

10                    “I then highlighted to him he could have included the non-payment issue, failure to have quarterly meetings with company as per SLA, and also the issues whereby members were insisting on going to their preferred doctors.”

You see that?

**BRIGADIER MATJENG**: Yes

**ADV POOE**: Now, in your chat, right, when you read the chat, it seems that at 09:40 you were advising on what Mr  
20 Matlala and should include in his response to SAPS. Can you see that? Your language there, it says, on your response, you should also indicate that. Can you see that?

**BRIGADIER MATJENG**: I see that, but already the letter was drafted and sent to SAPS.

**ADV POOE**: And then in your statement, you modified to

say you highlighted to him that he could have. Can you see that?

**BRIGADIER MATJENG**: Yes.

**ADV POOE**: So here, what I wanted to understand in particular is when you send this kind of response to Mr Matlala in response to a letter, and you have already accepted that the letter highlights non-performance in almost every area that Mr Matlala was servicing, that you in turn would advise Mr Matlala that he should note what is  
10 SAPS' challenges. Do you have a comment to that? I mean, why would you advise him to do this, and whose interests were you advancing with this advice?

**BRIGADIER MATJENG**: You know, if he is complaining about the delays in payment, which is affecting him to perform effectively. Now, when I look at the letter, all of those that he was complaining about, they were not included in the letter. Now, it makes me wonder if he was telling the truth that there was delay in payment from SAPS, because if delay in payment was an issue, I believe that he  
20 could have included it on his letter, but he did not include it.

**ADV POOE**: But you know he did not include it, and what you then do is advise him to include it.

**BRIGADIER MATJENG**: The letter was ...[intervenes].

**ADV POOE**: The letter was sent. I mean, it does not preclude him from sending another letter.

**BRIGADIER MATJENG**: Ja.

**ADV POOE**: And if you consider it, they are responding to a letter of demand and not including these challenges. It is you who suggests that they include it. They did not see it necessary to do so.

**BRIGADIER MATJENG**: I agree.

**ADV POOE**: So my question again is, whose interests are you advancing here when you give this kind of advice?

**BRIGADIER MATJENG**: Of Mr Matlala.

10 **ADV POOE**: All right, thank you.

**ADV KHUMALO SC**: Against who?

**BRIGADIER MATJENG**: Against my employer.

**ADV POOE**: So let us then go to the next ...[intervenes].

**ADV BALOYI SC**: Can I just ask a different question? Brigadier, that letter, letter of demand that is at page 51, it speaks of different work streams, right, in which he ...[intervenes].

**BRIGADIER MATJENG**: MT6, Commissioner?

20 **ADV BALOYI SC**: MTJ5. It is a letter of demand, non-performance.

**BRIGADIER MATJENG**: Okay.

**ADV BALOYI SC**: It has different work streams, and yours, if I am correct, if I have correctly understood your evidence, yours appears to be at page 52. You can correct me?

**BRIGADIER MATJENG**: That is correct, Commissioner.

**ADV BALOYI SC:** Where it says medical surveillance work stream.

**BRIGADIER MATJENG:** That is correct, Commissioner.

**ADV BALOYI SC:** Okay. Now, the second paragraph there says, in your stream, about your stream, it says:

10                   “For the period July to December 2024,  
all the requests for periodic medical  
surveillance remain outstanding with a  
health risk manager beyond turnaround  
time (100% non-performance).”

Right? You see that?

**BRIGADIER MATJENG:** I see that, Commissioner.

**ADV BALOYI SC:** Yes. So there is a problem in your  
area, according to this letter, 100% non-performance. How  
is it that you assist Mr Matlala, what you say he should  
have included in his letter, to show that SAPS itself has  
been in default, it has made it difficult for him to perform his  
job, you are assisting him in that when in fact, in your own  
area the SAPS records 100% non-performance? And this is  
20 a non-performance that you have not dealt with.

And can I just put my proposition to you, that I think  
this, in fact, which I have just read to you, in the history of  
how you have been assisting him, that it actually glaringly  
sets out the conflict position in which you were. Because  
according to this letter, they are not performing in your

section. But notwithstanding that, you are consistently assisting him.

And you are not dealing with the fact that he is not performing in your section, that that speaks to the serious conflict of interest that you had, that you could not deal with his non-performance because of your relationship with him. Can you see the problem that that presents?

**BRIGADIER MATJENG**: Commissioner, when I enquired about this letter to supply chain SHE management, they  
10 indicated that there was a typo. In this specific stream is where Mr Matlala was performing and excelling.

**ADV BALOYI SC**: The typo being what?

**BRIGADIER MATJENG**: The typo being the non-performance. When I enquired, the person who drafted this told me that there was a typo, and in this work stream, he was performing, it was not 100% non-performance.

**ADV BALOYI SC**: Sorry, is the typo 100% instead of a lower percentage? Are you saying he was performing 100% or he was not performing but only 20%? I am trying to  
20 understand when you say typo.

**BRIGADIER MATJENG**: By December, in my environment, it was 100% performance.

**ADV BALOYI SC**: Full performance, by the time this letter went out?

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC:** Did you correct this?

**BRIGADIER MATJENG:** No, it was not me who compiled the letter and I was not consulted when it was compiled.

**ADV BALOYI SC:** Now that you have the letter, Mr Matlala gives you the letter, you do not say to him, actually, you do not say to him in your proposal, you are suggesting to him what he should have included in that letter, right? In that WhatsApp message, you say you should have mentioned delays in payment, failure to have quarterly meetings, members insisting on using their preferred doctor.

**BRIGADIER MATJENG:** Yes.

**ADV BALOYI SC:** You do not say to him also that you should have included that you have been performing 100% in my area. That seems to me to be a big thing, more than failure to have quarterly meetings. It seems to me that if where you are sitting, a service provider that you are close to has in fact performed 100% and he sends you a letter to which you are suggesting what you should have added. It is strange to me that you do not add that but you should have added that you are performing 100% in my work stream where they say you are not performing.

**BRIGADIER MATJENG:** Maybe because on his letter, on his response letter he is clearly indicating that he is performing in the stream.

**ADV BALOYI SC:** Can you show us that?

**BRIGADIER MATJENG**: It will be on page 58.

**ADV BALOYI SC**: Page?

**BRIGADIER MATJENG**: 58.

**ADV BALOYI SC**: Yes. Ja, what about page 58? Where does he say he is performing 100%?

**BRIGADIER MATJENG**: Under medical surveillance work stream, he is saying:

10                   “With regard to SHE management, our  
work stream has been working with  
various service providers and specialists  
through the country. This is the case  
when it comes to specialists with annual  
and renewal of medicals (aviation and  
drivers). From the 18<sup>th</sup> of June 2024, we  
have completed and certified 1 761  
medicals nationally and this will include  
drug testing and travel medication. We  
have three large medical groups currently  
being attended to which include North  
20                   West province. These are planned to be  
completed by the 13<sup>th</sup> of February 2025  
for over 300 annual medicals.”

**ADV BALOYI SC**: Are you saying the 1 761 medicals nationally under your work stream that was 100% performance? I just want to make sure that I understand

your evidence.

**BRIGADIER MATJENG**: The measurement will be in terms of activating the appointments. Let me give an example where I am sitting. We will do medicals of about 580. We plan for all 580. They will respond within a week to action authorisation. The challenge will be an issue of non-arrival of members as well as the refusal. You will get those that will be saying, I do not want to do the medicals. But from his side, he activated, made an appointment within the  
10 required period.

**ADV BALOYI SC**: Yes, I think what I am hoping for is a straight answer whether you are saying that it was in fact incorrect for the SAPS to say in your work stream he has not performed at all. Right? 100%. It was incorrect. To your knowledge, he had performed 100% or whatever lesser percentage. I am trying to get that kind of clarification. Because I make a serious statement to you that, well, according to the SAPS, there was no performance in your section.

20 **BRIGADIER MATJENG**: That is correct.

**ADV BALOYI SC**: And you did nothing about it. That is quite a strong statement to make, right?

**BRIGADIER MATJENG**: Yes.

**ADV BALOYI SC**: But you say, no, but they are wrong. They are wrong to say he has not performed at all. In fact,

he had performed 100%. That is what I thought you were saying.

**BRIGADIER MATJENG**: Right.

**ADV BALOYI SC**: And when I said to you show me where he says so, because you say maybe because he had replied and included it in his letter, that is why you were not advising it. So what I am asking you is, are you saying the number that he speaks to, and I do not know anything about your environment and the numbers, are you saying the 1  
10 761 medicals that he says that they have actually, that was 100% of what was required of him and that he completed? It is simply that I am asking.

**BRIGADIER MATJENG**: The 100% in my environment, that one I can confirm.

**ADV BALOYI SC**: Okay.

**BRIGADIER MATJENG**: Because after we received the authorisation, the appointments were scheduled within a week.

**ADV BALOYI SC**: Okay. All right, thank you.

20 **BRIGADIER MATJENG**: But Commissioner, I must say, it is not the total of 1 761. I am talking about my environment, whereby it was, I think it was 585.

**ADV BALOYI SC**: So when he says 1 761, it is not your environment?

**BRIGADIER MATJENG**: It is not only my environment.

**ADV BALOYI SC:** Okay. All right.

**ADV KHUMALO SC:** Brigadier, remember that question I asked earlier, and you said let me look for the letterhead, and I said, do not waste time, we will get to it. While you are on page 58, there is your answer. And remember, this is now the beginning of February. We are still on the 10<sup>th</sup> of February, if I am not mistaken. Yes. So it is clear. And because Mr Matlala sent you this, you knew that he was no longer director of this company.

10 **BRIGADIER MATJENG:** Maybe sometimes we do not pay attention into details, we just look into the content of the letter.

**ADV POOE:** Brigadier, on the back of your exchange with Commissioner Baloyi, is it then just sheer coincidence that the only, on your version, the only area where he was performing is yours?

**BRIGADIER MATJENG:** It is not only mine. If you look at the 1 661, it is not only in my environment. Although it might be medical surveillance, but there are different  
20 divisions and components that are conducting medical surveillance.

**ADV POOE:** But look at the letter that is absent. So if you look at the first one, temporary incapacity leave work stream, you will see the general or high levels of non-compliance, it is 89.88 or 100% of non-performance. Can

you see that?

**BRIGADIER MATJENG**: I do not want to critique the letter that is coming from my organisation, but looking at this picture, where it says 100% non-performance, it was not 100% non-performance. And also it was confirmed by the colonel who is working in supply chain management, who is managing this stream.

**ADV POOE**: And you do not think it is curious that, as a first response, it would be that this is inaccurate and not a  
10 true reflection of our performance?

**BRIGADIER MATJENG**: Because for me, and according to my knowledge, he responded to it to say they have already completed and certified over 1 761 medicals nationally.

**ADV POOE**: If you look at that, again, it is contained in response to what is medical surveillance work stream. My simple point is, if you have regard to the letter, in every stream there is general non-performance. And you are now saying that this is not the case of your stream. So I am asking if it is coincident that the only stream where you say  
20 there is 100% performance is yours.

**BRIGADIER MATJENG**: It is not my stream alone. There is quite a number of brigadiers that are included in the medical surveillance work stream. My number will be 580-something, not a total of 1 761.

**ADV POOE**: So it is also then possible that when they say

there is non-performance in the stream, it may be as a result of other streams within medical surveillance work?

**BRIGADIER MATJENG**: It might be possible, but even if it might be in other streams, it cannot be 100% non-performance. Seeing that the 580-something that we arranged for, he did perform within the allocated time.

**ADV POOE**: My simple point, Brigadier, is that if you have regard to his letter versus what SAPS is saying, the letter of demand, what you are saying as the errors or perhaps a  
10 failure to properly capture the non-performance does not accord with the explanation that Medicare itself provides. If you are a contractor accused of gross non-compliance like this or non-performance, one would imagine that the very first thing you say is this is not true or we are performing. Instead, much of it is, we agree, however, this is what we are going to do to try and make things better. We will try to meet these requirements. We are engaging with service providers. You see, they give an explanation as opposed to deny that there is non-performance.

20 **BRIGADIER MATJENG**: I think Medicare will be in a better position to come and explain this response.

**ADV POOE**: Brigadier, the only reason why I am asking you is because of your defence of Medicare in your responses to Commissioner Baloyi, but I will take it no further than that.

**CHAIRPERSON:** May we take a five-minute adjournment and may we ask to see the legal representatives outside, please? Now, now, let us adjourn.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Thank you. Brigadier, after discussion with the legal representatives outside, it seems that it is still going to be a while. So we have decided that rather than sit late, let us rather continue tomorrow. So we  
10 adjourn until 09:30 tomorrow. We will see you then. So you are warned to be here. Let us adjourn until 09:30 tomorrow.

**INQUIRY POSTPONED TO 6 FEBRUARY 2026**

**INQUIRY ADJOURNS**

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