



EXHIBIT D7

**RECORDINGS
OF THE
INSPECTION *IN LOCO*
HELD BY THE COMMISSION
ON
03 DECEMBER 2018**



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

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with that caveat there is no flight for Monday. I keep looking behind me, because the British Airways letter is not in the – in D6 but it is supposed to be on its way.

CHAIRPERSON: Okay.

ADV MAHLAPE SELLO: Which would exclude British Airways as a carrier for the trip to Johannesburg and back.

CHAIRPERSON: Ja. Okay, alright.

ADV MAHLAPE SELLO: Thank you Chair. If I may then proceed Chair with your permission I would like to very quickly deal with the inspection *in loco*.

CHAIRPERSON: Yes.

10 **ADV MAHLAPE SELLO:** As we indicated in the morning and I think Mr Hellens confirmed that the inspection was undertaken on the 3rd of September – December.

CHAIRPERSON: What should I now have in front of me?

ADV MAHLAPE SELLO: D6.

CHAIRPERSON: There are so many files here.

ADV MAHLAPE SELLO: D6A.

CHAIRPERSON: D6, okay and are we on D6A?

ADV MAHLAPE SELLO: A Chair.

CHAIRPERSON: Okay, alright. Proceed.

20 **ADV MAHLAPE SELLO:** Thank you Chair. The inspection was undertaken on the 3rd of December 2018. We gathered at 9 o' clock, but the actual inspection commenced at about 09:30 in the morning until 12:33 midday and as I indicated previously three parties recorded these – this inspection. We have available what I would call the raw footage of that inspection which is literally videoing the group as it began its inspection until it officially closed it. This involves a lot of walking around to visit various properties and it runs to something close to three hours. We would like to submit that into

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evidence as the formal video recording of the inspection itself by the Commission. We have in the meantime Chair made an edited version of that video, where we have taken out a whole lot of walking about and confined that recording to the actual pointing out and identifying the various properties. That video runs through one hour 37 minutes. We also would like to submit it into evidence. So at this juncture I would request that perhaps we give it an exhibit number – if we have one exhibit number that will be for the full version and perhaps that same number with (a) in brackets for the edited version Chair.

CHAIRPERSON: Yes.

10 **ADV MAHLAPE SELLO:** So ...(intervenes).

CHAIRPERSON: No that is fine. Have you got it there?

ADV MAHLAPE SELLO: *Ja.* We have not submitted any exhibits with Ms Mentor. So this would be the first. So we have a choice of following the D series.

CHAIRPERSON: Hm.

ADV MAHLAPE SELLO: To make it D7 or the D7 been bundles or we could probably number it Exhibit 1.

CHAIRPERSON: If an exhibit is not a document and it is real evidence how do we number it? Do you use the same as the letters like D, E or do you use the ...(intervenes)?

20 **ADV MAHLAPE SELLO:** We do not normally use the bundle numbering.

CHAIRPERSON: Hm.

ADV MAHLAPE SELLO: We use the exhibit numbering.

CHAIRPERSON: We – it is not – my recollection it is not the same.

ADV MAHLAPE SELLO: Not the same Chair.

CHAIRPERSON: A, B, C, D, but Exhibit 1 or something.

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ADV MAHLAPE SELLO: Because there might be other Exhibit 1's with other witnesses. May this one be Exhibit VM1? Then we know that it is that it is – my leader here suggests the next number after D6 is what it should be numbered. So that would make it D7 Chair.

CHAIRPERSON: But my question was whether – something tells me that there is a distinction when it is a document – an exhibit as a document and when it is something else like real evidence that you do not use the one for everything. You say if it is a document you might say Exhibit A, but if it is real evidence it has got to be something else other than A. I do not know whether we got it wrong from the beginning by using
10 one – Exhibit 1 and so on when it should have been A. You are not sure about that?

ADV MAHLAPE SELLO: I – my view Chair was that the bundles would have their own series. Now Ms Mentor's series is D and that is correct. Her statement was the fourth statement and that was Bundle D. So every other file that was submitted following that then acquired a number D1 to D6 as we currently stand. So that ...(intervenes).

CHAIRPERSON: *Ja*, but that does not answer my question (laughing).

ADV MAHLAPE SELLO: Yes, I am getting to the question Chair.

CHAIRPERSON: I understand what you are saying, but it just does not answer
...(intervenes).

ADV MAHLAPE SELLO: And I am saying this being an exhibit and a video it is not a
20 document.

CHAIRPERSON: Hm.

ADV MAHLAPE SELLO: To ...(intervenes).

CHAIRPERSON: Well maybe provisionally we can give it a certain number, but maybe tomorrow when resume you might have just reflected on how it is – what we should be doing and then we can make sure we do the right thing.

ADV MAHLAPE SELLO:(Indistinct) Chair.

CHAIRPERSON: But I wanted the practice in other *fora* particular in court I think there may be a different practice, but we will not be held back by that. So what is the one you suggest?

ADV MAHLAPE SELLO: I would suggest the next would be D7.

CHAIRPERSON: D7?

ADV MAHLAPE SELLO: D7 and ...(intervenes).

CHAIRPERSON: Alright, but where is the recording?

ADV MAHLAPE SELLO: The recording is available being handed over to
10 ...(intervenes).

CHAIRPERSON: *Ja*.

ADV MAHLAPE SELLO: To the technical team.

CHAIRPERSON: Okay, alright.

ADV MAHLAPE SELLO: And ...(intervenes).

CHAIRPERSON: So that would be D7?

ADV MAHLAPE SELLO: As I indicated Chair there are two versions. There is what we call the long version which is the full inspection and there is the abridged version of one and a half hours. May I also request that that be tendered into evidence as D7A?

CHAIRPERSON: D7A and D7B.

20 **ADV MAHLAPE SELLO:** Oh D7A and D7B, yes Chair.

CHAIRPERSON: *Ja*. D7A being the long version. D7B being the shorter version.

ADV MAHLAPE SELLO: The abridged version Chair, yes.

CHAIRPERSON: Okay. They, they will be marked accordingly.

ADV MAHLAPE SELLO: And I have two more to address you on Chair.

CHAIRPERSON: *Ja*.