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DAY 37

20

PROCEEDINGS HELD ON 21 JANUARY 2019

CHAIRPERSON: Good morning – good afternoon Mr Pretorius, good afternoon everybody.

MR ANGELO AGRIZZI: Good afternoon sir.

CHAIRPERSON: Thank you. Good afternoon, Mr Pretorius.

ADV PAUL PRETORIUS SC: Good afternoon. May we proceed?

CHAIRPERSON: Before you proceed I just want to say I had intended to make a statement in regard to the conduct of some newspapers and journalists and editors in regard to certain articles that were published in some newspapers yesterday, but we
10 are starting late and I will do that tomorrow morning. As from – as of today, as for today's starting time we are starting at 12:00, because the witness requested some time in order to attend to something or honour some commitment and I allowed that on the understanding that we will add an hour this afternoon or two, but I have since decided that we will add one hour this afternoon and we will add another hour tomorrow in order to recoup the two hours from 10:00 to 12:00 that we have lost.

My understanding is that Mr Agrizzi is happy with that. Is that the position Mr Agrizzi?

MR ANGELO AGRIZZI: Most definitely, Chair.

CHAIRPERSON: Okay, and the legal team I also understand has no problem with that.

20 **ADV PAUL PRETORIUS SC:** Yes, Chair.

CHAIRPERSON: Yes, thank you. Alright, so we – I do not know about breaking for lunch. If it were – if there would be no objection from the witness and the legal team I would prefer that we do not take the lunch at 13:00, but we take it at 14:00 and then resume at 15:00. Then that gives us about two hours that we use before lunch and another two hours after lunch.

Mr Pretorius, would the legal team be happy with that?

ADV PAUL PRETORIUS SC: Yes, that is in order, Chair.

CHAIRPERSON: Mr Agrizzi, would that be in order?

MR ANGELO AGRIZZI: I am at your full disposal.

CHAIRPERSON: Thank you very much. So that is what we will do then. We will take the lunch adjournment at 14:00 and resume at 15:00, and in the afternoon we will adjourn at 17:00. Thank you, you may proceed Mr Pretorius.

ADV PAUL PRETORIUS SC: Thank you, Chair. Mr Agrizzi we ended on the last occasion you gave evidence on page 35 of your statement. Perhaps, but before we
10 deal with your evidence this morning, Chair, may I place on record some additions to the bundles?

CHAIRPERSON: Yes.

ADV PAUL PRETORIUS SC: Firstly the index has been updated to add Annexures CC and DD and those Annexures will appear in EXHIBIT S2 of the bundle. So you will see the index at the beginning, the index appears in...[intervenes]

CHAIRPERSON: For some reason I seem not to have the index anymore. It would have been on S1, is it not?

ADV PAUL PRETORIUS SC: Yes, the index is in Bundle S1, but it appears after the first divider. In other words after the statement.

20 **CHAIRPERSON:** Oh, I thought it appeared before the statement.

ADV PAUL PRETORIUS SC: Yes, perhaps it should, but for the present it does appear after the first divider.

CHAIRPERSON: Does it not cover the affidavit? Mr Agrizzi's affidavit?

ADV PAUL PRETORIUS SC: It does deal with the affidavit, the first item.

CHAIRPERSON: Okay, well if it is at the correct places at the beginning then it should

be at the beginning. Okay, but for now...[intervenes]

ADV PAUL PRETORIUS SC: But for now DCJ the index has been updated. There are two additions to the papers.

CHAIRPERSON: Yes?

ADV PAUL PRETORIUS SC: They are Annexures CC.

CHAIRPERSON: Yes?

ADV PAUL PRETORIUS SC: And Annexures DD.

CHAIRPERSON: Yes?

ADV PAUL PRETORIUS SC: Annexure CC is the full SIU report.

10 **CHAIRPERSON:** Yes.

ADV PAUL PRETORIUS SC: Through some error only part of the report is in the original bundle. So rather than remove it and replace it we have just added the full report at the end. So the full report is Annexure CC and we will deal with that in evidence today or tomorrow.

CHAIRPERSON: Okay, alright.

ADV PAUL PRETORIUS SC: The other one, Annexure DD, is what? DD? Is an article that appeared in the press and we will deal with that in due course.

CHAIRPERSON: Okay.

20 **ADV PAUL PRETORIUS SC:** Then there is a new exhibit, EXHIBIT S8. You will recall, Chair, that we dealt at some length in evidence with the allegations in the affidavit of Mr Petrus Venter. Annexure S8 comprises the Annexures to that affidavit, in which documentary and corroborative evidence exists to which we will refer in due course, and that is Annexure – sorry EXHIBIT S8, and it is a separate file which you do not have to have before you today.

CHAIRPERSON: Oh, well, then should it not be mentioned when it is going to be

handed up?

ADV PAUL PRETORIUS SC: Well, it has been given to your Registrar.

CHAIRPERSON: Oh, okay, okay, okay, alright.

ADV PAUL PRETORIUS SC: So it has been handed up, but not placed on your desk.

CHAIRPERSON: You see, because we need to mark it if it is handed up already.

ADV PAUL PRETORIUS SC: It has been marked, EXHIBIT S8.

CHAIRPERSON: S8.

ADV PAUL PRETORIUS SC: Yes.

CHAIRPERSON: Okay, alright. Thank you.

10 **ADV PAUL PRETORIUS SC:** Okay. Then Mr Agrizzi if we may return to your evidence? Page 35 of your affidavit and go to paragraph 21.1. There you deal with an incident that is indicative of the relationship between yourself and Gavin Watson, would you tell the, Chair, briefly what happened on 7 July 2000?

MR ANGELO AGRIZZI: Briefly, Chair, what happened was, my family was coming down, I was working at the time, and they had a bad car accident and they were all in ICU for about six weeks, and basically Gavin would take charge and he would try and assist where he could with the family. I still had to continue work, so he would pop in and see them in PE when he was there.

ADV PAUL PRETORIUS SC: And generally how did he act towards you and your
20 family?

MR ANGELO AGRIZZI: At that stage, Chair, he was very caring about it, he was very concerned about it. It was still in the early stages.

ADV PAUL PRETORIUS SC: Alright. Now you say in paragraph 21.2 of your affidavit that from about 2003 the business of Bosasa Operations started to change and that you will deal with this in more detail below. That is merely by way of a headline. We will

come to that in due course. On page 36 of your affidavit you deal with certain events relating to Mokonyane?

MR ANGELO AGRIZZI: That is correct, Chair.

ADV PAUL PRETORIUS SC: Who was she at the time in relation to Bosasa and its predecessor?

MR ANGELO AGRIZZI: Previously, Chair, she was one of the Directors of Dyambu Holdings, who in turn owned shareholding in Dyambu Operations Pty Ltd.

ADV PAUL PRETORIUS SC: Was she, to your recollection and knowledge, was she a Shareholder of Dyambu Holdings or a Director of Dyambu Holdings?

10 **MR ANGELO AGRIZZI**: As far as I am aware and as I have been told she was a Shareholder and a Director of Dyambu Holdings.

CHAIRPERSON: You never got an opportunity to establish whether that what you were told is true? Because you say as far as you were told. So, I take it that you do not have personal knowledge whether she was a Shareholder and whether she was also a Director, it is just what you were told?

MR ANGELO AGRIZZI: Chair, I remember seeing a document many years ago where she was registered on a letterhead of Dyambu Holdings. I have just handed to the team a document that I managed to find that might also add some light to the matter as well, but if I could add, Chair...[intervenes]

20 **CHAIRPERSON**: Yes?

MR ANGELO AGRIZZI: That we were always told that she was a Shareholder and a Director.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Of Dyambu Holdings and of Dyambu.

CHAIRPERSON: Yes, yes, and the document that you are talking about that you have

handed into – either the legal team or the investigation team, as far as you understand it, does it reflect that at a certain stage she was a Shareholder and Director? Or only one of those as you understand the document?

MR ANGELO AGRIZZI: Chair, the document that I gave them was a sale of shares agreement, and I wanted them to just do an investigation on that, so that they can establish for themselves.

CHAIRPERSON: Thank you very much.

ADV PAUL PRETORIUS SC: May I just add, Chair, the investigation team dealing with this evidence is checking all the directorships and shareholdings with all the related
10 companies and that evidence will be placed before you in due course.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Before referring to the letter we would obviously like to look at it before it is placed into evidence.

CHAIRPERSON: Yes.

ADV PAUL PRETORIUS SC: Thank you, Chair.

CHAIRPERSON: No, that is fine, that is fine.

ADV PAUL PRETORIUS SC: Do you recall, Mr Agrizzi, during 2002/2003 what position Ms Mokonyane held in government?

MR ANGELO AGRIZZI: If I recall correctly, Chair, it was the MEC for Safety and
20 Security in Gauteng. As far as I can remember I met her at the Bosasa offices a few times.

ADV PAUL PRETORIUS SC: Alright. Did Gavin Watson give you any instructions in relation to the provision of benefits to Ms Mokonyane?

MR ANGELO AGRIZZI: Chair, if I can refer to my affidavit, on 20.3, there were numerous occasions...[intervenes]

ADV PAUL PRETORIUS SC: 22.3?

MR ANGELO AGRIZZI: Sorry, 22.3.

ADV PAUL PRETORIUS SC: Yes?

MR ANGELO AGRIZZI: There were numerous occasions and it was an annual effect that had to be sorted out annually, as well as various other benefits that were given.

ADV PAUL PRETORIUS SC: You say in your statement that a list of items was provided on the instruction of Gavin Watson. Would you just place those on record please?

MR ANGELO AGRIZZI: The list of items which were the same more or less every year,
10 it might have changed a little bit here and there, but it was 120 cases of cold drinks, four cases of high quality Whiskey, 40 cases of beer, eight lambs, cut up obviously, 12 cases of frozen chicken, 200kg of beef in various braai packs and then numerous cases of Premium Brandy and some speciality alcohol. I would get a list as a matter of fact. Her PA would phone me with that.

ADV PAUL PRETORIUS SC: Well, we will come to that in a moment. Where did you get the product from and how were they accounted for?

MR ANGELO AGRIZZI: Well, because at that stage I did not think anything was wrong, everything went through the books as normal, as if we were using it for something else.

20 **ADV PAUL PRETORIUS SC:** Who arranged for delivery?

MR ANGELO AGRIZZI: I would arrange initially for the delivery check.

ADV PAUL PRETORIUS SC: And after the period during which you say you arranged for it initially?

MR ANGELO AGRIZZI: After the period I would, there was a lady by the name of Catherine that would do it and at that stage we had an Executive Chef and he would

also oversee it for me as well.

ADV PAUL PRETORIUS SC: Were further instructions given to you by Gavin Watson after 2002 in relation to Ms Mokonyane?

MR ANGELO AGRIZZI: Chair, there were numerous requests. They were given through the year. These I would have to contact a Personal Assistant and these included organising and paying for funerals in respect of diseased family members. I would have to arrange for a rental vehicle for up to three months at a time for her daughter, when her daughter was coming back from China, where she was studying, and...[intervenes]

10 **ADV PAUL PRETORIUS SC:** Before you go on, through whom did you arrange the rental?

MR ANGELO AGRIZZI: Normally the rentals would be arranged through Blake's Travel.

ADV PAUL PRETORIUS SC: Alright. Yes, further instructions?

MR ANGELO AGRIZZI: There were numerous catering for rallies on her instruction, for instance the election campaign was run from the offices we had to arrange for all of that. We had to arrange the parties and the conferences at our offices.

ADV PAUL PRETORIUS SC: Rallies, which rallies are you referring to?

20 **MR ANGELO AGRIZZI:** There were numerous rallies. There were rallies that we would have to cater up to 40/50 000 people.

ADV PAUL PRETORIUS SC: For whom?

MR ANGELO AGRIZZI: For the ruling party, Chair.

ADV PAUL PRETORIUS SC: And then you referred to catering?

CHAIRPERSON: Or before you deal with that. Would the rallies be at stadia or would they be in halls, more or less most of the time?

MR ANGELO AGRIZZI: These were the Siakhoba rallies.

CHAIRPERSON: Oh, Siakhoba rallies?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Which would normally be at stadia?

MR ANGELO AGRIZZI: Normally.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: And then you refer in paragraph 22.5.4 to catering.
Provide some detail to the, Chair, if you would?

MR ANGELO AGRIZZI: Chair, we would get ridiculous requests in the middle of the
10 night saying that we needed to sort out birthday party cakes, cater for supporters
10 000 at a time, so we would have to just do it.

ADV PAUL PRETORIUS SC: Alright. Would you go to page 268 please? That is
Annexure G.

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And on page 269 appears a photograph?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Would you tell the, Chair, please what you know of what
is depicted on that photograph?

MR ANGELO AGRIZZI: Chair, I recall one Sunday evening Gavin Watson phoned me
20 – sorry, it was the afternoon. I had to drive through to Café Mozart and then deal with a
gentleman Fritz with Mr Watson and actually design this cake there. It had to be ready
the next morning.

ADV PAUL PRETORIUS SC: Do you have any experience in cake design?

MR ANGELO AGRIZZI: When I was 14 years old working in a bakery.

ADV PAUL PRETORIUS SC: So did you design this one?

MR ANGELO AGRIZZI: Yes, Chair.

CHAIRPERSON: Yes, and what year was this one if you are able to tell us?

MR ANGELO AGRIZZI: I cannot remember when it was, Chair. It was about – it was on Zuma's 72nd birthday.

ADV PAUL PRETORIUS SC: Alright, if you look at the cake you will see the ANC flag, ANC colours and a 72 on the top of the cake and to the left a flag, happy 72nd birthday. Do you see that?

MR ANGELO AGRIZZI: I do.

ADV PAUL PRETORIUS SC: Does the Bosasa logo appear anywhere on this
10 photograph or on the cake?

MR ANGELO AGRIZZI: The photograph is very bad, it does appear, because I know, I designed it, in between if you look there, there is a shadow silhouette of people holding hands. In between the people holding hands you will notice on the top tier there is what seems dark blue writing and a crescent over it in orange. That there is actually the Bosasa group logo.

ADV PAUL PRETORIUS SC: Alright, well I am not sure I can see it...[intervenes]

CHAIRPERSON: Well, I do not see people holding hands, but I see some orange.

MR ANGELO AGRIZZI: That is right. That was the...[intervenes]

CHAIRPERSON: That is part of the...[intervenes]

20 **MR ANGELO AGRIZZI**: The Bosasa logo.

CHAIRPERSON: Bosasa logo?

MR ANGELO AGRIZZI: Yes, it looks like a bit of a tombstone upside down.

CHAIRPERSON: Yes, well I see something that looks like a wheel close to the orange part, is that also part of the Bosasa logo?

MR ANGELO AGRIZZI: That is right.

CHAIRPERSON: Oh, and then there is a picture of somebody, whose face is not shown in full. So is the wheel at the orange part that would be part of the logo?

MR ANGELO AGRIZZI: That is right.

CHAIRPERSON: Okay, alright.

MR ANGELO AGRIZZI: Thank you, Chair.

CHAIRPERSON: Thank you.

ADV PAUL PRETORIUS SC: Thank you, Mr Agrizzi. Then in 22.5.5 you relate another benefit, what is that?

10 **MR ANGELO AGRIZZI:** This was the maintenance at the house which she owned in Silverfields, Roodepoort, which included all the electric fencing, generators, CCTV, gardening, ponds, lights, gates, absolutely everything really.

ADV PAUL PRETORIUS SC: And what role did you play personally in the provision of these benefits?

MR ANGELO AGRIZZI: Chair, I would be given an instruction to do it by Gavin Watson the CEO and I would make sure that the job got done.

ADV PAUL PRETORIUS SC: Yes, alright, you say that was soon after 2002?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Alright, what happened in 2008 and 2009 as related in paragraph 22.6 of your affidavit?

20 **MR ANGELO AGRIZZI:** Chair, in 2008/2009 Mokonyane would visit quite often and at one specific stage Bosasa was approached to do a full analysis on the security of the hospitals in Gauteng specifically.

ADV PAUL PRETORIUS SC: Before you go on I think the, Chair, may want to ask a question relating to your previous paragraph.

MR ANGELO AGRIZZI: Sorry, Chair.

CHAIRPERSON: Yes, I am thinking of that, but I wanted to allow him to give his answer to your question in full first before I go back. Because, *ja*.

ADV PAUL PRETORIUS SC: Thank you, Chair.

CHAIRPERSON: Okay, so you may continue and then...[intervenes]

ADV PAUL PRETORIUS SC: Alright. So in 2008 and 2009 as I understand your evidence Ms Mokonyane approached Bosasa with a request to do an analysis of security at hospitals?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And you in fact on the instruction of Gavin Watson did
10 such an analysis?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And you prepared a report?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: To whom did you give the report?

MR ANGELO AGRIZZI: The report was given to Gavin Watson.

ADV PAUL PRETORIUS SC: Alright, and do you know its fate after that?

MR ANGELO AGRIZZI: It was submitted to Nomvula Mokonyane.

ADV PAUL PRETORIUS SC: Alright, I intend to deal with related matter, over the
page, Chair.

20 **CHAIRPERSON:** Oh, okay. Let us go back to page 37, Mr Agrizzi?

MR ANGELO AGRIZZI: Yes, Chair.

CHAIRPERSON: And I am just going to say something in general and then ask you a specific question. It is going to be important as you give your evidence to tell me which of the activities you were personally involve in, particularly with regard to delivering some things to certain people.

MR ANGELO AGRIZZI: Yes, Chair.

CHAIRPERSON: Or preparing them and handing them over to somebody to deliver and getting a report that it was delivered and when for example you talk about providing catering for supports at President Zuma's birthday parties to say as much as you personally know about that. When you talk about the maintenance at Ms Nomvula Mokonyane's house in Roodepoort to indicate what you personally know about, that as oppose to what you may have told was done.

So I just want to ask you about paying and organising funerals in respect of diseased family members, did you ever get to be personally involved in regard to that,
10 other than maybe preparing money and maybe giving to somebody to go and make sure that it is delivered?

MR ANGELO AGRIZZI: Chair, when a request like that was made I was told to leave everything and personally go and see to it. So I was personally involved. Although I might not have made the food or put up the tent I would have had to authorise it, sign it and hand it over, and I would be responsible ultimately, and accountable for ensuring that everything went successfully.

CHAIRPERSON: So in regard to that for example therefore you are telling me something that you personally know happened?

MR ANGELO AGRIZZI: I can even recall where we had to put up tents and that, Chair.

20 **CHAIRPERSON:** Yes, okay. And the arrangements about the rental of a vehicle for periods of three months and so on, that also you have personal knowledge of, or how far does your knowledge go in regard to that?

MR ANGELO AGRIZZI: Chair, the daughter would phone me up and request, I remember it vividly, an Audi A3 Cabriolet. I at one stage even called the daughter in, because there had been numerous accidents.

CHAIRPERSON: Yes?

MR ANGELO AGRIZZI: And problems with the vehicles.

CHAIRPERSON: Yes?

MR ANGELO AGRIZZI: And it started getting concerning.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So I actually called her in one day and sat her down and said "can I arrange for driver training, special driver training for you", because it was getting embarrassing.

CHAIRPERSON: Yes?

10 **MR ANGELO AGRIZZI:** So I was personally involved.

CHAIRPERSON: Yes, and the catering for ANC rallies, you have just indicated you have told us about that. Have you got – are you able to give me an idea about, if you are able to, how many rallies you can think of where you actually made arrangements? It may be – maybe there are too many, in which case you cannot say. Maybe there are more or less a number that you can tell a reasonable estimate, but if you are not able to I will understand?

MR ANGELO AGRIZZI: Sorry, Chair, it is too many to remember. I will have to consult with the ex-Chef that was there who would know exactly, and I would have to speak to some people, but I cannot remember how many. It was well over 10 or 12 rallies.

20 **CHAIRPERSON:** Yes, and would they have been, in terms of the rallies, you said they were Siyanqoba rallies. Was it only Siyanqoba rallies or also other rallies?

MR ANGELO AGRIZZI: No, Chair, there were various issues.

CHAIRPERSON: Different rallies?

MR ANGELO AGRIZZI: They were totally different ones, correct.

CHAIRPERSON: Yes, all within Gauteng I assume?

MR ANGELO AGRIZZI: Yes, mostly in Gauteng.

CHAIRPERSON: Yes, excuse me. And the maintenance at her house at Roodepoort, how much personal involvement did you have in regard to that and did you ever go to her house and see maintenance that had been effected there?

MR ANGELO AGRIZZI: On numerous occasions I attended at the house with Mr Watson and I would at the house with Mr Watson walk the site with one of the technical teams and explain to them how I wanted it done. I would then go back afterwards and check that they had done the work properly. I did not wanted to get lambasted.

10 **CHAIRPERSON:** No, thank you very much, Mr Agrizzi. Mr Pretorius you may proceed.

ADV PAUL PRETORIUS SC: Thank you. If you go to page 38 please, paragraph 22.7? In relation to the analysis of security at hospitals that you prepared and handed to Mr Gavin Watson and learned that it had been provided to Ms Mokonyane by him, you were told or given certain information by Papa Leshabane, what was that information?

MR ANGELO AGRIZZI: The information that I was given was basically that the report was to be given to someone else and that person would submit it as a tender when response to a tender and we would just be doing all the hard work for everybody else and everybody else would benefit. He actually mentioned at that stage was a
20 gentleman by the name of Reggie Nkabinde that Papa Leshabane mentioned would probably be given the tender.

ADV PAUL PRETORIUS SC: Right, what post did Mr Nkabinde occupy at that time?

MR ANGELO AGRIZZI: As far as I can recall it was in the ANC Youth League. I cannot recall exactly what post it was. I know that he is now the Treasury General I believe of the ANC Youth League.

ADV PAUL PRETORIUS SC: Alright, you do not have original information in relation to the fate of that tender, do you?

MR ANGELO AGRIZZI: Unfortunately not, I do not have any information, because I did not keep any on it, sorry.

ADV PAUL PRETORIUS SC: Alright, what you are telling the, Chair, is based on reports that you received from Mr Leshabane?

MR ANGELO AGRIZZI: I am sure if – that is correct, but I am sure if the investigating team goes into the records of the tenders they will come across the tender.

ADV PAUL PRETORIUS SC: Alright. Now that is what I wanted to ask you about. The
10 further investigation are you prepared to cooperate in that respect?

MR ANGELO AGRIZZI: Most definitely.

ADV PAUL PRETORIUS SC: Alright, what happened...[intervenes]

CHAIRPERSON: I am sorry, in 2014, I am sorry this was in 2008/2009, was she still MEC for Security at that stage, as far as you remember?

MR ANGELO AGRIZZI: As far as I recall she was.

CHAIRPERSON: I am just wondering what she had to do with hospitals, if she was MEC for Security.

MR ANGELO AGRIZZI: Chair, at that stage there was a major issue with the Gauteng hospitals in terms of security. I mean numerous tenders that were out at that stage and
20 if I recall correctly they had problems with doctors being stabbed, especially at Leratong and at Baragwanath.

CHAIRPERSON: Okay, so that maybe have been the angle from which she came in for MEC for Security?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Can you recall the content of your analysis, just very

broadly and in summary?

MR ANGELO AGRIZZI: It was an analysis of the current and existing security infrastructure. They had a major problem with regards to infrastructural access control, ingress control and there was a major problem with the amount of guards that were being utilised in the wrong places and not in the right places. So the whole blueprint that we put together was a holistic view on taking Gauteng's security of the hospitals and coordinating them with centralised control platforms, centralised control rooms and being able to minimise on guarding and utilise that funds to be able to pay for additional technology requirements.

- 10 **CHAIRPERSON:** This analysis that you did as Bosasa, did you do it, because you were going to be paid for doing it, irrespective of who may ultimately have got the tender? Or did you do it on the understanding that you would get the tender in the end? Because I see here you say you spent about R2-million I think in regard to that analysis so what was the basis for your doing that analysis?

MR ANGELO AGRIZZI: The initial cost was approximately 2-million, I do not remember the exact cost on it, it is on my laptop, which I do not have anymore, however, the idea was that if we do the analysis and we provide a good report on how we could assist and improve things that there would be a tender promulgated that we could be involved with.

- 20 **CHAIRPERSON:** So the understanding was that you would not be charging for that analysis, because there would be a tender and maybe you would get the tender?

MR ANGELO AGRIZZI: Chair, there was no official agreement or discussion regarding that, between...[intervenes]

CHAIRPERSON: Yes?

MR ANGELO AGRIZZI: Myself and the MEC and at that stage I cannot say that would

have been discussed with Mr Watson as he would handle high level issues.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: As far as I know there was no charge.

CHAIRPERSON: Okay, thank you.

ADV PAUL PRETORIUS SC: Do you know of any payment that Bosasa might have received for producing this report?

MR ANGELO AGRIZZI: No payment was received.

ADV PAUL PRETORIUS SC: Alright, okay. Then if we could move on to 2014, or perhaps before we go there, can you recall anything further in relation to security at
10 hospitals and in particular whether Bosasa or a Bosasa company ever bid for the award of the tender?

MR ANGELO AGRIZZI: I recall there was a tender that was promulgated for hospitals, not in the same light as this one, it was for a guarding tender and I do recall submitting a tender, if I remember it was cancelled. Nothing ever happened.

ADV PAUL PRETORIUS SC: Alright, let us move on then to 2014, what happened then in relation to Bosasa and Ms Mokonyane?

MR ANGELO AGRIZZI: Once more, Chair, we were asked to do an analysis and a report on the securing of the dams in South Africa for the Department of Water Affairs. At the time Minister Nomvula Mokonyane was the Minister of Water and Sanitation.
20 The same procedure was followed. We were asked to do an analysis, come up with a solution, so what I did was, because time was short, they wanted a very fast generic overview, which I provided them with. I gave the report to Gavin Watson.

ADV PAUL PRETORIUS SC: Do you know...[intervenes]

MR ANGELO AGRIZZI: I know that the company never got paid for it.

ADV PAUL PRETORIUS SC: Paid for what, for the report?

MR ANGELO AGRIZZI: For the report.

ADV PAUL PRETORIUS SC: Yes. So approximately what was the cost to Bosasa in preparing a report?

MR ANGELO AGRIZZI: Chair, the approximate cost was about R1.3-million, because we would have to spend intensive time, I had to get the assistance of official security people that understood dams and that type of thing to assist us.

ADV PAUL PRETORIUS SC: Yes. What was the scope of the report? You mentioned securing the dams? Just tell the, Chair, the report you prepared was all about?

MR ANGELO AGRIZZI: Well the report included the protection of the dams with high
10 security fencing, to prevent any ingress or any contamination of the dams. It included sensors to measure levels of dams, potential leaks, breakages in dam walls. It also included, if I recall correctly, camera systems that were integrated onto a singular platform, which to be viewed by the Minister at any one time. So it was a comprehensive security and a holistic plan to look at the dams in South Africa.

ADV PAUL PRETORIUS SC: Did you understand at the time why this report was being prepared?

MR ANGELO AGRIZZI: My understanding was that this was being done in order for a tender that was coming out that we could perhaps get to work on. So I was instructed as well by Gavin Watson to recommend a consultant group. So normally this would be
20 put out to a consultant, who would consult to the Department of Water Affairs and that is basically what happened.

I approached somebody, I introduced them to them and they continued.

ADV PAUL PRETORIUS SC: Well let us take it step by step. You were instructed to recommend a consultant. A consultant to the Department of Water Affairs?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And the consultant's task would be to manage the award of a tender for securing the dams?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Did you then schedule a meeting or was a meeting scheduled with an institution called Chiefton Consultants?

MR ANGELO AGRIZZI: Chair, that is correct.

ADV PAUL PRETORIUS SC: And was a meeting held?

MR ANGELO AGRIZZI: That is correct, Chair, a meeting was held.

ADV PAUL PRETORIUS SC: And very briefly what happened at that meeting?

- 10 **MR ANGELO AGRIZZI:** At that meeting we explained that they needed to register in terms of the Department of Water Affairs and Sanitation. At the meeting I was present, Gavin Watson was present, an elderly gentleman called Paul Silvo, who has been busy with government for many years on these types of projects was present, and a gentleman by the name of Raymond Moodley was present as well.

So we had the Chiefton team there and ourselves.

ADV PAUL PRETORIUS SC: Did you discuss with Chiefton the contemplated specifications of the project?

MR ANGELO AGRIZZI: Correct, we did discuss the contemplated specifications.

ADV PAUL PRETORIUS SC: So at this stage had any tender invitations been issued?

- 20 **MR ANGELO AGRIZZI:** At that stage no tenders had come out as yet.

ADV PAUL PRETORIUS SC: So...[intervenes]

MR ANGELO AGRIZZI: It was still in the process of being promulgated and that would have been Chiefton's responsibility.

ADV PAUL PRETORIUS SC: So before any bid or invitation to bid was issued, before the tender documentation was issued in relation thereto you had not only on behalf of

Bosasa prepared a detailed analysis of what was required to secure the dams in South Africa, but you also discussed the specifications of the project with a consultant who it was contemplated might actually manage the whole tender process?

MR ANGELO AGRIZZI: Chair, that is correct.

ADV PAUL PRETORIUS SC: And you discussed with them, according to your evidence, the specifications of the contemplated project. Did you discuss their potential role as consultants to the Department of Water Affairs for the tender?

MR ANGELO AGRIZZI: Most definitely.

ADV PAUL PRETORIUS SC: Was any expectation expressed to the consultants in
10 relation to who would be awarded the tender?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: What was discussed?

MR ANGELO AGRIZZI: They would be awarded the tender and they had to ensure that they would be pro the group going forward.

ADV PAUL PRETORIUS SC: Pro the Bosasa group?

MR ANGELO AGRIZZI: That is correct, Chair.

ADV PAUL PRETORIUS SC: Well what does that mean in relation expressly to the award of the tender?

MR ANGELO AGRIZZI: It would mean that they would manipulate the tender in such a
20 way that it would benefit Bosasa and Bosasa would get the business.

CHAIRPERSON: How did you, that is Bosasa, come to be the ones talking about who should be appointed to the department to Ms Nomvula Mokonyane as department as consultants? How did that come about?

MR ANGELO AGRIZZI: Chair, we had previously worked with them on something else and it did not work out at that stage, but that is why we kept in contact with everybody.

CHAIRPERSON: Was it Bosasa's own decision that consultants be found who would assist the department or did somebody in the department ask Bosasa to please find consultants for them?

MR ANGELO AGRIZZI: Strangely neither, Chair, if I may respond? What happened was, there was a third party, whom I did not know at that stage, who was orchestrating behind the scenes that there would be a company that would be employed as the consultants and that company would choose the consultant. I actually never met the person from that company. I was just told about it.

CHAIRPERSON: So your interactions with these consultants, these specific
10 consultants at that stage had nothing to do with anything that came from the department? In other words, you knew that there was a tender that would soon be going out?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: And you decided that you needed to get consultants whom you would recommend, I guess, to the department, is that right?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: And you just made sure that it would be consultants who – so you would make sure that they get the job of overseeing the bid and they would in return have to make sure that you got the tender?

20 **MR ANGELO AGRIZZI:** Correct.

CHAIRPERSON: Okay, thank you.

ADV PAUL PRETORIUS SC: Just by way of background Mr Agrizzi if you go back to paragraph 22.9 you say in that paragraph you received an instruction from Gavin Watson in relation to the issues just raised by the, Chair. What was that instruction?

MR ANGELO AGRIZZI: I needed to find and recommend a consultant to the Department of Water Affairs, which would then ultimately award the contract.

ADV PAUL PRETORIUS SC: To whom?

MR ANGELO AGRIZZI: To Bosasa.

ADV PAUL PRETORIUS SC: And then in paragraph 22.10.4 it appears that you discussed another issue at this meeting. What was that issue?

MR ANGELO AGRIZZI: Chair, if I could just ask to repeat the question again to me please?

ADV PAUL PRETORIUS SC: You refer in paragraph 22.10.4 of your affidavit to a
10 further issue that was raised at the meeting with Chiefton Consultants. What was that issue?

MR ANGELO AGRIZZI: The issue was quite simply that we needed the registration forms from Chiefton to submit to the Minister. It was at a time when Gavin Watson was seeing the Minister. He would often meet her at her house.

CHAIRPERSON: At whose house?

MR ANGELO AGRIZZI: At the Premier's house, the Minister.

CHAIRPERSON: Okay, alright, thank you.

ADV PAUL PRETORIUS SC: Well, Mr Watson – Mr Agrizzi your affidavit at paragraph 22.10.4 says that Gavin Watson was seeing to the Minister. Your evidence
20 is that Gavin Watson was seeing the Minister, they are two very different things. What was the position?

CHAIRPERSON: And seeing to in the affidavit is in quotes.

ADV PAUL PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: Chair, Mr Watson would take money with to see to the Minister when he was seeing the Minister.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: Chair, is that sufficient or must I give you the amount?

CHAIRPERSON: Well, you can tell us the amount as well.

MR ANGELO AGRIZZI: I know the monthly amount was R50 000.

CHAIRPERSON: And he would deliver it himself personally or sometimes he would send you or somebody else?

MR ANGELO AGRIZZI: I would have to pack it and he would often deliver it in front of me.

CHAIRPERSON: Oh, so sometimes you went to Ms Nomvula Mokonyane's house with
10 him?

MR ANGELO AGRIZZI: Yes, the house in Eccleston Drive in Bryanston as well as the house in – if I remember correctly it is a name...[intervenes]

CHAIRPERSON: Okay, maybe it might not be a good idea to mention the address.

MR ANGELO AGRIZZI: Okay, understandable.

CHAIRPERSON: From security point of view.

MR ANGELO AGRIZZI: Not a problem.

CHAIRPERSON: But I do not know Mr Pretorius, I think the witness wants to demonstrate that he knows where the house is.

ADV PAUL PRETORIUS SC: Yes.

20 **CHAIRPERSON:** But I do not know from a security point of view, well, or maybe it is enough if it is just the street and not the number.

ADV PAUL PRETORIUS SC: Well perhaps we should do it this way, Chair.

CHAIRPERSON: Yes?

ADV PAUL PRETORIUS SC: If you are asked at any stage about the particular address of the two houses that you have talked about, you could provide it?

MR ANGELO AGRIZZI: Most definitely.

ADV PAUL PRETORIUS SC: And you could identify the house personally from memory, because you visited those houses?

MR ANGELO AGRIZZI: Frequently.

ADV PAUL PRETORIUS SC: Alright, and your evidence is that you accompanied Mr Watson, Mr Gavin Watson on occasion when he and you then would see the Minister?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And in relation to your particular functions prior to the
10 meeting you say that you were instructed to pack cash or what?

MR ANGELO AGRIZZI: The monopoly money, the cash.

ADV PAUL PRETORIUS SC: Alright, the real money, I presume.

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: And you say that you packed an amount of R50 000?

MR ANGELO AGRIZZI: Chair, that was a monthly amount on a few occasions, yes.

ADV PAUL PRETORIUS SC: Over what period did you perform this function?

MR ANGELO AGRIZZI: I cannot recall the exact period of time, but it is long.

ADV PAUL PRETORIUS SC: By long do you mean months, years?

MR ANGELO AGRIZZI: No, Chair, this was years.

20 **ADV PAUL PRETORIUS SC**: Alright.

CHAIRPERSON: Well that ties in with a question that I had intended to ask earlier in relation to Christmas groceries, if I can call it that, that you said from after – from 2002/2003 every end of the year these were provided to her, is that right?

MR ANGELO AGRIZZI: Chair, you are 100% right.

CHAIRPERSON: Yes. Now I wanted to find out, you said this started as far as you

know around 2002/2003. Are you able to tell me whether by the time you left Bosasa whenever it was end of the year this was still continuing, or did it stop at some stage while you were at Bosasa?

MR ANGELO AGRIZZI: Chair, it never ever stopped. I remember two days before I went on my last leave with Bosasa on 13 December that I actually issued out the instruction that it needs to be – I approved everything.

CHAIRPERSON: Would that have been 2015 or 2016?

MR ANGELO AGRIZZI: 2016, Chair.

CHAIRPERSON: Yes, okay, alright. Now you have mentioned her two houses.

10 **MR ANGELO AGRIZZI**: That is right.

CHAIRPERSON: Yes, are there any special features that you might mention that show that you have been there, in case somebody were to deny that you have been there?

MR ANGELO AGRIZZI: I can give it to you. The one house, especially the house in Krugersdorp where you come into the – it is similar to a cul-de-sac, you go through the gate on your right you will see that there is a security guard house on your right. You walk straight through, you will find a double garage. Under the one cover I still remember commenting there was a Vantage parked undercover. On your right hand side you will find stairways that go up. As you are going up on the stairways on your left hand side you will find the electrical board which controls the generator as well.

20 There are little footlights that are problematic, by the way, on the actual walkway into the front door. You will then see the swimming pool on your right hand side. It is a kidney shaped swimming pool, and it was problematic in terms of the fountain, because the fountain kept leaking. If you go into the house itself you go through the front door. Very first right you will find her office.

CHAIRPERSON: And you say you went to that house numerous times?

MR ANGELO AGRIZZI: Frequently.

CHAIRPERSON: Frequently, over a number of years?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Thank you.

ADV PAUL PRETORIUS SC: That is one of the houses, perhaps, and that was you say in the Krugersdorp area?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Did you visit the house in the Bryanston area?

MR ANGELO AGRIZZI: Yes, I did.

10 **ADV PAUL PRETORIUS SC**: Any particular feature, very briefly?

MR ANGELO AGRIZZI: It has got a massive swimming pool. You go up the driveway. As you get to the top of the driveway there are four car parks, garages really under the house. You drive into them. You then walk around. You will see a massive swimming pool, it is terraced so the whole house is terraced. You then walk through the door. On the left hand side is a waiting room which has got a fireplace. On the right hand side is a meeting room, which has got a big boardroom table, with about 14 chairs around it. The furniture is very Italianate, you know the Italian type furniture and then you – those were the two areas we would sit and it has got a beautiful patio, beautiful view.

CHAIRPERSON: Thank you.

20 **ADV PAUL PRETORIUS SC**: Let us then get back to your affidavit at paragraph 22.11. You were talking of a meeting that was held between yourselves and representatives of Chiefton Consultants. Who in particular was present at that meeting?

MR ANGELO AGRIZZI: Chair, at the meeting I was present, Gavin Watson was present, Paul Silvo who was head of the facilities management for Chiefton was present, as well as Raymond Moodley who was the cofounder of Chiefton and who

might meet with on various occasions.

ADV PAUL PRETORIUS SC: Do you know what happened after that in relation to the contemplated appointment of Chiefton Consultants?

MR ANGELO AGRIZZI: I do not know what happened actually afterwards, but Chiefton Consultants were never appointed, and the reason, because they did not comply with the specifications in terms of the contractors. The specific problem if I recall was their SERA registration and as a consequence Bosasa did not bid for the tender that came out, if it came out.

ADV PAUL PRETORIUS SC: Right. Did you discuss this issue with Gavin Watson
10 after these events had unfolded?

MR ANGELO AGRIZZI: Chair, I did discuss it with Gavin Watson. I cannot recall which other Directors were present when I discussed it, but I mentioned, and I was very disappointed that we had spent a lot of effort and a lot of time and a lot of money had been paid out to Mokonyane with hardly any return in terms of value, in terms of like what happened with some of the other people, and the biggest concern was he indicated that I must be very careful, because she has a lot of clout and if you did not do what she wanted him to do we would not have the protection. We needed her support for the protection from the SIU investigation, the HAWKS and the NPA.

And in this discussion I tried to indicate to Gavin that it serves little or no
20 purpose to continue – I remember it vividly. We spoke about it in the car, outside her house and I said it is not serving us any purpose, this corruption and the pay outs that we are making, because it is just getting us deeper and deeper into trouble and eventually this is what is going to close down the business, and that is what is going to put 6 000 families at risk.

I pleaded with him that we stop being politically based as a company. There

is no need to do that.

CHAIRPERSON: Are you able to recall around when, which year, when did this happen where you were outside of Minister Mokonyane's house and you were talking, you and Mr Gavin wants to know where – talking about this? If you are not able to tell it is fine, but if you are able to, it would help, which year?

MR ANGELO AGRIZZI: Chair, this was around 2005/2006.

CHAIRPERSON: Okay, that is fine.

MR ANGELO AGRIZZI: It is when things really started to get a bit much for me.

CHAIRPERSON: No, that is fine. And before Mr Pretorius ask another question, let
10 me ask this. The monthly payments to Ms Mokonyane that you have talked about, did they happen – were they still happening when you left Bosasa?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: And they had started round about what? 2002/2003?

MR ANGELO AGRIZZI: Chair, I know about them from when I started packing. I cannot...[intervenes]

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: You know, I do not want to allude to knowing about it and I did not. I am being frank and honest...[intervenes]

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI:** With you in this commission and I am under oath.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It started when I started packing.

CHAIRPERSON: You began to know about them when you started packing?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Whether or not they had happened before that, you do not know?

MR ANGELO AGRIZZI: No.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: I cannot.

CHAIRPERSON: I am trying to remember from your affidavit, maybe you might be able to tell in terms of when you started packing, would that have been about four/five years before you left?

MR ANGELO AGRIZZI: It was in 2009, I think.

CHAIRPERSON: Oh, okay.

MR ANGELO AGRIZZI: I have not looked at my notes.

10 **CHAIRPERSON**: Yes, okay, but quite some time?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: A number of years before you left?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes, so and you say throughout the time when, from when you started packing the money to the time you left, Ms Mokonyane was receiving monthly payments?

MR ANGELO AGRIZZI: Chair, it was monthly.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: I would not deliver it, Mr Watson would deliver it.

20 **CHAIRPERSON**: Yes.

MR ANGELO AGRIZZI: Because he used those times to talk to her about the politics of the day.

CHAIRPERSON: Yes, but did you also say sometimes he would deliver it when you were with him, or not?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes, yes.

MR ANGELO AGRIZZI: If there was a serious matter to discuss regarding the NPA like at one stage he wanted a senior person to withdraw the matter from the police I was there, because I would need to have to go back to the attorneys and tell the attorneys exactly what I had been told politically.

CHAIRPERSON: Yes. Now was the money that was given to her packed in what you have told us last week grey security bags like the other amounts?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: Okay, thank you.

- 10 **ADV PAUL PRETORIUS SC:** Thank you, Chair. The dates given in one of your previous answers to the, Chair, when he asked more or less the period relevant to the contents of paragraph 22.13, you mentioned 2005/2006. Do you recall in relation to that when the SIU investigation commenced? We will give that detailed evidence in due course, but just to place it in its proper context for the present?

MR ANGELO AGRIZZI: I would have to – I would have to, sorry, Chair, I have got so many things in my mind this morning.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But I cannot remember the actual date they started the investigation with the SIU.

- 20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: I know that it was about that time and I know that there was information starting to come out from the SIU report via the press.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Then there may be a lack of clarity around one of your answers to a question that I put. In relation to the money paid to Ms Mokonyane, you

say you raised an issue with Gavin Watson that you were not getting much return for that investment, as it were?

MR ANGELO AGRIZZI: Let me put it into context, Chair. What I am trying to say is that one does not actually gain from doing that, and quite simply what I was trying to explain to Mr Watson was, the more you give someone, the less they will do for you if you are bribing them, because they do not want to be tainted. They do not want to be seen as close to you.

So I was trying to explain that it is not good to do it that is what I am trying to explain.

10 **CHAIRPERSON**: I am not sure that I understand that.

MR ANGELO AGRIZZI: Okay.

CHAIRPERSON: You say the more you pay somebody that you want to bribe?

MR ANGELO AGRIZZI: Yes?

CHAIRPERSON: The more likely they will not help you, is that what you are saying?

MR ANGELO AGRIZZI: I am not talking about physical money, cash.

CHAIRPERSON: Oh, what are you talking about?

MR ANGELO AGRIZZI: I am talking about doing the favours, doing the lekgotlas, being in the forefront, doing the cakes, doing the birthday parties, organising things, that, as soon as people see that you are openly doing it for them they are not going to
20 give them business, because it is too open. Everybody will know that, oh, you see Bosasa did the birthday cake, they did the functions that is why they are getting business.

So what tends to happen is people will then not give the business, because you are giving things to them openly.

CHAIRPERSON: So your concern arose out of the fact that some of these favours

were done publicly?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes, okay, no that I understand.

MR ANGELO AGRIZZI: I was complaining.

CHAIRPERSON: Yes.

ADV PAUL PRETORIUS SC: Well, we need to clarify then what you say in paragraph 22.13 Mr Watson. The second sentence reads:

"I pointed out that a lot of money had been paid to Mokonyane
with no return to Bosasa."

10 **MR ANGELO AGRIZZI**: That is correct.

ADV PAUL PRETORIUS SC: Well, would you explain that please?

MR ANGELO AGRIZZI: That is cash money as well that has been paid to her.

ADV PAUL PRETORIUS SC: Alright. Now when you say that Bosasa received no return for the money paid were you limiting your evidence to these particular circumstances in relation to money paid to Ms Mokonyane, or were you suggesting to the, Chair, that the bribes you paid had no outcome or benefit to Bosasa?

MR ANGELO AGRIZZI: There was no benefit whatsoever that came from it.

ADV PAUL PRETORIUS SC: From what?

20 **MR ANGELO AGRIZZI**: From giving her money, no contracts, is that what you are asking me?

ADV PAUL PRETORIUS SC: Mokonyane?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: Yes, no what I am saying is that you put your answer to me in general terms.

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: You did not limit it specifically to money paid to Ms Mokonyane.

MR ANGELO AGRIZZI: That is right, Chair.

ADV PAUL PRETORIUS SC: Now if someone reads your evidence they may seize upon the statement to say, but Mr Agrizzi himself said that they received no return for money paid. Now are you referring in that sense to Ms Mokonyane's circumstances or are you suggesting that Bosasa got little benefit for the bribes paid about which you have spoken in the last week?

MR ANGELO AGRIZZI: Chair, in the context of getting business there was no benefit.

10 **MR ANGELO AGRIZZI:** In the context of stopping the SIU report there was no benefit whatsoever. It was a waste of time and effort to try and corrupt somebody.

CHAIRPERSON: Now let me put it this way. Am I to understand your evidence to be to the effect that you complained to Mr Watson on that occasion that you have talked about that Bosasa has paid a lot of money to Ms Mokonyane, but Bosasa was – Ms Mokonyane was not giving Bosasa anything?

MR ANGELO AGRIZZI: 100% correct, Chair.

CHAIRPERSON: And this had happened over a long period of time?

MR ANGELO AGRIZZI: That is correct, Chair.

20 **CHAIRPERSON:** Yes, okay, and what did Mr Watson say when you said we are wasting money, we are paying her a lot of money, but we are not getting anything, she is not passing contracts to our side, or you know making sure that we get some business from her department, what did Mr Watson say in relation to this? His response?

MR ANGELO AGRIZZI: He told me that she had a lot of clout and if we stopped doing here, I cannot use the word here, we would have a lot of problems that was what was

told.

CHAIRPERSON: Okay, thank you.

ADV PAUL PRETORIUS SC: Alright.

MR ANGELO AGRIZZI: Sorry, does that give clarity, Chair?

CHAIRPERSON: Yes, no, at least I understand, *ja*.

MR ANGELO AGRIZZI: What I was trying to say, Chair, is the discussion emanated, because I was frustrated with him.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI**: And I said, "what are we doing this for anyway"? Wasting our time.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Your answer is now, I understand, are specifically related to the relationship between Bosasa on the one hand and Ms Mokonyane on the other?

MR ANGELO AGRIZZI: That is right.

ADV PAUL PRETORIUS SC: I am not sure I made myself clear enough in relation to the line of questions that I am now putting to you, but let me put it another way. You paid what you have described as bribes in relation for example to the Department of Correctional Services?

MR ANGELO AGRIZZI: That is correct.

20 **ADV PAUL PRETORIUS SC**: Did Bosasa receive benefits emanating from those bribes in your opinion?

MR ANGELO AGRIZZI: They got contracts and they got extensions.

ADV PAUL PRETORIUS SC: So the evidence you are giving concerning Ms Mokonyane should be limited to her?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Under the circumstances relating to the payments to her?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Thank you. Then if we can go over the page, please, to page 40? You deal there with the relationship between...[intervenes]

CHAIRPERSON: I am sorry Mr Pretorius, do you know whether prior to this discussion that you were having with Mr Watson where you were expressing your frustration that Ms Mokonyane was being paid a lot of money over a long period, but she was not giving Bosasa anything. Do you know whether Mr Watson had at any stage got her to
10 agree that she would do something for Bosasa or not really?

MR ANGELO AGRIZZI: Chair, I was aware of the fact that she would be handling Jacob Zuma and the prosecution, but nothing had been forthcoming, nothing whatsoever and it was frustrating me, because it worried me continuously.

CHAIRPERSON: What exactly, what exactly was she supposed to do about Mr Jacob Zuma and about the prosecution?

MR ANGELO AGRIZZI: She was supposed to have the whole charges withdrawn from – at that stage it was with the SAPS.

CHAIRPERSON: That is charges against Bosasa?

MR ANGELO AGRIZZI: Correct.

20 **CHAIRPERSON:** And where was Mr Jacob Zuma going to feature in regard to what she was going to do?

MR ANGELO AGRIZZI: Well he features further on in the statement quite heavily in terms of the HAWKS investigation and that, and she was going to speak to him and she was going to speak to another person that was mentioned as well.

CHAIRPERSON: So are you saying that she was going to speak to Mr Jacob Zuma at

the time with a view to achieving the dropping of charges against Bosasa?

MR ANGELO AGRIZZI: Correct, if there were charges.

CHAIRPERSON: At that stage you did not know whether – you had not been told there were charges?

MR ANGELO AGRIZZI: Officially, no, Chair.

CHAIRPERSON: There were no charges. Thank you. Mr Pretorius.

ADV PAUL PRETORIUS SC: A moment, Chair, please?

CHAIRPERSON: So your complaint against Ms Nomvula Mokonyane was that she was just taking the money and not delivering?

10 **MR ANGELO AGRIZZI**: It was in general. Not only for her, but for everybody else as well.

ADV PAUL PRETORIUS SC: I do not understand that answer.

CHAIRPERSON: I am also trying to understand.

ADV PAUL PRETORIUS SC: Please explain, you are saying...[intervenes]

MR ANGELO AGRIZZI: What I am trying to explain...[intervenes]

CHAIRPERSON: You are saying not for herself only but for other people as well?

MR ANGELO AGRIZZI: What I am trying to say, Chair, is I was getting to a point where I was very frustrated with paying people money, alright, and for what? We actually did not need to do it to have a good and credible business. We did not have to be political.

20 So it was a debate I was having at the time in the car with Mr Watson, that why do we continue to pay bribes as a company and one of the examples I used was specifically Nomvula Mokonyane.

CHAIRPERSON: So there would be, there would have been other people who were like her in the sense that they were being paid a lot of money, but they were also not giving Bosasa any benefit?

MR ANGELO AGRIZZI: The issue, that is correct, Chair. The issue I had was not that we needed to get the benefit. That was not the issue that we were not getting a benefit. The issue was that you had major companies out there that do not need to pay bribes, to be successful. Why could we not just become a company that was A-political, had no political connections and did not have to pay bribes? That is the context that this is all being put into.

CHAIRPERSON: Okay. Thank you.

ADV PAUL PRETORIUS SC: Well I am afraid Mr Agrizzi I am going to go back, because there must be clarity here.

10 **MR ANGELO AGRIZZI:** That is fine.

ADV PAUL PRETORIUS SC: The bribes you paid in relation to Department of Correctional Services, the Airports Company for South Africa and the other bribes...[intervenes]

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: That you have spoken about, did those produce results in the sense that they caused the award of contracts to you?

MR ANGELO AGRIZZI: They were corrupt and they produced results, Chair.

ADV PAUL PRETORIUS SC: So nothing you are saying here about whether it was necessary to run a business like this detracts from that evidence that you have given, I
20 understand?

MR ANGELO AGRIZZI: Not at all. What I am trying to say, Chair, if I may? Is that I honestly believe that based on the fact that a good job was done and that there was no fault with the services, we actually did not need to pay bribes. We could have gotten the contracts based on credibility.

ADV PAUL PRETORIUS SC: Well I am not sure, I am sorry, Chair?

CHAIRPERSON: You said a minute ago that your point in relation to your discussion with Mr Watson outside Ms Mokonyane's house was why do we need to pay bribes? Did I understand you correctly?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: Yes, but the impression that I had got earlier on when you were relating to relating your discussion with Mr Watson was not – I did not get the impression that, that was the point. I got the impression that you were frustrated that you were paying and not getting anything in return. I am mentioning that, because that was the impression I got and I just want you to reflect and indicate which one of the two
10 impressions are correct. I thought your frustration was out of the fact that you were paying as Bosasa Ms Mokonyane a lot of money, but were getting nothing in return and that your point was, what is the point of keeping on paying if we are not getting anything back?

MR ANGELO AGRIZZI: Chair, your assumption is correct, that is it. What I was trying to put into context was the whole debate in the car that morning was about do we have to do these things as a company, do we have to continue with them, because I was starting to get fed up with doing these things in general. Mokonyane was a part of that discussion outside her house.

CHAIRPERSON: But you see, it is two different points. If your point is we should not
20 do bribes it is one thing.

MR ANGELO AGRIZZI: Yes, Chair.

CHAIRPERSON: If your point is, we should not do bribes if we are not going to get anything in return that is another thing. So what I was saying to you a minute ago was that when you earlier on gave evidence about your discussion with Mr Watson outside Ms Mokonyane's house the impression that I got was that your point was, why should

we pay bribes if we are not going to get anything back? But later on you said your point was we should not be doing bribes. So I just want to see whether you want to clarify that for me? So it is two different impression I am getting.

MR ANGELO AGRIZZI: Yes, Chair, let me put it into perspective, maybe you will understand. I just come back with Mr Watson, I would drive his car, I would drive all the way back from Summerfields where Mr Matisda is and we were driving in the car and we were discussing the SIU investigation and the NPA and all of that. In the car I said to him, "has this all been worth it? Do you honestly believe that paying bribes and being politically connected actually helps you get business"? We then went and we
10 parked and we were still talking outside Ms Mokonyane's house in Krugersdorp and my question to him was "here is a classic example of someone that we have been paying, paying, paying, has not delivered squat", does that maybe explain the context of the whole thing?

CHAIRPERSON: I am not sure, but Mr Pretorius may proceed.

ADV PAUL PRETORIUS SC: Thank you. Let us wrap this up briefly Mr Agrizzi. You say quite clearly and you confirmed that you meant to say I pointed out that a lot of money had been paid to Mokonyane with no return to Bosasa?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: So you pay money to a government official and you get
20 nothing in return. You say she delivered squat?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: You then go on to speak about running the business in another manner, do you see that?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: May I suggest to you that the first part of

paragraph 22.13 as you have confirmed not once, but on several occasions is correct?

MR ANGELO AGRIZZI: That is right.

ADV PAUL PRETORIUS SC: You were frustrated that you were paying a lot of money to a government official without any return?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And by that you meant by not getting any contracts, without getting any financial benefit?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: The second part of the paragraph where you conflate
10 that issue with another issue as to how a business should be run, in general terms, is a separate issue.

MR ANGELO AGRIZZI: I understand the way you see it.

ADV PAUL PRETORIUS SC: Well is it correct? Because I want to suggest to you that the second part of the paragraph is there to make you look better?

CHAIRPERSON: I must just say before you answer, satisfy yourself, if you say yes, satisfy yourself, that, that is what you believe, that is your answer. If you say no, satisfy yourself that, that is the answer that you are giving.

MR ANGELO AGRIZZI: Chair, quite simply the answer that I gave in the affidavit I tried to indicate to Mr Watson that it serves no purpose trying to conduct the business in a
20 political manner or by bribing people. I was getting sick and tired of having to pack money for people. That is the truth.

CHAIRPERSON: Is it possible that in that discussion you did not have one point to make, namely we – why must we continue paying bribes to continue business, but that you had more than one point to make, one being why should we make – continue to pay bribes to do business, but if we continue to pay them, why should we pay them

when we get nothing in return. Were you making both points, were you making only the one point namely why should we continue paying bribes, or were you making both points?

MR ANGELO AGRIZZI: Chair, the point I was making was quite simply we need to stop paying bribes, because it serves no purpose and we get nothing in return. That was the point I was trying to make.

CHAIRPERSON: Of course from Bosasa's point of view based on evidence that you have given last week, paying bribes served a good purpose for them when they got a lot of contracts and a lot of contracts were extended without tender and without
10 competition. That part has to be true that it served a good purpose for them. It was an illegal purpose, but it was a good purpose for them, is it not?

MR ANGELO AGRIZZI: Chair, you are 100% correct, but how many people did it hurt and kill in the process? That is the sad part.

CHAIRPERSON: Yes, okay, thank you.

ADV PAUL PRETORIUS SC: Yes, well Mr Agrizzi let us conclude this debate about the science of bribery and Bosasa. You made two points in 22.13?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: So one is that you were paying money to Ms Mokoyane and you were not receiving any benefit?

20 **MR ANGELO AGRIZZI:** That is correct.

ADV PAUL PRETORIUS SC: The second is you questioned the policy of paying bribes in order to secure business?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And there was another way of doing business, which was a legitimate way?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: After this discussion did you continue to arrange for payments to government officials for benefits?

MR ANGELO AGRIZZI: Yes, I did.

ADV PAUL PRETORIUS SC: Then let us go on then to page 40.

CHAIRPERSON: So Mr Watson did not go along with the idea of stopping doing business in this way, namely through bribes?

MR ANGELO AGRIZZI: Chair, it would take me the rest of the afternoon what was said, but in a nutshell I was told that you are in Africa, do as Africa.

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

ADV PAUL PRETORIUS SC: And you continued in your participation as before?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Then let us move on then to page 40 paragraph 23.1 please? You now relate events relevant to a Mr Sesiniyi Seopela and his relationship with Bosasa, correct?

MR ANGELO AGRIZZI: That is correct, Chair.

ADV PAUL PRETORIUS SC: When were you introduced to Mr Seopela?

20 **MR ANGELO AGRIZZI:** Yes, I could, during 2005/2006, I was introduced to him on a Saturday morning. I was visiting with Gavin Watson, at the Hyde Park Shopping Centre. He had gone there specifically for a meeting with Mr Mansell and myself and just leaning against the wall at a shop that sold record players, B and O I think was the name, was Mr Seopela and it was then that he was first introduced to me.

CHAIRPERSON: Well let me ask this Mr Agrizzi, when one reads your affidavit one gets the impression that you have a very good memory and I see that you have just told us that you can even remember on what day of the week it was when you were

introduced to Mr Seopela. Have you got a very good memory?

MR ANGELO AGRIZZI: Not at all. I have a very good long term memory, Chair. My short term memory is terrible.

CHAIRPERSON: Okay, alright, thank you.

ADV PAUL PRETORIUS SC: What was your knowledge of Mr Seopela's history and qualifications?

MR ANGELO AGRIZZI: My knowledge was that I was first introduced to Mr Seopela that he was Peter Mokaba's bodyguard and driver, he was a previous ANC Youth Leader. He had a LLB degree, but never done his articles. I was also told, Chair, that
10 he was very close to the previous detail of the late President Nelson Mandela. I was told that he was very influential in government circles and he was involved in a major way with Fana Hlongwane from the arms deal. That is what I was told.

ADV PAUL PRETORIUS SC: Right. In relation to Mr Seopela's involvement with Bosasa or Bosasa related companies, do you recall what happened during or about November 2004?

MR ANGELO AGRIZZI: I refer back to November 2004, Chair, because apparently it had been already involved in Bosasa, I just did not know about it. He was on the payroll as a consultant. I, at that stage was not allowed to see the payroll so I cannot attest to the exact date, but he was a consultant then and he was being managed by
20 Dr Jurgen Smith and by Gaven Watson.

At a later stage he was allowed to utilise, this was in 2006, I think it was, he was allowed to use the Bosasa VIP travel account for his own ends and for people he needed to travel around with.

ADV PAUL PRETORIUS SC: And you say in your affidavit his travel expenses would be indirectly paid by him, because it was deducted from his income, which had been

paid by Concillium?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And during 2011 did he receive a benefit at the instruction of Gavin Watson?

MR ANGELO AGRIZZI: In 2011 it became more and more prevalent that Gavin needed his assistance and Gavin approached me and said to me I need to buy him a new vehicle, which I ordered for him and I provided him with a company expense card and a company credit card for petrol as well. And that started happening more, and I know for a fact that there were no deductions made in terms of the travel as well.

10 **ADV PAUL PRETORIUS SC:** No deductions from his income?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Did, to your knowledge Mr Seopela give Mr Gavin Watson some information regarding developments at the Department of Justice and Constitutional Development?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: And I am referring to paragraph 23.5 of your affidavit. What information was given?

MR ANGELO AGRIZZI: That is correct. I cannot tell you what information Mr Seopela gave Mr Watson. I can only tell you what information Watson gave me. I was not privy
20 to that meeting specifically.

ADV PAUL PRETORIUS SC: Alright, what did Mr Watson tell you?

MR ANGELO AGRIZZI: Mr Watson told me to get ready and to be able to draw up a design and to be able to implement a national program for the Department of Justice and Constitutional Development.

ADV PAUL PRETORIUS SC: Alright, a design and a program for what? I am sorry,

Chair?

CHAIRPERSON: Maybe before you proceed, you said he was, Mr Seopela a consultant to Bosasa or to Mr Gavin Watson. He was a consultant, is that right?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: And in terms of the work that he was doing was that liaising with potential clients for Bosasa and being a link with clients or what was the content of his duties as a consultant?

MR ANGELO AGRIZZI: That is correct and it was to get involved with politicians which he had introduced us to.

10 **CHAIRPERSON:** Okay.

MR ANGELO AGRIZZI: And that is why I give the history of Mr Seopela.

CHAIRPERSON: Yes, thank you.

ADV PAUL PRETORIUS SC: At the time Mr Seopela was employed as a consultant and paid by Concillium Business Consultants Pty Ltd did he have any other form of employment?

MR ANGELO AGRIZZI: I am not aware of that, I cannot recall where he was working.

ADV PAUL PRETORIUS SC: And when was this information received by Gavin Watson or to put it differently when did Gavin Watson tell you about the information he had received from Seopela, more or less?

20 **MR ANGELO AGRIZZI:** Chair, I was told by Gavin Watson that the Department of Justice Constitutional Development are looking to investigate the implementation security systems. I cannot remember the exact date that, that was actually was told to me.

ADV PAUL PRETORIUS SC: More or less? The year? Before 2010, after 2010?

MR ANGELO AGRIZZI: This will be about the short term memory, it must have been

2010.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Did Mr Seopela give you any information in relation to his connections?

MR ANGELO AGRIZZI: Yes, he often would tell me who he is working with.

ADV PAUL PRETORIUS SC: And provide some detail please for the, Chair?

MR ANGELO AGRIZZI: I do not understand that question correctly. Are you talking only in terms of Correction, Department of Justice and Constitutional Development?

ADV PAUL PRETORIUS SC: No, anyone else? And I am referring to paragraph 23.6.

10 **MR ANGELO AGRIZZI:** Yes.

ADV PAUL PRETORIUS SC: So I am not – my question is not limited to Department of Justice and Constitutional Development.

MR ANGELO AGRIZZI: Okay.

ADV PAUL PRETORIUS SC: It is specifically in relation to what Mr Seopela told you about his connections in various arms of government to put it broadly.

MR ANGELO AGRIZZI: So Mr Seopela would tell me that he is working with various individuals, they were high level people, DG's. There were people that he was working with that I have been introduced to and some that I did not even meet, but I would be told that I would have to prepare money for them so he would say to me that I want you
20 to prepare X amount and these people are benefitting from it as well.

ADV PAUL PRETORIUS SC: Alright, we will come to the payments in due course.

MR ANGELO AGRIZZI: Okay.

ADV PAUL PRETORIUS SC: But for the moment did he tell you anything about whether he was connected to officials in the National Prosecuting Authority or other law enforcement agencies?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: What did he tell you?

MR ANGELO AGRIZZI: Do you want me to mention the names, Chair?

ADV PAUL PRETORIUS SC: Well you do not in your statement, so I am not inviting you to go further than your affidavit at this stage, perhaps later, but for the present did he tell you anything about high ranking officials in these institutions, in particular law enforcement agencies?

MR ANGELO AGRIZZI: Yes, he interacted with them on that level, on ministerial level and he also made sure that he let us know that Bosasa could benefit in high lucrative
10 tenders that were coming out. Although I was aware of the fact that the money was paid to Seopela for these unlawful issues, Seopela just asked me for an amount, I would prepare it and I would then raise it with Mr Watson. Mr Watson would tell me just do as Seopela tells you to do it is fine, he is aware of the people.

The cash that was handed over to him was then distributed by him and it happened from until 2016 until I left. Does that answer your question?

ADV PAUL PRETORIUS SC: In broad terms yes, but no, Mr Agrizzi, I am asking specifically about whether Mr Seopela ever told you that he was connected in any sense with officials in the National Prosecuting Authority, the HAWKS and the erstwhile Scorpions?

20 **MR ANGELO AGRIZZI:** Most definitely he did.

ADV PAUL PRETORIUS SC: He did tell you that?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: And did you have any information from him that appeared to verify what you had been told by Mr Seopela?

MR ANGELO AGRIZZI: Chair, if I may. I just want to know do you want me to mention

who the people were?

CHAIRPERSON: No, what Mr Pretorius is asking at this stage...[intervenes]

MR ANGELO AGRIZZI: Yes?

CHAIRPERSON: Is this, you have just told me that Mr Seopela told you that he had interactions with certain people in enforcement at the NPA?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: And Mr Pretorius is asking whether you ever had occasion to receive information from Mr Seopela which corroborated what he had told you, namely that he had connections and he was interacting with people in the NPA?

10 **MR ANGELO AGRIZZI**: Chair, I am well aware that is the question and my answer to that is most definitely. I am just asking you do you need me to give the names?

CHAIRPERSON: No at this stage...[intervenes]

MR ANGELO AGRIZZI: To verify it?

CHAIRPERSON: No, at this stage he has not asked for the names, he just wants you to be able to say, yes I did if that is the case.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Get information through him that there was such a stage that he did have interaction with people in the NPA, then he can ask further questions.

MR ANGELO AGRIZZI: Chair?

20 **CHAIRPERSON**: Yes?

MR ANGELO AGRIZZI: That was my answer.

CHAIRPERSON: Thank you.

MR ANGELO AGRIZZI: Yes, but I can elaborate if need be.

CHAIRPERSON: Yes, okay.

ADV PAUL PRETORIUS SC: Well, if you look at paragraph 23.6 of your affidavit, just

take a moment to read it please?

MR ANGELO AGRIZZI: Yes?

ADV PAUL PRETORIUS SC: Is what you say in that paragraph 23.6 correct?

MR ANGELO AGRIZZI: 100%.

ADV PAUL PRETORIUS SC: So is it correct that as you say it always amazed me how Seopela would be able to verify information that we had received particularly in relation to the investigation into Bosasa?

MR ANGELO AGRIZZI: It was spot on, I was shocked.

ADV PAUL PRETORIUS SC: Alright. We will come to more detail in due course about
10 Bosasa's interest in the SIU investigation in particular. In paragraph 23.7 and if you need to just refresh your memory please do so, you expand on the relationship between Mr Seopela and Bosasa and in particular Gavin Watson and you record how payments were made, to which you have already referred. Would you tell the, Chair, please of those circumstances?

MR ANGELO AGRIZZI: As, Chair, as it is contained in 23.7, alright there would be numerous meetings with high ranking government officials. Often there would be visits as well to the offices of Bosasa would he would accompany us with. Although I was aware of the fact that the money was paid to Seopela for unlawful purposes to these government officials in turn, I only supplied him with the cash from 2009 onwards and
20 Seopela would just ask for an amount and we would be done, but he was influential and he was able to get people to do things and get information to us that was accurate that was informative and that assisted the process.

Does that answer the question, Chair?

ADV PAUL PRETORIUS SC: Yes, thank you.

MR ANGELO AGRIZZI: Ja.

ADV PAUL PRETORIUS SC: So, in relation to the payment of moneys, sorry I answered the question on your behalf, Chair, perhaps I should...[intervenes]

CHAIRPERSON: I confirm the same thing.

ADV PAUL PRETORIUS SC: Thank you, Chair.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: So the procedure you speak about in paragraph 23.7 is the following, Mr Seopela would request an amount of money from you?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Did he tell you what the purpose of that payment of
10 money to him was?

MR ANGELO AGRIZZI: Correct, he would.

ADV PAUL PRETORIUS SC: What did he say?

MR ANGELO AGRIZZI: He would tell me where it was, who, which department it was or what transaction it was happening for. Sometimes he would not give me all the detail, but at least tell me where it was going to.

ADV PAUL PRETORIUS SC: So Mr Seopela came to you, he asked for money and he would describe in general terms the purpose for which money would be paid?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: He would give you details of departments to which it
20 would be paid or official, and he would give you details of contracts in respect of which moneys would be paid?

MR ANGELO AGRIZZI: It was very broad stroke. I often would request more detail and he would say no.

ADV PAUL PRETORIUS SC: Alright, did you request details of individuals to whom money was intended to be paid?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: And did he provide that information?

MR ANGELO AGRIZZI: No.

ADV PAUL PRETORIUS SC: And did you raise that issue with Gavin Watson?

MR ANGELO AGRIZZI: I did.

ADV PAUL PRETORIUS SC: What had Gavin Watson respond?

MR ANGELO AGRIZZI: Just told me to do what Seopela says.

CHAIRPERSON: So whereas, as you told me last week, in regard to requests for payments you would confirm with Mr Gavin Watson in regard to money requested by
10 Mr Seopela the word from Mr Watson was, in effect, if Mr Seopela ask for money, just give him the money. So you did not have to after some time you did not have to basically check with Mr Watson? As long as Mr Seopela wanted the money you were supposed to give him, is that correct?

MR ANGELO AGRIZZI: Chair, that is correct, but I must just add that I would still ask and sometimes he would tell me.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But a lot of times he would not tell me, but if he did not tell me then I would not be able to refuse, because I had an instruction that he has to get paid anyway.

20 **CHAIRPERSON:** Yes, but the point I was making was, that I was wanting you to confirm is that you after – whether after Mr Watson had told you if Mr Seopela is asking you for money, just give him. I was asking whether that meant that you did not have to confirm with Mr Watson each time Mr Seopela asked money, whether you should give him. You just gave him, because that was an instruction?

MR ANGELO AGRIZZI: It meant that, but I would still just every time double check and

confirm.

CHAIRPERSON: Yes, but with Seopela not with Mr Watson?

MR ANGELO AGRIZZI: With, sorry, Chair, let me clarify.

CHAIRPERSON: *Ja?*

MR ANGELO AGRIZZI: Even though he had said to me you do not need to check on him I would still check.

CHAIRPERSON: Okay, alright, thank you.

MR ANGELO AGRIZZI: So I would still, even if it was a week later I would still turn around and say, by the way he asked for this, this and this.

10 **CHAIRPERSON:** Okay, alright, thank you.

MR ANGELO AGRIZZI: I would still do that.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: I was not just going to just stop it.

CHAIRPERSON: Okay, thank you. Now, just something arising from last week's evidence. When you were told by a Director or somebody was requesting money, when you were told by such a person who the money would be used to pay, would you always record that in the black book or not always, only sometimes?

MR ANGELO AGRIZZI: Always in the black book, always.

CHAIRPERSON: Okay, okay, so...[intervenes]

20 **MR ANGELO AGRIZZI:** It did not matter, it was always recorded. I always put it down.

CHAIRPERSON: Yes, so if – I know that we did look at some pages of the black book last week, and I cannot remember whether – I think you might have said that some black books got lost or whatever, but if we were to get any of the black books it would have names of people who you were told were going to be paid by different people, who took money from you?

MR ANGELO AGRIZZI: You would have all the detail if we can get the black books.

CHAIRPERSON: Okay, thank you.

ADV PAUL PRETORIUS SC: Alright, again just to provide a little more detail there, Mr Agrizzi you have said to the, Chair, in evidence that there were many black books, is that correct?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: And that you were responsible for recording information in those black books?

MR ANGELO AGRIZZI: That is correct.

10 **ADV PAUL PRETORIUS SC**: There were also lists kept on pieces of paper prior to the utilisation of black books?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: But you have some lists and one black book in your possession, which you have given to the investigators?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: How long would one black book last before it was filled up, more or less on average?

MR ANGELO AGRIZZI: They were swapped so we would use one, take one, use one take one.

20 **CHAIRPERSON**: Oh.

MR ANGELO AGRIZZI: It would last about six months, seven months.

CHAIRPERSON: Okay, alright, thank you.

MR ANGELO AGRIZZI: Sometimes a year.

ADV PAUL PRETORIUS SC: Mr Agrizzi in paragraph 23.7.1 and following you relate in your affidavit what you do know about payments?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: Let us just deal with 23.7.1 first, please and before mentioning any names I would like to understand the basis upon which the particular name mentioned there is referred to by you. You say that a particular amount was paid to the Department of Correctional Services. How much was that?

MR ANGELO AGRIZZI: The initial amount was R500 000 a month.

ADV PAUL PRETORIUS SC: And that was during the period 2008 to 2016?

MR ANGELO AGRIZZI: As far as I can see, yes.

ADV PAUL PRETORIUS SC: Alright, and you say initially R500 000 per month was
10 paid, I presume to Mr Seopela if one reads this statement in proper context for onward payment to the Department of Correctional Services?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Was that now...[intervenes]

CHAIRPERSON: I am sorry Mr Pretorius, I guess for onward payment to the Department means for onward payment to certain officials in the Department as opposed to, to the Department.

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Ja.

ADV PAUL PRETORIUS SC: Is that what you mean when you referred to the payment
20 in the first sentence of 23.7.1?

MR ANGELO AGRIZZI: Those were bribes, Chair.

ADV PAUL PRETORIUS SC: Alright, was that amount later amended?

MR ANGELO AGRIZZI: The amount was amended, Chair, increased to R750 000 and this was when the Commissioner was appointed at this stage.

ADV PAUL PRETORIUS SC: And who was that, well before we go on, you are about

to mention a name. What was the relationship between the increase and the appointment of the Commissioner? Well we all know that the Commissioner appointed that time was Mr Tom Moyane so we cannot ask you more about corroborative information. You say it was increased to R750 000 per month when the new Commissioner was appointed?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: That is the new Commissioner of the Department of Correctional Services?

MR ANGELO AGRIZZI: That is correct.

10 **ADV PAUL PRETORIUS SC:** And that Commissioner was Mr Tom Moyane?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: How did you learn that?

MR ANGELO AGRIZZI: It was told to me by Seopela. So I would have to increase the amount that was packed.

ADV PAUL PRETORIUS SC: And did you believe this?

MR ANGELO AGRIZZI: His evidence, as I said earlier, Chair, was always very credible. I never needed to check up. I did check up in the initial stages and now and again I would do a check, but his evidence in whatever he told me was, he was always very accurate.

20 **ADV PAUL PRETORIUS SC:** At this time was Bosasa receiving any benefits from the Department of Correctional Services?

CHAIRPERSON: Maybe you need to clarify that Mr Pretorius, because you are asking him in the context of Section 23.7.1, which relates to 2008/2016, are you asking about the whole of that period?

ADV PAUL PRETORIUS SC: Perhaps I should clarify. Generally your evidence

relates to the period 2008 to 2016?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: But in particular in relation to the time when Mr Moyane was appointed as National Commissioner, you say that the amount was increased from R500 000 per month to R750 000 per month?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: You do not say in particular to whom any of this money was given personally?

MR ANGELO AGRIZZI: I know where it has been and, Chair, quite simply, I mean it is
10 common sense really.

ADV PAUL PRETORIUS SC: Yes, well, anybody can make those deductions including the, Chair, but let us just take it step by step. At the time when Mr Moyane was appointed National Commissioner of Department of Correctional Services and therefore at the time the amount paid to officials or for the purpose of payment to officials within the Department of Correctional Services was Bosasa enjoying the benefits of contracts with the Department?

MR ANGELO AGRIZZI: That is correct, Chair. And if I can put into perspective, I will give you an example. For instance a letter was written to Mr Moyane by a certain journalist to start quering about why are you retaining Bosasa and it was just simply put
20 away, and when I asked the question is Mr Moyane assisting us? I was told yes, what happened with the investigation? Absolutely nothing happened. So yes, it was confirmed to me as well. Does that answer the question?

CHAIRPERSON: Mr Pretorius will follow up if he is not happy with that answer.

MR ANGELO AGRIZZI: Thank you.

CHAIRPERSON: So the R500 000 to which you refer in paragraph 23.7.1 per month?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Was being given to Mr Seopela and according to him he was paying it over to some or other official or officials in the Department of Correctional Services before Mr Moyane's time?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: That is right, and you are saying that after Mr Moyane's appointment as Commissioner of Correctional Services that monthly payment that you were giving to Mr Seopela increased to R750 000?

MR ANGELO AGRIZZI: That is correct.

10 **CHAIRPERSON:** Yes, and Mr Seopela is the one that would pay it to whoever it was supposed to be paid?

MR ANGELO AGRIZZI: That is correct, Chair.

CHAIRPERSON: Thank you. Do you know whether it was paid to one official or whether to a number of – it was shared among a number of officials or divided among a number of officials? In other words do you know whether Mr Seopela while it was R500 000 a month would divide it among a number of officials at Correctional Services or whether it was going to one person only?

MR ANGELO AGRIZZI: In terms of the R500 000 initial I know it was being split up, Chair.

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: And thereafter I presume with the extra they would have split it to the new additions.

CHAIRPERSON: Yes, okay.

ADV PAUL PRETORIUS SC: You, I understand, were tasked with preparing and handing over the money to Mr Seopela?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: It was always in cash, I understand?

MR ANGELO AGRIZZI: That is correct, Chair.

CHAIRPERSON: And in grey security bags?

MR ANGELO AGRIZZI: The grey security bags would be packed in R50 000 and up until R1-million would be packed into a cheap havosack type bag that was bought at the China Mall.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Is it possible that Mr Seopela simply pocketed this
10 amount for his own purposes?

MR ANGELO AGRIZZI: Most definitely not.

ADV PAUL PRETORIUS SC: Why do you say that?

MR ANGELO AGRIZZI: He was trusted and he had a reputation and the integrity that he used to transport quite a lot of cash previously and there was never an issue. From time to time I would check, but we, I would not say that he pocketed the cash.

ADV PAUL PRETORIUS SC: Then in paragraph 23.7.2 you...[intervenes]

CHAIRPERSON: I am sorry Mr Pretorius. So in other words what you are saying is Mr Seopela as far as you know was the type of person who would have – if he was required to take this money and go and pay certain officials, he would go and do that
20 and he was receiving his own salary as a consultant in relation to his work for Bosasa?

MR ANGELO AGRIZZI: That is correct, Chair.

CHAIRPERSON: Thank you.

ADV PAUL PRETORIUS SC: When you say that Mr Seopela was a man of integrity I presume you mean that he could be relied upon to deliver money in accordance with the understanding with Gavin Watson and Bosasa?

MR ANGELO AGRIZZI: I presume so, Chair, that is what I meant.

ADV PAUL PRETORIUS SC: The next paragraph 23.7.2 you may want to look at it, because there are number of allegations you make in it.

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: You refer to 2.5% of all payments received from the Department of Justice and Constitutional Development in respect of the 2013 tender awarded to Sondolo IT to establish secure systems in the various courts?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And you say that money was paid to Seopela for
10 distribution to officials of that department. First of all who or what was Sondolo IT Pty Ltd?

MR ANGELO AGRIZZI: Sondolo IT Pty Ltd was a technology solutions provider that provided a singular platform on an IP based infrastructure where we would offer solutions for security, x-ray scanning, various electronic security encounter measures.

ADV PAUL PRETORIUS SC: And did it have a contract, sorry, was it a company associated with or within the group?

MR ANGELO AGRIZZI: Yes, it is.

ADV PAUL PRETORIUS SC: The Bosasa group?

MR ANGELO AGRIZZI: That is correct.

20 **ADV PAUL PRETORIUS SC:** And did it have a contract with the Department of Justice and Constitutional Development?

MR ANGELO AGRIZZI: It had a very lucrative contract, yes.

CHAIRPERSON: And was that a contract which originated in 2013 as you said?

MR ANGELO AGRIZZI: Correct, if I remember correctly?

CHAIRPERSON: And you say that the contract related to the provision of systems of

security control in the various courts?

MR ANGELO AGRIZZI: That is exactly what it did.

ADV PAUL PRETORIUS SC: Alright. Approximately what amount was constituted by that 2.5%?

MR ANGELO AGRIZZI: It was about 15-million South African Rands, Chair.

ADV PAUL PRETORIUS SC: So you say that about R15-million was paid to the – well to officials of the Department of Justice and Constitutional Development?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: From your own knowledge are you able to say to which
10 officials this money was paid?

MR ANGELO AGRIZZI: I know of four of the names.

ADV PAUL PRETORIUS SC: From your own knowledge?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Who are those officials? And I am not talking about what Mr Seopela told you.

MR ANGELO AGRIZZI: I know that.

ADV PAUL PRETORIUS SC: That will come later.

MR ANGELO AGRIZZI: I know that.

ADV PAUL PRETORIUS SC: So will you tell the, Chair, please, which officials
20 received money and the basis upon which you are able to say from your own knowledge that they indeed received money?

MR ANGELO AGRIZZI: Chair, do you want the actual names? You want me to give them to you?

CHAIRPERSON: Yes, that is what you are being asked.

ADV PAUL PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: There was a Ms Masha, there was a...[intervenes]

CHAIRPERSON: I am sorry Mrs or?

MR ANGELO AGRIZZI: Ms Masha.

CHAIRPERSON: Ms Masha?

MR ANGELO AGRIZZI: That is all I know.

ADV PAUL PRETORIUS SC: Spell that please?

MR ANGELO AGRIZZI: I think it was M-A-S-H-A. There was...[intervenes]

CHAIRPERSON: I am sorry do you remember what her position in the Department of Justice was?

10 **MR ANGELO AGRIZZI**: It was in security.

CHAIRPERSON: Sorry?

MR ANGELO AGRIZZI: It was involved in security.

CHAIRPERSON: In security, okay.

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes, as you mention them if you are able to say what, whether they were in security or what?

MR ANGELO AGRIZZI: Correct. There was a gentleman by the name of Norman Thobane. There was a woman by the name of Mamsie Nyambuse, head of security.

20 **CHAIRPERSON**: I am sorry, Mamsie?

MR ANGELO AGRIZZI: Mamsie Nyambuse.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: The fourth one I just cannot remember right now.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: And how do you know that?

MR ANGELO AGRIZZI: Because I was present at some of the meetings and payments.

ADV PAUL PRETORIUS SC: So...[intervenes]

CHAIRPERSON: Where they were given cash?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: And each one of the ones that you have mentioned?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Thank you.

ADV PAUL PRETORIUS SC: And who was present when cash was handed over and
10 who handed over the cash?

MR ANGELO AGRIZZI: Well, are you talking specifically relating to the whole of justice?

ADV PAUL PRETORIUS SC: Now I am talking about these four individuals, three of whom you have named?

MR ANGELO AGRIZZI: Joe Gumede was present and I was present and they were present.

ADV PAUL PRETORIUS SC: Yes, and who actually handed over the money?

MR ANGELO AGRIZZI: It would have been Joe Gumede.

ADV PAUL PRETORIUS SC: But I thought Mr Seopela was responsible for handing
20 over the money?

MR ANGELO AGRIZZI: There were two lots, if you recall, there were two lots. There is the big amount, which he would also hand over and there were smaller amounts which were handed over.

ADV PAUL PRETORIUS SC: Alright, and these particular amounts handed over to the four people, three of whom you have named, were these big or small amounts?

MR ANGELO AGRIZZI: Well it was small in comparison to that.

ADV PAUL PRETORIUS SC: Alright. Did Mr Seopela tell you the names of persons to whom he handed money? You have already told us that you relied on his information?

CHAIRPERSON: I am sorry, before you get there, let me ask about these three in respect of whom you have personal knowledge of them receiving money, according to your evidence.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: You said Mr Joe Gumede and yourself?

MR ANGELO AGRIZZI: Yes.

10 **CHAIRPERSON**: The two of you were present?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: Now, let us talk about Ms Masha?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Was it more than one occasion where you observed...[intervenes]

MR ANGELO AGRIZZI: That one was specifically one occasion, Chair.

CHAIRPERSON: One occasion?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: And can you remember how much the amount was on that occasion or not really?

20 **MR ANGELO AGRIZZI**: That specific lady I was there on the one occasion.

CHAIRPERSON: Yes?

ADV PAUL PRETORIUS SC: I remember one occasion only.

CHAIRPERSON: Yes.

ADV PAUL PRETORIUS SC: The others I can remember regular.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And it was more than one occasion.

CHAIRPERSON: In regard to her, where was the place where cash was handed over to her?

MR ANGELO AGRIZZI: It was normally in a restaurant, there is a – I can remember vividly the sign board at 232 or something, there was a brown sign board in Johannesburg and sometimes it would be at the Protea Hotel, I think it was a Protea in Johannesburg itself.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Pretoria sorry, not Johannesburg, Pretoria.

10 **CHAIRPERSON:** Yes. Okay, and are you able to recall more or less when that may have been in terms of just a year?

MR ANGELO AGRIZZI: No, I cannot.

CHAIRPERSON: You cannot remember?

MR ANGELO AGRIZZI: It was 2013/2014 around there.

CHAIRPERSON: Okay, alright. Mr Norman Thubane, what was, was he also within the security section of the Department of Justice or what was his position as you understood it?

20 **MR ANGELO AGRIZZI:** He was, Chair, he was in an integral part, because he handled the guarding services and he was involved with the security application services as well.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And he was involved with security. He reported to Ms Mamsie Nyambuse.

CHAIRPERSON: Yes, I am sorry, did you say in regard to Ms Masha you cannot remember how much cash was – you cannot remember?

MR ANGELO AGRIZZI: I cannot remember exactly how much it was.

CHAIRPERSON: Alright. Mr Norman Thubane, can you remember the amount?

MR ANGELO AGRIZZI: I will have to look in my notes, but the amounts, if I am not mistaken, it is in my notes, I think it was between...[intervenes]

CHAIRPERSON: Yes, it may be in the affidavit as well.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: About how many occasions were you present when he was given cash, if you are able to recall?

MR ANGELO AGRIZZI: About five or six occasions.

10 **CHAIRPERSON**: About five or six occasions?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: And in terms of years or year would that also have been around 2013/14 or other years?

MR ANGELO AGRIZZI: Yes, it was from when we received one of the first contracts, that is correct.

CHAIRPERSON: Yes, and the place where...[intervenes]

MR ANGELO AGRIZZI: Various places.

CHAIRPERSON: Various places?

20 **MR ANGELO AGRIZZI**: As well also restaurants and at one stage I still had to take him to his house.

CHAIRPERSON: *Ja*.

MR ANGELO AGRIZZI: And I can explain where he stays, but I had to take him there and drop him off there with it.

CHAIRPERSON: So you at that time got to know where he stayed?

MR ANGELO AGRIZZI: I took him, I gave him a lift home.

CHAIRPERSON: Yes, yes, and did you only go to his house when you gave him a lift only once, or did it happen more than once?

MR ANGELO AGRIZZI: It was only once.

CHAIRPERSON: Only once?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: But would your recollection of his house be as good as your recollection was of Ms Mokonyane?

MR ANGELO AGRIZZI: Not as good no.

CHAIRPERSON: Not as good, yes?

10 **MR ANGELO AGRIZZI:** But I would find my way, I would have to think about it.

CHAIRPERSON: If it was disputed that you have been there you would, you think you would be able to find your way there?

MR ANGELO AGRIZZI: I will work a way out of getting my memory jogged.

CHAIRPERSON: Okay, alright, and then Ms, you say Mamsie?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Mamsie, yes, with regard to her you cannot remember the amount as well with her?

MR ANGELO AGRIZZI: I have written it down.

CHAIRPERSON: Somewhere?

20 **MR ANGELO AGRIZZI:** I cannot remember exactly.

CHAIRPERSON: Okay, no that is fine.

MR ANGELO AGRIZZI: There are certain numbers that stick out in my mind and there are certain that I have to go and check.

CHAIRPERSON: Well, I think in regard to Mr Thubane you may have it in the affidavit, I am not sure about the others.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: And also where this lady was given cash...[intervenes]

MR ANGELO AGRIZZI: Often we will meet her...[intervenes]

CHAIRPERSON: As well?

MR ANGELO AGRIZZI: Well the one time I met her on the road whilst with Mr Gumede.

CHAIRPERSON: Yes?

MR ANGELO AGRIZZI: The second time I met her it was actually a restaurant. The third time, if I recall correctly, it was also a restaurant and I mean I cannot recall the
10 others.

CHAIRPERSON: About how many times did you observe?

MR ANGELO AGRIZZI: About four/five times.

CHAIRPERSON: About four/five times?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Yes, and when you met her on the road can you recall what road it was?

MR ANGELO AGRIZZI: It was the Pretoria to Krugersdorp Road.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And I think it is called the R24 or something.

20 **CHAIRPERSON**: Okay.

MR ANGELO AGRIZZI: I am not too sure what the road is called.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: It is between Krugersdorp and Pretoria.

CHAIRPERSON: Yes, okay. Thank you.

ADV PAUL PRETORIUS SC: Chair, is this a convenient time?

CHAIRPERSON: Yes, it is. We are going to take the lunch adjournment now and we will resume at 15:00. We adjourn.

ADJOURNS FOR LUNCH

HEARING RESUMES

CHAIRPERSON: Yes Mr Pretorius.

ADV PAUL PRETORIUS SC: Thank you Chair. Mr Agrizzi you were telling us before the long adjournment of payments made to the officials of the department or to officials within the Department of Justice and Constitutional Development. Do you recall that?

10 **MR ANGELO AGRIZZI:** I do. Chair I would like to ask a question at this stage, request.

CHAIRPERSON: Or make a request, ja.

MR ANGELO AGRIZZI: Make a request.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: The request is during lunch I was thinking about the testimony in terms of 22.7 and 22 and I feel that it would be an injustice if I do not tell you and explain a little bit more onto that.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So if I could attend to that first.

CHAIRPERSON: Yes, no that is fine.

20 **MR ANGELO AGRIZZI:** Alright.

CHAIRPERSON: Let us do that, ja.

MR ANGELO AGRIZZI: I think, not I think, I know. I want to clarify exactly what I meant and explain it in detail to you. When we first met Nomvula Mokonyane we realised that she was extremely powerful. As a matter of fact, we actually referred myself and Mr Watson to her as an energizer bunny. That was the name that we used

and the reason for that was because whatever we needed done would be done. If we needed people spoken to it would be done. If we needed protection it would be done. So she was the new person for us and that is why I raised the issue. I think what is – what is very important to note as well is that we knew that if we had any issues we could go to her and it would be sorted, if you had any issues.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It will be sorted.

CHAIRPERSON: Maybe before you proceed let us go back a little bit. You say whenever you needed protection, as I understand it. Me putting it in my own words she
10 would make sure you get it.

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: What exactly are you talking about in regard to protection?

MR ANGELO AGRIZZI: When ...[intervenes].

CHAIRPERSON: What form of protection did you ask her for and she gave – she made sure you got?

MR ANGELO AGRIZZI: For instance we knew that she was very close to the President at the time.

CHAIRPERSON: President Zuma?

MR ANGELO AGRIZZI: Yes.

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: But even further than that if there were certain people to be spoken to in the Hawks we knew that she would be able to do that and that is why it continued.

CHAIRPERSON: Now as I understood you, you were saying at the beginning that is how it was like. Is that right or did I misunderstood you?

MR ANGELO AGRIZZI: Correct, right the way through actually.

CHAIRPERSON: Oh, right through?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Okay, alright. Let us continue.

MR ANGELO AGRIZZI: That is how we explain it in terms of what we got in return and that type of thing, contracts and that, but even though we did not get them the fact of the matter was she was powerful and we had to keep her on our side. That is what I was trying to get at and maybe I did not explain it properly.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI:** That is – I would just like to add that on to it as well.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And I think what, what the Chair needs to understand is this.

An affidavit was done in the matter of three, four, five days.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It took us a lot of time.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: I would like to add supplementaries to it.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: As we go on.

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: But obviously...

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It needs a lot of work still.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: There is a lot of things ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: I have not included in there.

CHAIRPERSON: Yes. Well to be fair to you I think somewhere in your affidavit you do say – maybe towards the end – you do say that within the time available you could not put in everything and that there is more that can be given and you are prepared to do that. I have no doubt that the investigators and the legal team still have lots of work to do with you. You have already mentioned some pieces of evidence that you have given them which they are looking at or which is supposed to help them do further investigations, but let me say that it is very important that you be satisfied that what is
10 in the affidavit is correct. It is very important that you be satisfied that what you have told me is what you intended to say. So – and, and indeed if there are things that have not been said that you have not had a chance to say the legal team will make sure that you talk to them and if need be supplementary affidavits can be made, because it is very important that this Commission gets given as much information as possible from people who have got personal knowledge of what was happening in regard to activities that fall under its terms of reference. So, so if you feel that you, there is something that is important feel free to make sure that you are able to say it.

MR ANGELO AGRIZZI: Chair thank you and I appreciate that. An investigations team will tell you that there is new evidence coming up daily and ...[intervenes].

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: But because of the time constraints.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: We did not get to anything.

CHAIRPERSON: No, no, that that is fine. I have no doubt that they are working towards making sure that everything else that might not have been covered here which

is relevant to our terms of reference you are able to later on bring, bring in, bring to this Commission and give evidence about. So, so they will look at that. The legal team will look at that and certainly there is room for you to come back and give more evidence. As long as what you have is relevant to our terms of reference and is seen as quite material.

MR ANGELO AGRIZZI: Okay. I appreciate that Chair. My apologies Advocate Pretorius for interrupting.

CHAIRPERSON: Thank you, but what you – the details you wanted to give you have given now in regard to this?

10 **MR ANGELO AGRIZZI:** Yes.

CHAIRPERSON: Okay, alright. Thank you, thank you.

ADV PAUL PRETORIUS SC: Thank you Mr Agrizzi. Before the long adjournment ...[intervenes].

CHAIRPERSON: Maybe, maybe I could then say - put this question to you Mr Agrizzi. The latest - the details that you have just given now with regard to Ms Mokonyane:

1. They do not relate to 28.7.1. Is that right, because that is about the Department of Correctional Services or do they?

MR ANGELO AGRIZZI: No.

CHAIRPERSON: They relate to earlier?

20 **MR ANGELO AGRIZZI:** That ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: That is correct, sir.

CHAIRPERSON: Okay, alright.

2. The details you have, is it correct that the details you have given now actually mean that to the extent that you may have said earlier on that in

your discussion with Mr Watson you said you were – Bosasa was paying Ms Mokonyane, but not getting anything in return. That might not be completely accurate, because there were somethings that you got even thought it might not have contracts. Is that right?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: You got what you term protection?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Right. Okay, thank you.

ADV PAUL PRETORIUS SC: Thank you and just to place those recent comments of
10 yours in proper context you were referring to paragraph 22.13 of your affidavit.

MR ANGELO AGRIZZI: That is ...[intervenes].

ADV PAUL PRETORIUS SC: A section before the section where we are dealing with – before the long adjournment and which we will continue to deal with now.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Now we are dealing with Mr Seopela and monies that were given to him for onward payment for various purposes.

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: And you named certain officials of the Department of Justice and Constitutional Development to whom according to what you were told by
20 Mr Seopela and from your own knowledge payments were made.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: At the end of paragraph 23.7.2 you name the Secretary of the Commission Dr de Wee.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: What were you told in relation to Dr de Wee?

MR ANGELO AGRIZZI: I was told by Mr Seopela that one of the names mentioned to me at the time was a Chief Operations Officer in the Department of Justice and Constitutional Development. It was Dr de Wee. Apart from this verbal report I have no other information to confirm the correctness thereof.

ADV PAUL PRETORIUS SC: Well just for completeness sake and we must obviously be thorough what were you told in relation to the secretary?

MR ANGELO AGRIZZI: At one stage I was told that I was late with packing a delivery. The amount was in excess of R2 million and I was told that Dr de Wee was very upset with me, because I was late in getting the delivery to Mr Seopela.

10 **ADV PAUL PRETORIUS SC:** Alright and is that all you were told?

MR ANGELO AGRIZZI: That is what I was told.

ADV PAUL PRETORIUS SC: Alright. So you do not know from your own knowledge indeed whether he was indeed a recipient – was complaining on his own behalf or was complaining on behalf of someone else?

MR ANGELO AGRIZZI: I cannot, I cannot confirm or deny that, yes.

ADV PAUL PRETORIUS SC: Then in paragraph 23.7.3...

CHAIRPERSON: I am sorry Mr Pretorius, around what year would that have been when this report - verbal report - was made to you?

20 **MR ANGELO AGRIZZI:** Chair that was probably about 2003/2004 if I remember correctly. 2013/2014.

CHAIRPERSON: Oh, okay. Thank you.

ADV PAUL PRETORIUS SC: Paragraph 23.7.3 Mr Agrizzi contains information that you have related to the ...[intervenes].

CHAIRPERSON: I am sorry again Mr Pretorius. I am sorry. You mentioned a figure of two million in relation to when you were given this – either when you were given this

verbal report or when you were told that Dr de Wee was upset with you. Is part of what you were told or what you understood that he was to be paid R2 million or, or that was R2 million that was going to be distributed among a number of officials?

MR ANGELO AGRIZZI: Chair if I can clarify. When the Department of Justice and Constitutional Development paid us what would happen is 2.5 percent of that payment amount would be put into cash and then paid within that week. On this specific incident the R2 million was the amount and my understanding was that it was going to a group of people of which he was one as communicated to me by Senior Seopela.

CHAIRPERSON: Thank you. I interrupted you Mr Pretorius. I am sorry. You can
10 proceed.

ADV PAUL PRETORIUS SC: Thank you Chair. Paragraph 23.7.3, you relate facts relating to the Department of Transport. Now you are telling the Chair about payments made firstly and apparently for onward payment to officials in the Department of Correctional Services and then payments for apparently officials in the Department of Justice and Constitutional Development and now you are talk of the Department of Transport. How did it arise that payments were made for the Department of Transport and by that I presume you mean again officials in the Department of Transport?

MR ANGELO AGRIZZI: Chair that is correct. The contract with Kgwerano is called the RT62 Contract is a contract for providing administration and fleet management services
20 to people on the SMS Scheme and I would have to pack R300 000 a month which would go via Papa Leshabane to be delivered to various officials.

ADV PAUL PRETORIUS SC: The name of that company would you spell it again please?

MR ANGELO AGRIZZI: K-G-W-E-R-A-N-O and it would be Financial Services.

ADV PAUL PRETORIUS SC: Right and you talked of SMS Services. Do you know

what SMS stands for?

MR ANGELO AGRIZZI: Sorry.

ADV PAUL PRETORIUS SC: Or the SMS Fleet?

MR ANGELO AGRIZZI: I was the SMS Fleet Services.

ADV PAUL PRETORIUS SC: Yes. Do you know what SMS stands for?

MR ANGELO AGRIZZI: Senior Management Services or it could be Subsidies Vehicle Services. I think it was the Senior Management Services. I am not a Government Official.

ADV PAUL PRETORIUS SC: And ...[intervenes].

10 **MR ANGELO AGRIZZI:** So I only knew it as the SMS Chair.

ADV PAUL PRETORIUS SC: And the SMS or Senior Management Services Fleet was a fleet of motor vehicles managed by Kgwerano?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: I understood you to say in relation to the R300 00 monthly payment that after packing the cash you would give it to Mr Leshabane.

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: I am, I am wondering because I understood in the affidavit that what you were doing here under 23.7 and this item of R300 00 per month falls under 23.7.3 that you were listing monies that you used to hand over to Mr Seopela on a monthly
20 basis from 2008 to 2016. That is what the last sentence of paragraph 23.7 appears to say. Is there something I am misunderstanding?

MR ANGELO AGRIZZI: You are not misunderstanding it Chair.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: So normally Mr Seopela would get it.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And Mr Leshabane ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Would get it to hand it over.

CHAIRPERSON: Oh.

MR ANGELO AGRIZZI: Between the two of them.

CHAIRPERSON: For both Department of Justice and Constitutional Development and Transport.

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: Okay, alright. Thank you. I guess that then, because the affidavit
10 just refers if I understand correctly only to Mr Seopela, Mr Pretorius or am I wrong?

MR ANGELO AGRIZZI: If I can clarify Chair. It says ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: At times these monies ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Were given to Leshabane.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So in other words Seopela would normally get.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Other times Leshabane would get it.

20 **CHAIRPERSON:** Oh, okay. No, thank you, thank you.

ADV PAUL PRETORIUS SC: How did you hand the money to Seopela, in what circumstances?

MR ANGELO AGRIZZI: Chair when money was due to be delivered to Mr Seopela what would happen was I would phone him and I would say to him the money is ready for collection and he would indicate where I need to meet him. Sometimes it would be

alongside the road. Sometimes it would be at Monte Casino in the parking lot at the Palazzo Hotel. Sometime it would even be in Sandton – wherever he was. Occasionally and quite often it would be in a restaurant, Tashas Morningside or the Fishmonger at the Thrupps Centre in – I think it is – Illovo. It would be places, various places. Sometimes it was at a petrol station and, and he would say to me I would need to follow him and then follow him on some obscure road and then stop halfway and then hand it over.

CHAIRPERSON: Do you know whether there were, there was a specific reason why it was almost always different places? You might or might not know, but I am just curious
10 whether there is a particular reason to make sure it was not in one and the same place all the time.

MR ANGELO AGRIZZI: I was told that I must just listen to him. He knows what he is doing when it comes to those things. So he knew.

CHAIRPERSON: Yes. Okay, thank you.

ADV PAUL PRETORIUS SC: And did you always deliver the money to Mr Seopela?

MR ANGELO AGRIZZI: Chair at times I would not be able to. I would be away or I would be busy and I could not attend to it. So then I would hand it over to Leshabane or Gumede to, to do the deliveries.

CHAIRPERSON: In terms of the frequency with which you were the one who would
20 give him the money what kind of percentage would you put that at? Would you say maybe 80 percent of the time more or less you would give him the money or 50 percent of the time or less than that? I just want to have some idea of the frequency of occasions where you gave it to him yourself.

MR ANGELO AGRIZZI: It would happen I would say I did about 70 percent of the deliveries.

CHAIRPERSON: Okay, thank you.

ADV PAUL PRETORIUS SC: Thank you Chair. If you could go around please Mr Agrizzi to paragraph 24 of your affidavit under the heading Vincent Smith. You are going to presumably tell the Chair about circumstances relating to the relationship between Bosasa on the one hand and Smith on the other. Is that correct?

MR ANGELO AGRIZZI: Thank you Chair.

ADV PAUL PRETORIUS SC: When did you meet Mr Smith?

MR ANGELO AGRIZZI: Chair ...[intervenes].

ADV PAUL PRETORIUS SC: For the first time.

10 **MR ANGELO AGRIZZI:** For the very first time I met Mr Smith, I met Mr Smith at Parliament where I tried to get a meeting with him, because he was being very difficult and he would not meet with us. So I actually went to Parliament and had an appointment with him and he evaded me at that meeting.

CHAIRPERSON: What was he being difficult about?

MR ANGELO AGRIZZI: He did – he did not want to have anything to do with Bosasa.

CHAIRPERSON: And why ...[intervenes]?

MR ANGELO AGRIZZI: He was vehemently opposed to Bosasa.

CHAIRPERSON: And why was Bosasa wanting to meet with him?

20 **MR ANGELO AGRIZZI:** Because I wanted to explain to him what the company was about and do a presentation. I recall meeting with his secretary. I think it is an Ms ...[intervenes].

CHAIRPERSON: For what purpose, why did he, why did you want to explain to him what Bosasa was about?

MR ANGELO AGRIZZI: Because I thought perhaps I could swing his mind into looking at us more favourably.

CHAIRPERSON: You wanted to, you wanted him to cooperate with Bosasa. Is that right?

MR ANGELO AGRIZZI: I wanted him to work with us. That is correct.

CHAIRPERSON: You wanted him to work with you?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: For purposes of making sure or for what purposes?

MR ANGELO AGRIZZI: Purposes I wanted to present to him what the company was actually about, because I did not believe that he knew the full extent of the company and at that stage I honestly thought that by showing him what we do and the
10 development that we have tried he might be swung over not to be only negative towards us but at least be neutral.

CHAIRPERSON: Obviously there must have been things that had happened before which made you conclude which made you conclude that he was being difficult or maybe negative towards, towards Bosasa. I guess you are going to tell us about those.

MR ANGELO AGRIZZI: Yes. I recall the one incident was with regards to the SIU Report where he was openly and very vocal about the SIU Report. I cannot think of too many other instances save to say that he was very, just very negative. You could never phone him like you could with other people from Parliament and speak to them about an issue. He would, he would veer away from you.

20 **CHAIRPERSON:** Okay, alright and, and this would have been around what time when you met him for the first time or you might not recall?

MR ANGELO AGRIZZI: 2010/2011 the very first time I tried.

CHAIRPERSON: Okay. Mr Pretorius.

ADV PAUL PRETORIUS SC: Thank you Chair. At the time do you recall what position Mr Vincent Smith held at Parliament?

MR ANGELO AGRIZZI: He was in the Portfolio Committee of Correctional Services Chair.

ADV PAUL PRETORIUS SC: Right and in paragraph 24.1 you relate the events regarding a meeting held during 2011. Where was that meeting held?

MR ANGELO AGRIZZI: That meeting was held in a road in Rivonia Road. There is a hotel there which has also look like apartments onto it or suites onto it and if you go up Rivonia Road pass the Codfather on the right hand side. I cannot recall the name of the hotel.

ADV PAUL PRETORIUS SC: Right. Who was present at the meeting?

10 **MR ANGELO AGRIZZI:** At the meeting was Sesinyi Seopela, Vincent Smith was there. A gentleman by the name of Magagula. I do not know what his first names were but – and then Winnie Ngwenya. Those people were all in the Portfolio Committee on Correctional Services.

ADV PAUL PRETORIUS SC: Was there anyone else from Bosasa present?

MR ANGELO AGRIZZI: Correct. I, I did not know about the meeting, but I was collected and picked up by Gavin Watson and we drove to the meeting together.

ADV PAUL PRETORIUS SC: Right and he was present.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Right, what happened during this meeting?

20 **MR ANGELO AGRIZZI:** At the meeting I did not know who the people, who the other people involved were. I had known Vincent Smith, because I had seen him on television. It became evident to me then that those were all members of Parliament and they were part of the Standing Committee on Correctional Services.

ADV PAUL PRETORIUS SC: Right. Did Mr Vincent Smith say anything about a previous discussion with Gavin Watson?

MR ANGELO AGRIZZI: Mr Smith alluded to us in the meeting and he had spoken as if he had had a relationship with Gavin - formed a relationship with Gavin at a prior meeting and that there was a working relationship going forward between Correctional Services and Bosasa and the Portfolio Committee.

ADV PAUL PRETORIUS SC: What in summary what was, what was the topic of discussion at the meeting?

MR ANGELO AGRIZZI: The main topic of the discussion was during the meeting it was decided that all the individuals who were there would ensure at the parliamentary committee meetings that negative media coverage against Bosasa would not preclude
10 any further tenders going forward or business or extensions going forward and in return they would get benefits.

ADV PAUL PRETORIUS SC: Right.

CHAIRPERSON: I am not sure, I am not sure you can clarify that.

MR ANGELO AGRIZZI: [Intervenes].

CHAIRPERSON: What was being discussed, you are saying what was being discussed was in part the negative coverage by the media of Bosasa?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Okay and a decision was taken.

MR ANGELO AGRIZZI: That is right.

20 **CHAIRPERSON:** At that meeting. Just say again what that decision was or what was to be done or not done in terms of that decision.

MR ANGELO AGRIZZI: Well what was agreed at the meeting was that despite the fact that there was a lot of negative press publicity, despite the fact that there would be issues raised in the press that were in essence against Bosasa that the parliamentary committee who would normally have raised it as well in the parliamentary committee

they would keep quiet on it and they would make sure that they could manage it so that it would not stop Bosasa from getting new business or preclude any potential extensions and growth.

CHAIRPERSON: You said that the other persons who were at that meeting other than yourself and Mr Gavin Watson it became apparent to you during the meeting that they were members of Parliament. Did you get to know whether the other persons other than Mister – in addition to Mr Vincent Smith were also members of the Portfolio Committee on Correctional Services? Did you know whether that was the case or not?

MR ANGELO AGRIZZI: I did not know at the time. I found that out after the meeting.

10 Normally what happens is in Portfolio Committee Meetings which I do watch you would see the Chairperson come make a statement and then others comment, but there are normally quite a few people. So one does not take notice of the individuals. Only at that meeting was I told that Magagula and the lady by the name Winnie Ngwenya was part of the Portfolio Committee Meeting.

CHAIRPERSON: You say Magagula, there is Magagula ...[intervenes].

MR ANGELO AGRIZZI: Magagula, sorry.

CHAIRPERSON: [Indistinct].

MR ANGELO AGRIZZI: Correction.

CHAIRPERSON: Okay, thank you. You may proceed Mr Pretorius.

20 **ADV PAUL PRETORIUS SC:** Thank you. Was that all that was decided at that meeting?

MR ANGELO AGRIZZI: Well at the meeting basically they agreed that there was an agreement previously made amongst them with Gavin and this is what was agreed at the meeting.

ADV PAUL PRETORIUS SC: Right. Would they receive and by “they” I mean the

parliamentarians present anything in return?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: Where was that agreed?

MR ANGELO AGRIZZI: That agreement apparently had taken place at the previous agreement with Gavin Watson. If you read, if you go back to, if I can refer you back Chair ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: To 24.1.

CHAIRPERSON: Yes.

- 10 **MR ANGELO AGRIZZI:** Sorry. I think it is 24 point, let me just find it here, sorry. During this meeting – 24.1 the fourth line – during this meeting it became evident to me that these that those individuals were all members of Parliament and members of the Standing Committee on Correction. Vincent Smith also alluded to a previous discussion with Gavin Watson relating to the working relationship between the Department of Correctional Services and Bosasa. So there was a meeting prior to that as well.

CHAIRPERSON: Thank you.

- ADV PAUL PRETORIUS SC:** Did that prior meeting refer to what you say in paragraph 24.2.1 to 24.2.3 that the three individual parliamentary members concerned would
20 receive payments?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: When did you learn that?

MR ANGELO AGRIZZI: I learnt that at the meeting that I had with them.

ADV PAUL PRETORIUS SC: Right the meeting at which Gavin Watson was also present?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: So that was discussed again then at that meeting?

MR ANGELO AGRIZZI: It was not discussed it was merely confirmed Chair.

ADV PAUL PRETORIUS SC: Right.

MR ANGELO AGRIZZI: I was told by Gavin Watson at the meeting in front of them Chair to make sure that these amounts are paid.

ADV PAUL PRETORIUS SC: Alright so let us leave aside a debate as to whether it was discussed or confirmed. It was stated there that the three individuals would receive the amounts referred?

10 **MR ANGELO AGRIZZI:** That is correct.

ADV PAUL PRETORIUS SC: What are the amounts?

MR ANGELO AGRIZZI: The amounts was for Vincent Smith R45 000,00, Magagula R30 000,00, Winnie Ngwenya R20 000,00.

CHAIRPERSON: All monthly?

MR ANGELO AGRIZZI: Monthly.

ADV PAUL PRETORIUS SC: Okay right. Do you know whether these payments were ever made?

MR ANGELO AGRIZZI: They were made.

ADV PAUL PRETORIUS SC: How do you know that?

20 **MR ANGELO AGRIZZI:** Because I packed them and initially Chair what happened with those payments they were made by Gavin Watson and Seopela but then I was trusted and occasionally when – after I had made up the packages I was occasionally entrusted to actually make those payments when Gavin was unavailable.

ADV PAUL PRETORIUS SC: And how did you make the payments when you did so personally?

MR ANGELO AGRIZZI: I would – I would get hold of either Seopela or I would get hold of Vincent Smith and find out where the other people were. If they were not available I would hand over everything to Smith and he would handle the distribution thereof.

ADV PAUL PRETORIUS SC: Right, can you recall an occasion where you handed money to Vincent Smith?

MR ANGELO AGRIZZI: There were many occasions, specific occasion?

ADV PAUL PRETORIUS SC: Any specific occasion, just one?

MR ANGELO AGRIZZI: I cannot remember the exact date but off the top of my head Mugg and Bean, Clearwater at the Mezzanine level.

10 **ADV PAUL PRETORIUS SC:** And did you also pack this money in the security bags to which you have referred in evidence?

MR ANGELO AGRIZZI: Yes I would.

ADV PAUL PRETORIUS SC: Right do you know why he three parliamentarians concerned and named by you received different amounts per month?

MR ANGELO AGRIZZI: I was not part of the negotiations so I cannot actually answer that.

ADV PAUL PRETORIUS SC: Alright.

CHAIRPERSON: Where the payments to them or where were the payments to them made? Was it each one – normally each one at the place convenient to him or her or
20 were they always or were they – did they normally come together for purposes of receiving payment at a particular place?

MR ANGELO AGRIZZI: Chair there would be follow-up meetings and sometimes the payments would take place there. For instance one of the parliamentarians, Winnie Ngwenya was living close by so she would attend at the office and actually come and fetch her payment there.

CHAIRPERSON: Close by the Bosasa office?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes and – but you did not know where her house was? You just knew she lived there?

MR ANGELO AGRIZZI: No I am not aware of where her house was.

CHAIRPERSON: She lived close by that is all that is what you.

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: So she would come in and collect her payment?

MR ANGELO AGRIZZI: Correct.

10 **CHAIRPERSON**: Okay.

MR ANGELO AGRIZZI: Sometimes I would have to drive out to Florida and actually do the payment there for Mr Smith. So there were various places where it took place.

CHAIRPERSON: But they took place in Gauteng and not in Cape Town where the Portfolio Committee Assets?

MR ANGELO AGRIZZI: It all happened in Gauteng.

CHAIRPERSON: Yes okay. Over weekends maybe or not really it could be any time during the week?

MR ANGELO AGRIZZI: No it would be any time she – I would have to carry it around with me unfortunately until I had come across them and we could sort it out.

20 **CHAIRPERSON**: Ja okay thank you.

ADV PAUL PRETORIUS SC: You have told the Chair Mr Agrizzi that you made a payment personally on at least one occasion and many more but you described one occasion on which you made payment to Mr Smith?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: You have also said that on occasion you made payment

directly to Ms Ngwenya?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Do you recall any payment made by yourself to the third person involved Mr Nagagula?

MR ANGELO AGRIZZI: I cannot recall doing it to him personally. I know that there was an occasion where he was given a package in front of me but I cannot confirm that it was that package that I had packed.

CHAIRPERSON: You did mention maybe one or two places at which you delivered cash to Mr Vincent Smith at some stage, is that correct?

10 **MR ANGELO AGRIZZI**: That is correct.

CHAIRPERSON: Do you want to just repeat one of two of those places in regard to him?

MR ANGELO AGRIZZI: Some of the places would be at Mugg and Bean on the Mezzanine level. There were two places that we predominantly meet one being Mugg and Bean at the Mezzanine level. He would always wear leather jackets so that he could put it inside his jacket or have a folder so that we could try and put it into the folder. Alternatively I would buy a newspaper to deliver it to him. The other place was a Greek restaurant I cannot recall the name at Cradlestone Mall on the left hand side on the entrance.

20 **CHAIRPERSON**: And in regard Maga – oh Magagula you said you do not remember that you ever delivered any cash to him?

MR ANGELO AGRIZZI: No I was present when he got one delivery.

CHAIRPERSON: You were present?

MR ANGELO AGRIZZI: I was there and I saw it. I did not do the delivery though I did not hand him cash.

CHAIRPERSON: Oh okay yes but do you remember the place where that delivery took place even though you did not hand over the cash yourself?

MR ANGELO AGRIZZI: I cannot.

CHAIRPERSON: You cannot remember. And Ms Winnie Ngwenya can you remember any one or two occasions where you can say this is the place or these are the places where cash was delivered either by yourself or by somebody else in your presence?

MR ANGELO AGRIZZI: Chair I cannot recall at the moment other than she would come to the office quite frequently and get it.

CHAIRPERSON: Oh okay, okay. Oh she is the one that you understood ..

10 **MR ANGELO AGRIZZI**: Correct.

CHAIRPERSON: Lived not far from the Bosasa offices?

MR ANGELO AGRIZZI: Correct and her husband was her driver and her chauffeur.

CHAIRPERSON: Yes okay thank you. Mr Pretorius.

ADV PAUL PRETORIUS SC: Thank you. It may seem a trivial point but regarding the payments to Mr Smith you say on occasion you would buy a newspaper? When would you buy the newspaper in relation to the time of the delivery?

MR ANGELO AGRIZZI: Well maybe the word buy a newspaper is incorrect because I had newspapers delivered to my office Chair.

20 **ADV PAUL PRETORIUS SC**: So that would presumably be a decision you would make before you met him?

MR ANGELO AGRIZZI: Correct I would take the newspaper with me so that it would not be too obvious.

ADV PAUL PRETORIUS SC: How would you know to take the newspaper with you when you had not seen him and I understood you to say you would use a newspaper if he did not have a leather jacket or a folder?

MR ANGELO AGRIZZI: I would ...[intervene].

CHAIRPERSON: Actually I thought that you say – you were saying that he would put the money in his leather jacket or sometimes he would have a newspaper but actually you are saying you would bring a newspaper, bring the money in a newspaper?

MR ANGELO AGRIZZI: Chair if I had to meet in a restaurant irrespective if he had a leather jacket on I would not walk in the restaurant with one of those grey bags. And I did not walk around with my briefcase because it would – there would nine out of ten times rob me. So I would always take it in a paper.

CHAIRPERSON: Okay thank you.

10 **ADV PAUL PRETORIUS SC**: Hope that is better cleared up now rather than later.

MR ANGELO AGRIZZI: Thank you.

ADV PAUL PRETORIUS SC: Did Mr Smith ever question the use of Mr Seopela as a go between for delivery of monies?

MR ANGELO AGRIZZI: That is correct he did.

ADV PAUL PRETORIUS SC: What did he say?

MR ANGELO AGRIZZI: At one stage he was uncomfortable with Mr Seopela being the middle man so to speak. So he actually said me that “you know let us rather deal directly with each other” he did not want Seopela as a go between. So we played along and we agreed with him that Seopela would be excluded and basically we just told

20 Seopela that he does not want to see us anymore.

ADV PAUL PRETORIUS SC: Can you recall more or less when Mr Seopela was excluded from the arrangements? I am sorry Chair.

CHAIRPERSON: No that is fine. Okay you can answer that – answer that question.

MR ANGELO AGRIZZI: It was during 2015, 2016.

CHAIRPERSON: So Mr Seopela after you had said that to him that Mr Vincent Smith did not want to see you anymore would have been under the impression after that that there were no further dealings with Mr Vincent Smith?

MR ANGELO AGRIZZI: That is correct Chair we tried to create that perception.

CHAIRPERSON: Okay thank you.

ADV PAUL PRETORIUS SC: Did it transpire Mr Agrizzi that Messrs Magagula or Mr Magagula and Ms Ngwenya were no longer members of the standing committee on Correctional Services?

MR ANGELO AGRIZZI: Could you just repeat the beginning part of your question?

10 **ADV PAUL PRETORIUS SC:** Was there a stage where Mr Magagula and Ms Ngwenya were no longer members of the Correctional Services standing committee in parliament?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And what happened then in relation to their payments?

MR ANGELO AGRIZZI: The payments would – were stopped.

ADV PAUL PRETORIUS SC: What happened in relation to the payments to Mr Vincent Smith during 2016?

MR ANGELO AGRIZZI: Well they were increased to R100 000,00 per month.

20 **ADV PAUL PRETORIUS SC:** And who made these payments according to your knowledge?

MR ANGELO AGRIZZI: Gavin Watson would hand them to him at the various meetings.

CHAIRPERSON: How did the increase come about? Did he request it or was it just decided by Mr Gavin Watson?

MR ANGELO AGRIZZI: No Chair if I may respond he requested it and it was increased.

CHAIRPERSON: So the jump was from R45 000,00 a month to R100 000,00?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Were you present at any of these meetings where the amount of R100 000,00 was handed over to Vincent Smith?

MR ANGELO AGRIZZI: (Indistinct) Chair.

CHAIRPERSON: About how many occasions if you are able to remember were you
10 present when amounts were paid to him?

MR ANGELO AGRIZZI: Ten, eleven times.

CHAIRPERSON: Sorry?

MR ANGELO AGRIZZI: Ten or eleven times I was available – I was there.

CHAIRPERSON: Okay thank you. But those times some of them would have been when he was paid R45 000,00 a month and others would have been when he was paid R100 000,00 a month? In other words some of the times fell under the previous amount, R45 000,00 and others fell under the increased amount, is that right?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Okay, alright.

20 **ADV PAUL PRETORIUS SC:** Was Gavin Watson always available to hand the money over to Vincent Smith and I am talking about the R100 000,00 payments now?

MR ANGELO AGRIZZI: No he was not always available.

ADV PAUL PRETORIUS SC: And in that event what happened?

MR ANGELO AGRIZZI: I would handle – hand it over mostly. That is how it worked.

ADV PAUL PRETORIUS SC: Right. At that time were meetings held between Mr Gavin Watson and Mr Vincent Smith?

MR ANGELO AGRIZZI: There were.

ADV PAUL PRETORIUS SC: On a regular basis, on an infrequent basis, what was the position?

MR ANGELO AGRIZZI: I think it was every second week literally that they had those meetings.

ADV PAUL PRETORIUS SC: What was the purpose of those meetings?

MR ANGELO AGRIZZI: Well purpose of those meetings was to brief us on the
10 activities of the department. The other reason was also because he would intervene if we had problems with Zach Modise who was appointed as the National Commissioner of Correctional Services. So we put – we would also use him to put pressure on the National Commissioner to ensure a favourable attitude towards Bosasa at all times.

ADV PAUL PRETORIUS SC: Did Mr Smith tell you anything at a meeting obviously at what you were present in relation to what he was able to do in parliament?

MR ANGELO AGRIZZI: Could you repeat that question please?

ADV PAUL PRETORIUS SC: Did Mr Smith say anything to you and Mr Watson at any of these meetings in regard to what he could do for Bosasa in parliament?

MR ANGELO AGRIZZI: He said if decisions needed to be made he could make them
20 favourable towards Bosasa.

ADV PAUL PRETORIUS SC: Alright.

CHAIRPERSON: Now a Portfolio Committee and a Chairperson of a Portfolio Committee does not give tenders and does not give contracts so precisely what is it that Bosasa wanted Mr Smith and the other individual members to do for them because

they could not give them contracts, they could not give them tenders? Can you just articulate that quite clearly?

MR ANGELO AGRIZZI: It is very, very clear Chair. What needs to happen is that in a Portfolio Committee meeting they need to come to some sort of an agreement – a consensus when a point is raised. So if somebody had to be negative and let us say that Bosasa had been awarded a second contract to do the catering at Groenpunt you did not want negativity coming from the – from the Portfolio Committee. So we could get it past a point but then when it got to Portfolio if you did not have your ducks in a row and you had not gotten people in place you would get negativity and then it will
10 rumble back and they could make your life very difficult as the Portfolio Committee.

CHAIRPERSON: So – sorry continue.

MR ANGELO AGRIZZI: So even though they might not have the power to award or distribute or allocate tenders they have a very strong ability to make life difficult for the person and to raise objections and that type of thing.

CHAIRPERSON: So in effect what Bosasa wanted was that in – if there was anything concerning Bosasa that came before their committee they should act and decide favourably in regard to Bosasa that is what it wanted?

MR ANGELO AGRIZZI: That is one hundred percent correct.

20 **CHAIRPERSON**: Ja, thank you.

ADV PAUL PRETORIUS SC: Thank you Chair. Mr Agrizzi was there an occasion where a crime incident occurred at Mr Smith's house?

MR ANGELO AGRIZZI: Yes Chair there was an incident where it occurred.

ADV PAUL PRETORIUS SC: Briefly what happened and what was the consequence?

MR ANGELO AGRIZZI: Chair I am not too exactly sure what kind of crime incident happened there but it was an incident of crime and Gavin Watson offered to install a security system and a camera system at the house. He just offered it. So I had to instruct Richard Le Roux who was one of the employees to implement a cathexis video serving system. So that was a specific video which allowed you to view off site monitoring, that type of thing. They needed to sort out his alarm system. There was fencing that needed to be done. Alarm panel – beams had to be put up around the garden. There was hardware such as gate motors put in, access control put in, that type of thing.

10 **CHAIRPERSON:** Yes Mr Pretorius.

ADV PAUL PRETORIUS SC: How was the payment for the equipment made?

MR ANGELO AGRIZZI: These payments for the equipment would normally be made in cash. So they would bring the requisition and the invoice and it would be listed probably in a cash sale probably in my name or whoever else's name and that then would be printed out and it would be paid. So you would only get a delivery note that goes with the goods which was great because nobody saw the information of how much it cost.

ADV PAUL PRETORIUS SC: I am not sure whether in your recent answers you have mentioned whose duty it was to see to the installation of these systems?

20 **MR ANGELO AGRIZZI:** Well the duty to see to the installation of the systems was actually Richard Le Roux's and whoever I would nominate to go and do it.

ADV PAUL PRETORIUS SC: And by whom was Mr Le Roux employed at the time?

MR ANGELO AGRIZZI: If I am not mistaken he was employed by Bosasa Group of Companies a division thereof called Sondolo IT.

ADV PAUL PRETORIUS SC: You say the equipment was paid for in cash?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Under the name of which company was it installed?

MR ANGELO AGRIZZI: In terms of the – you asking me a double question. You saying that the com – that the equipment was paid in cash and under whose name was it installed?

ADV PAUL PRETORIUS SC: Well who installed it?

MR ANGELO AGRIZZI: It was installed by a team that was developed called the Special Projects Team.

ADV PAUL PRETORIUS SC: And for which company did they work?

10 **MR ANGELO AGRIZZI:** They worked for [intervenes]

ADV PAUL PRETORIUS SC: In other words which company took responsibility for the installation?

MR ANGELO AGRIZZI: Well for the installation it would have been Concilium Consultants if I remember correctly.

ADV PAUL PRETORIUS SC: And?

MR ANGELO AGRIZZI: Let me just check my notes, sorry.

ADV PAUL PRETORIUS SC: Well just look at paragraph 24.8.

MR ANGELO AGRIZZI: Sorry I am actually ahead of the pack here. Sorry just repeat your question again please?

20 **CHAIRPERSON:** He asked who installed the electric equipment.

ADV PAUL PRETORIUS SC: The equipment that you have referred to?

CHAIRPERSON: Ja

MR ANGELO AGRIZZI: Well it was the Special Projects Team that was headed up by Richard Le Roux.

ADV PAUL PRETORIUS SC: In the name of which company?

MR ANGELO AGRIZZI: Sondolo IT.

ADV PAUL PRETORIUS SC: Okay. And Sondolo IT you have told the Chair is part of the Bosasa Group of Companies?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Okay. Paragraph 24.9 you refer to another benefit.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Sorry before you go on you say I have – in relation to the security installations at the premises of Mr Smith you say in the last sentence of paragraph 24.8 “I have further documentary evidence in regard to the above which I am
10 happy to provide to the commission.” What documentary evidence do you have?

MR ANGELO AGRIZZI: It has been provided. There is invoices and also a statement of Richard Le Roux.

ADV PAUL PRETORIUS SC: Then 24.9 refers to another benefit in relation to Mr Vincent Smith and his daughter.

MR ANGELO AGRIZZI: That is [intervenes]

ADV PAUL PRETORIUS SC: Tell the Chair please of this benefit?

MR ANGELO AGRIZZI: That is correct. I was requested by Mr Gavin Watson to make a payment for Mr Smith’s daughter to study at Aberystwyth University overseas and this was made by a cash deposit into an account called Euro Blitz. Mr Jacques Van Zyl
20 made the deposit at FNB on instruction.

ADV PAUL PRETORIUS SC: Of whom?

MR ANGELO AGRIZZI: Gavin Watson.

ADV PAUL PRETORIUS SC: Right would you please turn to page 270 of the bundle S1. Explain to the chair please what this documentation represents and you may also want to refer to page 272 and the following pages?

MR ANGELO AGRIZZI: Chair.

CHAIRPERSON: I actually – the document starts at 271 ne?

ADV PAUL PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: That is right.

CHAIRPERSON: You may have said 270

ADV PAUL PRETORIUS SC: The cover page is page 270.

CHAIRPERSON: Yes okay.

MR ANGELO AGRIZZI: Chair if I can give you the information on this. This is a copy of a document which I received alright. What happened was when the copy was made
10 the little bank slip was put on the top right hand corner and that is why some of the writing is not very clear? You will see there it is an email from his daughter Brumilda Smith to Vincent Smith at anc.org.za and it talks about the fees and it says that the fees for the next ...[intervenes].

CHAIRPERSON: Tell us the date of the email as well?

MR ANGELO AGRIZZI: The date is the 5 July 2016.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And it says there that the fees for the next academic year are \$10 500,00.

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI**: And that comes from a email which was sent from a certain Alison to Ms Brumilda Smith.

CHAIRPERSON: Ja.

ADV PAUL PRETORIUS SC: Okay right let us take it a bit more slowly please. At the bottom of the page.

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: There appears an email from Brumilda Smith to fees@aber.ac.uk and it apparent that it is an email addressed to Aberystwyth University.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And in that email it appears that Brumilda Doreen Smith says” to whomever it may concern I have decided it would be best for me to repeat my first year as a full time student would you be able to provide me with a fee requirement and payment structure for 2016/2017”.

MR ANGELO AGRIZZI: Correct.

- 10 **ADV PAUL PRETORIUS SC:** And then apparently in reply to that Alison of the university finance department addresses an email to Brumilda saying the fees for the next academic year are \$10 500,00.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And then at the top of the page there is a further email where is appears that these two emails are forwarded to Vincent Smith?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Alright then if we go over the page to page 272 what is that document?

- 20 **MR ANGELO AGRIZZI:** That document is a bank deposit of – to the amount of R276 667,90 made at an FNB bank and this was made in Krugersdorp.

ADV PAUL PRETORIUS SC: And it appears and it is highlighted on that page that the payment was made to an entity called Euro Blitz?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And it is represented as a cash deposit made on the 14 July 2015?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Is that amount of R267 667,90 which was deposited was that the equivalent of the amount – was that the rand equivalent of the amount in pounds that was mentioned in the email that precedes this one?

MR ANGELO AGRIZZI: Chair as far as my understanding – my memory serves me it is the same and it provides for costs to do the transfer as well.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: However on page 272 it appears that the transaction with the bank, FNB, the cash deposit for Euro Blitz in the amount set out therein took
10 place on the 14 July 2015?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And the email chain on page 271 takes place during 2016?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Can you explain that please because it would seem that the deposit was made before you knew what the fees were?

MR ANGELO AGRIZZI: Well considerable – you need to consider the fact that there was more than one fees paid.

ADV PAUL PRETORIUS SC: So well then just explain please the payment on page
20 272?

MR ANGELO AGRIZZI: That was for further payments for the university fees.

ADV PAUL PRETORIUS SC: Well it cannot be for further payments because this is before the email chain on page 271?

MR ANGELO AGRIZZI: Sorry for the previous years – for the previous payments for the university fees. So it was a balance of.

ADV PAUL PRETORIUS SC: Alright so you say that the information represented on page 272 is for a certain payment to Euro Blitz for university fees?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And the email chain is evidence relating to ...[intervenes]

MR ANGELO AGRIZZI: Further payments.

ADV PAUL PRETORIUS SC: A later payment?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And that is on page 271?

MR ANGELO AGRIZZI: Correct but if I can also add if you look at the stamp date on
10 the top there you will see that because of the – the quality of the paper if you have a
look right at the top underneath where it says AA271 it is not legible the actual deposit
slip for that one.

ADV PAUL PRETORIUS SC: Yes that is interesting because on page 271 there is a
stamp with a date 2015?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And that is a stamp which appears to pre-date the very
document being stamped?

MR ANGELO AGRIZZI: No, no let me correct you.

ADV PAUL PRETORIUS SC: Please explain.

20 **MR ANGELO AGRIZZI:** If you look at AA271.

ADV PAUL PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: That is a payment made on 2016-07-29. July is the seventh
month so it was paid on the 29 July 2016.

ADV PAUL PRETORIUS SC: Is that a 6 there rather than a 5?

MR ANGELO AGRIZZI: Yes let me explain to you again. The reason why you see half the words are cut off on the email is because the slip was attached to this when it was photostated.

ADV PAUL PRETORIUS SC: I understand Mr Agrizzi.

MR ANGELO AGRIZZI: Okay.

CHAIRPERSON: So the year on that stamp on the right hand corner of page 271 you say is 2016 and not 2015?

MR ANGELO AGRIZZI: Correct it is not 2015 it is 2016.

CHAIRPERSON: No because to me it was appearing like 2015.

10 **MR ANGELO AGRIZZI:** 07-29.

CHAIRPERSON: Ja okay.

MR ANGELO AGRIZZI: And the other one is the continuation of the payment. That was the first payment made to – 14-07-2015 or 18 I cannot see my glasses are ...[indistinct].

CHAIRPERSON: Then ...[intervenes].

MR ANGELO AGRIZZI: There were a few payments.

CHAIRPERSON: Would it not be unlikely – would it not be likely that your answer then to my question when I asked whether the amount deposited as per the slip on the page 272 represented the amount asked for at 271? Then it should be likely that your
20 answer was not correct then because the document – the slip at 272 could not have been in response to the request at 271, is that right?

MR ANGELO AGRIZZI: It is possible yes.

CHAIRPERSON: Yes the two might not be related.

MR ANGELO AGRIZZI: No they both went to Euro Blitz.

CHAIRPERSON: Yes okay.

ADV PAUL PRETORIUS SC: Yes well it seems very clear now that apart from the stamp of FNB on page 271 the fact that payments were made to Euro Blitz in separate amounts during separate years that what we do know is that the amount of R276 667,90 is not the amount of \$10 500,00 referred to on page 271, it could not be?

MR ANGELO AGRIZZI: Unfortunately the slip has actually deteriorated.

ADV PAUL PRETORIUS SC: Whether the slip has deteriorated or not ...[intervenes].

MR ANGELO AGRIZZI: No, it is not the same.

ADV PAUL PRETORIUS SC: It is not the same and then if you – well perhaps I should give you a chance before leaping in with questions Mr Agrizzi. You explain to the Chair
10 please the documents at page 271, 272 and following, if those are relevant.

MR ANGELO AGRIZZI: The documents at 271 and 272 and then you go to documents 273 which is a company report that I have pulled, because I wanted at first to check who the company EuroBlitz – I wanted to confirm who it was and if you look at page 274 it is reflected Smith, Vincent George and the address coincides with the address where it had been stationed.

CHAIRPERSON: I cannot – oh, okay I have seen Smith, Vincent George, yes.

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: So the documents at page 273 and following appear to show that the company EuroBlitz and Mr Vincent Smith are indeed related.

20 **MR ANGELO AGRIZZI:** They are related yes.

ADV PAUL PRETORIUS SC: Okay. So you say in paragraph 24.10:

“Subsequent to this payment I became aware of the fact that
Vincent Smith had an interest in EuroBlitz (Pty) Ltd.”

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: “The payment for Vincent Smith’s daughter,

daughters following their study was paid to EuroBlitz.”

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Alright. It may have been a fault of others apart from yourself, but 24.9 then needs to be corrected, because ...[intervenes].

MR ANGELO AGRIZZI: Hm.

ADV PAUL PRETORIUS SC: The proof of payment is in relation not to page 270, but in relation to a prior payment for fees.

MR ANGELO AGRIZZI: If you read, if you read 24.10. It says:

10 “Subsequent to this payment I became aware of the fact that
Vincent Smith had an interest in EuroBlitz. The payment for
Vincent Smith’s daughters following their study was paid to
EuroBlitz.”

ADV PAUL PRETORIUS SC: Yes, I do not want to get involved in semantics with you Mr Agrizzi, but on page 24.9 you say that:

“In relation to Annexure H a proof of payment”

You appear to associate the proof of payment to the evidence on page 270, but let us leave it there for the moment. What has come out of your evidence is reasonably clear. Can we move on?

MR ANGELO AGRIZZI: Yes, we can.

20 **CHAIRPERSON:** But, but what may, what you may have to consider and I am sure the legal team will also consider is whether paragraph 24.9 accurately reflects what you intended to say and whether to the extent that it might not whether what you have said clarifies it or whether it is necessary to make a correction ...[intervenes].

ADV PAUL PRETORIUS SC: Yes, we will ...[intervenes].

CHAIRPERSON: Of some kind.

ADV PAUL PRETORIUS SC: We will look at that Chair.

CHAIRPERSON: Yes.

ADV PAUL PRETORIUS SC: The issue of course is that both the email chain relating to 2016 and the proof of payment relating to 2015 the prior payment are both Annexure H which is ...[intervenes].

CHAIRPERSON: Oh, which could have caused ...[intervenes].

ADV PAUL PRETORIUS SC: Confusion.

CHAIRPERSON: Yes, okay.

ADV PAUL PRETORIUS SC: But the evidence at least is clear.

10 **CHAIRPERSON:** I just want to make sure that we do not have a situation where there is some unnecessary issue that arises from this confusion. Maybe under cross-examination if cross-examination is granted so that there is just the clarity but as, as long you satisfy yourself that one way or another there is clarity whether there is a need for an amendment or a supplementary affidavit or there is not. As long as the situation is clearly clarified.

ADV PAUL PRETORIUS SC: We will do Chair. I am just rereading 24.9. It may well be necessary. I am sorry Chair. It may well be unnecessary to amend it.

CHAIRPERSON: Yes, ...[intervenes], ja.

ADV PAUL PRETORIUS SC: Even that Annexure H refers to both years of payment.

20 **CHAIRPERSON:** Ja, it may be, it may be.

ADV PAUL PRETORIUS SC: Thank you. If we can get then onto paragraph 24.11 Mr Agrizzi. You refer there to Mr Smith and the matters relating to Mr Smith being raised in Parliament in the context of an alleged loan. Would you tell the Chair please about those incidents?

MR ANGELO AGRIZZI: Chair, Mr Smith made statements and put out a press release

that in fact he had a personal loan with myself which is totally incorrect. There was no such thing. He did approach me for a loan and what he offered to do was to sell me his shares in a hospital at Waterfall Estate which I refused. I said that it would:

1. Contravene every single BEE rule in the book, and
2. It would be very obvious if it came directly to me.

I did not give Mr Smith any loans. I do not know him. I met him and I was in an association with him that that developed over a couple of months, but it was not a personal relationship in anyway and I would never have loaned him money.

CHAIRPERSON: Of course you know him now. You know – you just said you do not
10 know him.

MR ANGELO AGRIZZI: Yes, I ...[intervenes].

CHAIRPERSON: You did know him before.

MR ANGELO AGRIZZI: I did not know him. Why would I give him loans?

CHAIRPERSON: Yes, but was the request for a loan was it not made after you had got
to know him after that meeting that you are talking about?

MR ANGELO AGRIZZI: He made a request for a loan when I had already left Bosasa.

CHAIRPERSON: Oh that is ...[intervenes].

MR ANGELO AGRIZZI: So what I am saying that ...[intervenes].

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI:** He made the request for a loan in cash.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: I did not know him then anymore. I did not – I was not
interested in him.

CHAIRPERSON: Oh, okay.

MR ANGELO AGRIZZI: And he approached me to come to me with the shares that he

had in Vorna. There is a life hospital I think there and he brought me documentation and I said to him I was not interested.

CHAIRPERSON: This was when? Was it 2017?

MR ANGELO AGRIZZI: It is well after I left. This was in 2017/2018.

CHAIRPERSON: Okay, alright.

ADV PAUL PRETORIUS SC: How did the matter arise in Parliament? What was the context of Mr Smith's claim?

MR ANGELO AGRIZZI: Once more there was a newspaper report and he said – and they asked me about it. They sent questions to me. I said well this is what happened.

10 You know, ask Bosasa. I definitely do not know anything about it Mr Smith's dealings anymore and that is how it came up in Parliament and he then raised it. My understanding is that, you know, he tried to make it out as if I had loaned him the money and I did not. I paid him the money on instruction from Gavin Watson, simple as that.

ADV PAUL PRETORIUS SC: Can you recall more or less when the matter was raised in Parliament?

MR ANGELO AGRIZZI: It was well after I had left Bosasa. So ...[intervenes].

ADV PAUL PRETORIUS SC: Also in 2017/2018?

MR ANGELO AGRIZZI: Yes.

20 **ADV PAUL PRETORIUS SC:** And in relation to the matter being raised in Parliament when before or after did he request a loan from you?

MR ANGELO AGRIZZI: No, it was before that he asked me for a loan.

ADV PAUL PRETORIUS SC: So he asked you for a loan. You refused. He offered to sell you his shareholding. You refused. After that the matter was raised in Parliament and Mr Smith claimed you had arranged a loan to him.

MR ANGELO AGRIZZI: That is true.

ADV PAUL PRETORIUS SC: Is that the sequence?

MR ANGELO AGRIZZI: That is the sequence, sir.

ADV PAUL PRETORIUS SC: Then if we may continue then with paragraph 25 you deal with matters related in this paragraph to the Department of Correctional Services.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: When did you meet Mr Patrick Gillingham for the first time?

MR ANGELO AGRIZZI: Patrick Gillingham was introduced to me at the Lindela
10 Repatriation Facility. I would say in 2013, mid to late 2013.

ADV PAUL PRETORIUS SC: The date in paragraph 25.1 is that correct or not?

MR ANGELO AGRIZZI: Then there – sorry, 2003 that is right.

ADV PAUL PRETORIUS SC: Not 2013?

MR ANGELO AGRIZZI: I am sorry. I get confused sometimes.

ADV PAUL PRETORIUS SC: Sure.

MR ANGELO AGRIZZI: 2003.

ADV PAUL PRETORIUS SC: So you met Patrick Gillingham at Lindela in 2003?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Before that were you aware of any involvement that he
20 had with Bosasa or Gavin Watson?

MR ANGELO AGRIZZI: I did not know Patrick Gillingham from a bar of soap. I did not know who he was. The only thing I knew was that he was supplying beef four quarters to one of the Department of Correctional Facilities. That is all I knew. At the stage I was running the butcheries for Dyambu and Bosasa and I knew that we had to deliver whenever they phoned. It was rare.

ADV PAUL PRETORIUS SC: Rare occasion or rare beef?

MR ANGELO AGRIZZI: The beef was C3 Grade.

ADV PAUL PRETORIUS SC: Sorry, unnecessary Mr Chair. Did you know what position Mr Gillingham held at the time?

MR ANGELO AGRIZZI: When I – Chair could I have clarity. When I met him at Lindela?

ADV PAUL PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: I have never been in the Army or the Defence Force or the Police. I saw a lot of brass and I thought he was extremely important. I did not know
10 what position he held.

ADV PAUL PRETORIUS SC: He was wearing uniform, but you do not know what uniform, what department that uniform ...[intervenes].

MR ANGELO AGRIZZI: No, I knew, sorry Chair. I knew it was a Correctional Services, but I did not know what their rank status was and that. Actually I was not interested in, in it at all.

ADV PAUL PRETORIUS SC: So it is apparent that at the time he was employed at the Department of Correctional Services?

MR ANGELO AGRIZZI: That is right.

ADV PAUL PRETORIUS SC: Right and you have already spoken about the
20 arrangement or contract with the supply of beef to – is it Correctional Services establishments?

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: Prisons in short.

MR ANGELO AGRIZZI: That is correct. I did not even know that that he was involved at that stage with the supply of beef or that it was his contract or anything like that. I

did not even put two and two together.

ADV PAUL PRETORIUS SC: Who was handling that contract for Bosasa?

MR ANGELO AGRIZZI: The beef contract?

ADV PAUL PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: I would merely do the deliveries. Apparently I found out afterwards that was being handled by Paul Vorster.

ADV PAUL PRETORIUS SC: And has that or was that contract subsequently taken over by another person?

MR ANGELO AGRIZZI: Well the – you are talking about the contract or the liaison with

10 Mr Gillingham?

ADV PAUL PRETORIUS SC: Both.

MR ANGELO AGRIZZI: That was taken over later by Danny Mansell, because Patrick, because Paul Vorster passed away.

ADV PAUL PRETORIUS SC: Right. Who introduced you to Mr Gillingham?

MR ANGELO AGRIZZI: Mr Gavin Watson introduced me to Mr Patrick Gillingham.

ADV PAUL PRETORIUS SC: And at the time of the introduction did Mr Watson say anything about his or Bosasa's relationship and further contemplated relationship?

MR ANGELO AGRIZZI: Chair at the time ...[intervenes].

ADV PAUL PRETORIUS SC: With him ...[intervenes].

20 **MR ANGELO AGRIZZI:** At the time ...[intervenes].

ADV PAUL PRETORIUS SC: With Mr Gillingham.

MR ANGELO AGRIZZI: At the time with Mr Gillingham I was told that we would be working very closely with Mr Gillingham by Mr Watson. I was busy. I was at the moment, at that stage I was busy doing a quality audit at Lindela and in preparation for an ISO accreditation. So I was not too interested in, in who he was working with and

showing around, but I recall him telling me that we are going to be working very closely with him.

ADV PAUL PRETORIUS SC: Did Mr Gavin Watson at that time or shortly thereafter tell you anything about his intentions regarding existing catering contracts at the mines?

MR ANGELO AGRIZZI: At that stage Mr Watson wanted to get rid of the existing catering contracts at the mines and he wanted to venture into new ventures.

ADV PAUL PRETORIUS SC: And specifically when you refer to new ventures what are you referring to?

MR ANGELO AGRIZZI: He wanted to get involved specifically with security contracts,

10 Government contracts and state owned enterprises.

ADV PAUL PRETORIUS SC: Right. Only security contracts?

MR ANGELO AGRIZZI: No, catering facilities management.

ADV PAUL PRETORIUS SC: Ah.

MR ANGELO AGRIZZI: That as well.

ADV PAUL PRETORIUS SC: And do you know why Mr Watson wanted to extract Bosasa from mining contracts?

MR ANGELO AGRIZZI: Well you recall that the mining industry went through a very rough patch during those years. There were always problems with payments. There were delays in payments and he, he simply wanted to get out of that business.

20 **ADV PAUL PRETORIUS SC:** Right. Do you recall the first contact that Bosasa was awarded or one of the first contracts of which you became aware in 2004? A contract awarded by the Department of Correctional Services. You deal with that in paragraph 25.6.

MR ANGELO AGRIZZI: Yes. Chair, if I may during the course of 2004 Bosasa received a training contract from the Department of Correctional Services. I had

nothing to do with that contract. I was not even aware of it until such time as Dr Jurgen Smith actually invited me to a function where they were – it says in my statement invited me to a function for the awarding of the contract. That is incorrect. I would like to correct that. It just – it was for the awards evening at the contract. If I can give – explain it to you.

CHAIRPERSON: I am sorry. What paragraph are we ...[intervenes].

MR ANGELO AGRIZZI: If you look at 25.6.

CHAIRPERSON: 25.6.

MR ANGELO AGRIZZI: It invited me – the fourth line. It says:

10 “Dr Smith invited me to a function for the awarding of the
contract.”

As I said the statement was rushed.

CHAIRPERSON: Invited ...[intervenes].

MR ANGELO AGRIZZI: So it is supposed to say ...[intervenes].

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It is supposed actually read:

“Invited me to a function for the awards evening of the contract.”

CHAIRPERSON: Oh.

20 **MR ANGELO AGRIZZI:** Because later on you will see I say that this function appeared
to be coordinated by Dr Jurgen Smith and Mark Taverner. So what had happened
Chair if I can give it perspective.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: The function that was held was a function I did not even know
that we had been given this contract to train and it was to train senior officials at the
various Correctional Services units on the implementation of Act 111 which included

catering. It is what it means. Does that answer your question?

CHAIRPERSON: Yes.

ADV PAUL PRETORIUS SC: The reference to 111, I am not following.

MR ANGELO AGRIZZI: Sorry. It was the training I found out subsequently, because I did not know about this contract Chair, but the training was a prelude to train up people to act, to comply with the meal intervals of Act 111 of some or other Act.

CHAIRPERSON: The Correctional Services Act.

MR ANGELO AGRIZZI: Correctional Services Act, yes.

CHAIRPERSON: Hm, okay.

- 10 **MR ANGELO AGRIZZI:** So it was a training program for these officials. I was awarded – I only found out about this contract when they were doing the awards evening for, for the people who attended. So I attended and I was – it was the first time I knew about that contract specifically.

CHAIRPERSON: So had the training already been done or was it done the same day?

MR ANGELO AGRIZZI: Commenced – it was, it was in progress.

CHAIRPERSON: It was done on the same day and the awards were...

ADV PAUL PRETORIUS SC:

MR ANGELO AGRIZZI: I cannot remember if it was done on the same day, but it was the evening.

- 20 **CHAIRPERSON:** Yes, but it was the awards, yes.

MR ANGELO AGRIZZI: I went to the evening it was awards.

CHAIRPERSON: Yes, okay, okay.

MR ANGELO AGRIZZI: I do not know how long the training ...[intervenes].

CHAIRPERSON: [Intervenes].

MR ANGELO AGRIZZI: I had no, I had no information on that.

CHAIRPERSON: But the training had been done by Bosasa?

MR ANGELO AGRIZZI: Yes. I remember people getting awards.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: Okay.

MR ANGELO AGRIZZI: This function was coordinated by Dr Jurgen Smith and Mark Taverner. He was a Bosasa employee. Mark was also the brother-in-law of Gavin Watson. It was all new to me. They continued with it. I was just invited by Dr Smith who I saw as a mentor.

ADV PAUL PRETORIUS SC: In paragraph 25.7 you refer to the future involvement of
10 Mr Taverner of which you at that stage had not become aware or were not aware.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Tell the Chair about that please.

MR ANGELO AGRIZZI: I was not aware that Taverner was in anyway involved with furnishing of, of Mti and Gillingham's houses and perhaps that is why I was not told about the very first contract for the training, because perhaps they did not want me to know about it but at the beginning of 2004, you know, I believe that they started with the renovation, with buying furniture, building of the houses and all that type of thing.

ADV PAUL PRETORIUS SC: We will come to that detail in due course.

MR ANGELO AGRIZZI: Okay.

20 **ADV PAUL PRETORIUS SC:** In paragraph 25.8 you talk of your second meeting ...[intervenes].

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: With Mr Gillingham.

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: Please tell the Chair about that meeting.

MR ANGELO AGRIZZI: At the beginning of 2004 Chair I met Gillingham for the second time. Gavin Watson informed me that the company - this was just the day before – that the company and some of the other employees of Bosasa Operations had to attend a tour of the prisons around the country with Gillingham and we had to evaluate the catering needs and the concerns of Correctional Services and we had to create a blueprint for the catering services. So my understanding at that stage was we are going around. We are going to draw up a blueprint. We are going to identify what the needs are, where the problems are and establish from their training and that type of thing. That was my understanding, but we were also told not to wear Bosasa uniform.

10 So Bosasa had a very distinct uniform, blue shirts similar to what I am wearing today, blue ties and we were not to wear uniforms. We had to be in plain clothes and we were not to be identified as Bosasa and the tour would be coordinated by Danny Mansell and Patrick Gillingham who we seem to have had a good relationship at the time.

ADV PAUL PRETORIUS SC: Right. It may be pre-empting the evidence to follow, but during the course of that visit which you relate in your statement, did you gain knowledge of the catering needs and concerns of the Department of Correctional Services? In short did you gain knowledge of the business of catering at the Correctional Services institutions?

MR ANGELO AGRIZZI: Most definitely.

20 **ADV PAUL PRETORIUS SC:** Who went on this tour?

MR ANGELO AGRIZZI: Myself, Frans Vorster, there was a gentleman by the name of Hennie Viljoen, Danny Mansell. There was Patrick Gillingham as well.

ADV PAUL PRETORIUS SC: Before you go on, Frans Vorster's experience and skills?

MR ANGELO AGRIZZI: His skills are in linguistics, transportation purchasing.

ADV PAUL PRETORIUS SC: That would be the linguistics of catering food and the

like?

MR ANGELO AGRIZZI: And vehicles and delivery of cement and all that type of thing.

ADV PAUL PRETORIUS SC: And Mr Viljoen?

MR ANGELO AGRIZZI: He is more on the maintenance and the technical side and that is to do specifically with facilities management and catering services.

ADV PAUL PRETORIUS SC: Mr Mansell?

MR ANGELO AGRIZZI: Mr Mansell was a business consultant and I remember he was previously the owner or 50 percent owner of Dyambu.

ADV PAUL PRETORIUS SC: Right, which was involved or which had been involved in
10 catering?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: You visited what establishments?

MR ANGELO AGRIZZI: Well we started off at Johannesburg establishment. The reason I remember Johannesburg was because of ...[indistinct] Davids who, who was very, helped us a lot. Then we went to Port Elizabeth. We went to Durban, Cape Town, Pretoria and ...[indistinct].

ADV PAUL PRETORIUS SC: And approximately how many prisons did you visit?

MR ANGELO AGRIZZI: Well those were in the management area. If I remember correctly it is probably about 26 of the facilities, but once you have seen one you have
20 seen them all really. So I cannot recall an exact number.

ADV PAUL PRETORIUS SC: And on these tours did you communicate with others within the establishments?

MR ANGELO AGRIZZI: So in order to do a proper comprehensive report Chair to be able to understand what is happening there we would spend a lot of time in the facilities. Talk to the offenders, talk to the officials who were running it and then also

talk to the staff, you know, in the facility itself so that we gain as much information as possible.

ADV PAUL PRETORIUS SC: The purpose of the tour was to compile or to produce a report you say?

MR ANGELO AGRIZZI: Yes, the idea behind the whole operation was to be able to produce a blueprint and to say these are the issues, these are the current costs which you would be able to ascertain. These are where the faults are. This is what needs to be done and this is the type of equipment you would require to improve the services and make it more economically viable, yes.

10 **ADV PAUL PRETORIUS SC:** So you also dealt with costings?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: A general question it will become clearer later, but would this information be useful to anyone wishing to tender resultant bid?

MR ANGELO AGRIZZI: Well it will most definitely give you the edge, because you would know exactly what to do.

ADV PAUL PRETORIUS SC: Who paid for the expenses relating to this tour?

MR ANGELO AGRIZZI: As far as I know Bosasa paid for the hotels and the flights that were prebooked by Bosasa probably by Blakes Travel, but I do not have first-hand knowledge on the bookings or the payment of the invoices.

20 **ADV PAUL PRETORIUS SC:** And extra hotel expenses for Bosasa employees?

MR ANGELO AGRIZZI: Well I paid for the Bosasa employees and I did not pay for Gillingham at all.

ADV PAUL PRETORIUS SC: Right. You then would have concluded the tour. What happened then in relation to this report?

MR ANGELO AGRIZZI: Well the report I would have submitted to Gavin Watson and

Danny Mansell. You know I had to file it. I had to do a whole lot of additional work. I wanted to add to it. I wanted a professional report come out of it.

ADV PAUL PRETORIUS SC: And having been on this tour did you develop an idea for further a possible involvement at the Department of Correctional Services of commercial value to Bosasa?

MR ANGELO AGRIZZI: Well Chair catering is catering really. If I can just put – if I can explain it, because I do not want to be found short not explaining it. Catering is catering whether you are catering in a hospital or you are catering in a, in a detention facility. It is exactly the same. The mechanisms used are the same. The processes
10 used are the same. The only difference is you have higher security or not. So what I wanted to do was enhance it by bringing in catering security systems. So things like scanning bags of mielie-meal before they went to the [background noise], sorry before they went to the stores. Things like that to prevent smuggling and that. So I gave a task to one of the people that worked for me. A guy by the name of Johan Helmut, asked him to continue and design a solution that we could implement or show the department.

ADV PAUL PRETORIUS SC: So what did you do in that regard?

MR ANGELO AGRIZZI: Well he designed me, he designed me that and I include, incorporated into my final report and specification layout.

20 **ADV PAUL PRETORIUS SC:** Was the report then submitted as you say to Gavin Watson and then returned to?

MR ANGELO AGRIZZI: The report was finalised and after all the comments and final approval it was given by Gavin he then gave me two email addresses. I recall it vividly. He wrote it down on a...

ADV PAUL PRETORIUS SC: There.

MR ANGELO AGRIZZI: Sorry. It was written on a piece of paper and it was in his handwritten. It looked more like Danny Mansell's handwriting and I was given two email addresses and told that it is where you email it to and the one was Kobus@bfm.co.za, stokkies@bfm.co.za.

ADV PAUL PRETORIUS SC: Was is the other one?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: Yes and tell the Chair please did you learn the final destination of what was sent to these email addresses? In other words who owned the, perhaps not who owned, but who the addressee was in person.

10 **MR ANGELO AGRIZZI:** I cannot recall exactly which – right now. It is in my statement, but I cannot, which is which. It was Mansell and Gillingham. So it was at Bloemfontein.co.za and Bloemfontein.co.za. So it was for Mansell and Gillingham.

ADV PAUL PRETORIUS SC: So you were then instructed by Mr Gavin Watson to send the finalised report to Mansell and to Gillingham?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Alright. At the time what did you believe the role of Bosasa was in relation to what you have just told the Chair?

MR ANGELO AGRIZZI: At first I believed that Bosasa was acting as a consultant for the Department of Correctional Services. I thought it was to assist them in determining
20 exactly what they, what was necessary in their facilities. At that stage I did not actually know that this document would become a specifications documents that would be used as an invitation to bid for a tender document.

ADV PAUL PRETORIUS SC: Right. You were not told this at any stage?

MR ANGELO AGRIZZI: Never.

ADV PAUL PRETORIUS SC: Not even when you were preparing the report?

MR ANGELO AGRIZZI: No, I was told that it is a blueprint that they are looking at.

ADV PAUL PRETORIUS SC: Did this; sorry, I interrupted you. Do you want to complete?

MR ANGELO AGRIZZI: No, no. Bearing in mind that we were doing the youth centres and the Lindela Repatriation Facility we had that knowledge. So to me it was plausible that we are being asked to draw up a blueprint for them. There are many times that we were asked to draw blueprints for child justice and things like that which we did. So I thought this was one of those things.

ADV PAUL PRETORIUS SC: But as I understand your evidence in paragraph 25.17
10 and you have just told the Chair this the information in that report prepared by you became or was transferred into the specification documents used as part of the invitation to bid for the Correctional Services Catering Tender.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Right. When did you learn of that fact?

MR ANGELO AGRIZZI: When the bid came out I was told that, you know, we have to tender for it.

ADV PAUL PRETORIUS SC: So you prepared the report – you were taken on a tour of Correctional Services.

MR ANGELO AGRIZZI: Yes.

20 **ADV PAUL PRETORIUS SC:** Managed by a Correctional Services official.

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Mr Gillingham. You received information both in relation to the physical facilities and costings as well as other logistical information?

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: You compiled a report?

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: That report found its way into the tender documents and in particular into the specifications in those documents?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And then you were instructed to respond to the invitation to tender?

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: An invitation to bid rather?

MR ANGELO AGRIZZI: That is correct Chair.

10 **ADV PAUL PRETORIUS SC:** And I presume you are aware that that is quite improper?

MR ANGELO AGRIZZI: I am well aware of that Chair.

ADV PAUL PRETORIUS SC: When was the bid advertised?

MR ANGELO AGRIZZI: The bid was advertised on the 21 May 2004.

ADV PAUL PRETORIUS SC: Alright did you make any comment in regard to what you have just told the Chair to Mr Watson?

MR ANGELO AGRIZZI: Chair I mentioned it to Mr Gavin Watson. I said to him that there is large portions not everything but there were large portions that were identical to the specification that I had submitted and the Analysis Report that I had submitted to Mr Mansell. Even at one stage the conclusion appeared to have been used in the
20 specifications document which formed part of the invitation to bid on the catering tender.

ADV PAUL PRETORIUS SC: And what was Mr Watson's response to what you told him?

MR ANGELO AGRIZZI: As always Mr Watson had it all under control.

ADV PAUL PRETORIUS SC: Is that what he told you?

MR ANGELO AGRIZZI: That is exactly what he told me. He told me just to do it. He is going to be awarded the contract. I must just do the paperwork.

ADV PAUL PRETORIUS SC: Just be a bit clearer please. What did he tell you about the award of the contract?

MR ANGELO AGRIZZI: He told me that it would be awarded to Bosasa I must just keep quiet, keep my head down and just do the paperwork and fill in the tender that is what he meant.

ADV PAUL PRETORIUS SC: Okay who compiled the response to the invitation to bid?

10 **MR ANGELO AGRIZZI:** I had a team that compiled the response to the invitation to bid.

ADV PAUL PRETORIUS SC: And they did that under your supervision?

MR ANGELO AGRIZZI: That is right. All bids fell under my supervision.

ADV PAUL PRETORIUS SC: And was the contract ultimately awarded to Bosasa?

MR ANGELO AGRIZZI: It was Chair on the 20 July 2014.

ADV PAUL PRETORIUS SC: Is this the same contract that was later investigated in detail by the SIU?

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: Alright we will come back there when we deal with that report. And for what period of time was the contract awarded?

20 **MR ANGELO AGRIZZI:** Initial contract was a three year contract.

ADV PAUL PRETORIUS SC: Alright and do you know what the annual value of the contract was?

MR ANGELO AGRIZZI: Well the annual value reflected was R239 427 694,00 per annum.

ADV PAUL PRETORIUS SC: Alright. Right. The date in paragraph 25.2.1 in the

second line reads 20 July 2014. That is obviously not correct. What is the correct date?

MR ANGELO AGRIZZI: It seems to be the 27 July 2004. I think once more Chair because we had limited time this was a condensed.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: This was actually condensing the original statement from about 240 pages to try and get it into about 90.

CHAIRPERSON: Okay no that is fine. As and when you pick up errors you must just make sure corrections can be made.

10 **MR ANGELO AGRIZZI:** Will do Chair.

ADV PAUL PRETORIUS SC: Do you have any comment to make about the costings in the bid documents prepared under your supervision?

MR ANGELO AGRIZZI: Chair the costings were manipulated if I may add that. So we – we were told to cost on special meals and normal meals. Special meals or high protein diets, diabetic diets, various diets that are required. We were told that that constitutes ten percent of the hundred percent of the meals charged. Now if I can put that into perspective for you. Ninety percent of the meals would be special – normal meals. Normal meals would be charged at say R10,00 a meal per person per day. Special meals are exactly the same type of meal just prepared slightly differently.

20 There is no addition to it. They might very well be cheaper than a normal meal – special meal. We would charge R20,00 per meal, double the price. Although it was exactly the same product. But the interesting thing is when you did your cross-calculations and you worked on the 90/10 principle you would come in with a total figure of say R239 427 000,00. However truth be told the special meals were considerably higher they were running at about thirty percent and normal meals were

running at seventy percent. So in actual fact the R239 million that is reflected there was actually understated and that once you had finished the month and costed out everything you would be on average thirty-five percent higher. So although the bid was submitted for R239 427 000,00 if they do the analysis they will note that in actual fact they probably would have paid closer to the R310 million versus the R239 million for the first year. That is how it was manipulated.

ADV PAUL PRETORIUS SC: So in short Mr Agrizzi you told the department in your bid that the services would cost R239 odd million per annum?

MR ANGELO AGRIZZI: Correct so it would be geared at that price.

10 **ADV PAUL PRETORIUS SC:** But in fact you knew that you would in reality charge them much more when the contract was executed?

MR ANGELO AGRIZZI: Because you would be charging them on actual meals served and therefore your price would come out at much higher.

ADV PAUL PRETORIUS SC: And then what happened on 29 September 2004?

MR ANGELO AGRIZZI: On instruction from Gavin Watson I was told to make a proposal to Gillingham that there were seven satellite correctional centres that we should have included in the catering tender itself. I know that the time that this had been negotiated and discussed with Danny Mansell and with Gillingham Chair and I also know that when the instruction was given to me there was a specific reason for it.

20 Mti had also approved this. The expansion of that contract was fully approved and all I needed to do was provide a price for it.

ADV PAUL PRETORIUS SC: Alright who – just give his full names please, Mti's full names?

MR ANGELO AGRIZZI: It is Richmond Linda Mti.

ADV PAUL PRETORIUS SC: Who was – what position did he occupy at the time?

MR ANGELO AGRIZZI: He was a National Commissioner of Correctional Services at the time.

ADV PAUL PRETORIUS SC: What was the value of this expansion?

MR ANGELO AGRIZZI: That expansion was R14 million extra per month.

ADV PAUL PRETORIUS SC: Was that expansion authorised by the original tender documents? In other words could the expansion properly be awarded in terms of a contract without going through a new tender process?

MR ANGELO AGRIZZI: No this would have had to go through a new tender process and everybody was aware of that. Everybody was just too scared to make that
10 comment – to make that suggestion that it should be fixed up.

ADV PAUL PRETORIUS SC: And did it in fact go out to tender?

MR ANGELO AGRIZZI: Never.

ADV PAUL PRETORIUS SC: So without authorisation in terms of the original tender and without authorisation in terms of a new tender an extension was granted to extend the catering contract to other correctional centres and the value of that to Bosasa was R14 million per month?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And were you rewarded for all the work that you had done here?

20 **MR ANGELO AGRIZZI:** Every single staff member in the company got increases that year.

CHAIRPERSON: Other than normal annual increases?

MR ANGELO AGRIZZI: There were substantial increases.

CHAIRPERSON: Okay.

ADV PAUL PRETORIUS SC: Can you say whether your increase was a reward for the

work you had done in relation to the Correctional Services contract?

MR ANGELO AGRIZZI: Chair I would have to flip back to that specific date. As I said earlier my wife unfortunately takes all my money so I would not know. I would need to have a look.

ADV PAUL PRETORIUS SC: In any event in the ...[intervenes].

MR ANGELO AGRIZZI: Correction sorry Chair. There was substantial increase.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And I also had – they painted out my house for me.

10 **CHAIRPERSON:** Yes. And are you able to say how much the increase was in terms of percentage?

MR ANGELO AGRIZZI: I can. I can most definitely check. Chair it went up from R234 000,00 to R406 000,00.

CHAIRPERSON: Oh it was doubled – more than doubled or about doubled.

MR ANGELO AGRIZZI: You are right she probably took ninety percent of that anyway.

CHAIRPERSON: Okay thank you.

ADV PAUL PRETORIUS SC: So in summary Mr Agrizzi in relation to the catering services contract awarded to Bosasa by the Department of Correctional Service and in or around R2004 you were personally involved in the events preceding the issue of the tender documents?

20 **MR ANGELO AGRIZZI:** Yes.

ADV PAUL PRETORIUS SC: You compiled the tender documents or the response to the bid for tender more particularly.

CHAIRPERSON: The specifications. The specifications, you compiled the specifications?

MR ANGELO AGRIZZI: Yes Chair.

ADV PAUL PRETORIUS SC: Well you compiled the report which became specifications?

MR ANGELO AGRIZZI: Correct that is correct.

CHAIRPERSON: Oh okay.

ADV PAUL PRETORIUS SC: You also were instrumental in the sense that you led the team that compiled the response to the invitation to bid?

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL PRETORIUS SC: And you were there also aware of and involved in the under-costing which resulted later in a higher payment to Bosasa?

10 **MR ANGELO AGRIZZI:** I was – I was aware of the under-costing but the costings were actually completed and finalised by Mr Mansell.

ADV PAUL PRETORIUS SC: Yes but this was all done under your supervision?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And then you knew of the improper or even unlawful extension to the further seven satellite correctional centres?

MR ANGELO AGRIZZI: That is correct Chair.

CHAIRPERSON: You told us what the increase was that you were given after you had made the contribution that you made to ensure Bosasa got that contract and you said that they painted your house as well, is that right?

20 **MR ANGELO AGRIZZI:** That is correct Chair.

CHAIRPERSON: What is the monetary value that you could put on the – on them painting your house?

MR ANGELO AGRIZZI: It was about R30 000,00.

CHAIRPERSON: Okay, alright, thank you.

ADV PAUL PRETORIUS SC: Was that the same painting of the house referred to in

the schedule at the beginning of your statement?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And the amount is there, is it?

MR ANGELO AGRIZZI: I am...

ADV PAUL PRETORIUS SC: Well you need not go there, it is there, it is not going to change.

MR ANGELO AGRIZZI: Okay no it is the same.

ADV PAUL PRETORIUS SC: Was there a meeting held at Supersport Park after the catering tender had been awarded to Bosasa?

10 **MR ANGELO AGRIZZI:** That is correct.

ADV PAUL PRETORIUS SC: More or less when was that meeting held?

MR ANGELO AGRIZZI: If I remember correctly it was in November 2004.

ADV PAUL PRETORIUS SC: And what was the purpose of the meeting or what happened at the meeting?

MR ANGELO AGRIZZI: The meeting was their monthly meeting and we were asked to do a presentation on the progress of the implementation of the catering tender. And also to showcase some of the other services that we could provide. So that was the first time I really met Richmond Linda Mti and the third time I had encountered Gillingham. Although I did not interact with Gillingham or Mti because they were in a
20 formal environment and we were very reserved in how we reacted or how we spoke to them.

ADV PAUL PRETORIUS SC: Right you obviously attended the meeting. Did anyone else from Bosasa attend the meeting?

MR ANGELO AGRIZZI: A number of directors Chair attended the meeting with me. Mansell and Watson however did not.

ADV PAUL PRETORIUS SC: Approximately how many people in total attended the meeting?

MR ANGELO AGRIZZI: In total from correction side and from Bosasa side there were a total of about forty people that attended.

ADV PAUL PRETORIUS SC: Alright and did Mr Mti – Commissioner Mti at the time participate in the proceedings?

MR ANGELO AGRIZZI: No he did most definitely but he did not really interact with us. He was interacting with his people.

ADV PAUL PRETORIUS SC: Right did you receive any feedback the following day in
10 relation to the meeting from Gavin Watson?

MR ANGELO AGRIZZI: Gavin Watson said that he had received very good feedback from Mr Mti and it was very positive. I was then also told that there was something else in the pipeline namely an access control contract.

ADV PAUL PRETORIUS SC: Right in the pipeline?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: For Bosasa I presume?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And in relation to that did you receive an instruction?

MR ANGELO AGRIZZI: I was given an instruction by Watson and Mansell to once
20 more draft a specification document for an access control system that would be advertised.

ADV PAUL PRETORIUS SC: So once again you learn of a contract that is be awarded in the future?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: By the Department of Correctional Services?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: This is shortly after the presentation meeting that you refer to?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Before I presume any tender documents are issued or any publication of the intention to issue a tender is advertised you are instructed to draft a specification document?

MR ANGELO AGRIZZI: That is correct.

10 **ADV PAUL PRETORIUS SC:** So am I correct perhaps I have been leading a little excessively – it is late in the day my apologies Chair but is it correct that when you were instructed to draft the specification document there had been no public announcement of the intention to award a tender for access control at Correctional Services Institution?

MR ANGELO AGRIZZI: Chair that is correct.

ADV PAUL PRETORIUS SC: Were you given any further instruction in relation to the manner in which you should produce this draft or what the draft specifications document should include?

20 **MR ANGELO AGRIZZI:** Chair I was told that I needed to draft it in such a manner that no it was a foregone conclusion that Bosasa would or at that time it was Sondolo that would be awarded the contract. I was told to make sure that you put in restrictive clauses. One of them was ISO standards, things like that.

ADV PAUL PRETORIUS SC: Alright you refer to ISO standards we do not necessarily know about those things. Just explain perhaps...[intervenes].

CHAIRPERSON: Just before you proceed Mr Pretorius. Now drafting it in such a way that the award of the tender or contract to Bosasa would be guaranteed. How would

this be achieved in terms of drafting? Would it be that you would put in fissures that only Bosasa is likely to have in terms of what it can do with the tender?

MR ANGELO AGRIZZI: That is correct Chair.

CHAIRPERSON: That it is unlikely that other companies would have, is that right?

MR ANGELO AGRIZZI: That is correct. Would you like me to give you examples?

CHAIRPERSON: Ja give examples one or two?

MR ANGELO AGRIZZI: So one of them would be that they had to have worked in a secure care environment.

CHAIRPERSON: They have – they had to have what?

10 **MR ANGELO AGRIZZI**: The applicant would have to have worked in a secure care environment. In other words a prison.

CHAIRPERSON: Ja in other words?

MR ANGELO AGRIZZI: Or a detention facility.

CHAIRPERSON: Oh.

MR ANGELO AGRIZZI: So that you had the skill and training to work with offenders or amongst offenders.

CHAIRPERSON: Oh.

MR ANGELO AGRIZZI: Another point would have national key points that you must be a national key points accredited service provider. There is not many people that have
20 that. So those are the restrictive clauses that were put in.

ADV PAUL PRETORIUS SC: At whose for instance.

CHAIRPERSON: Okay thank you.

MR ANGELO AGRIZZI: At the instance of Mr Watson and Mr Mansell.

ADV PAUL PRETORIUS SC: And of course you have already told the Chair that Bosasa had through one its company's involvement in the Lindela Repatriation Centre

which was a care environment?

MR ANGELO AGRIZZI: Correct Chair.

ADV PAUL PRETORIUS SC: Did you receive any further information from the Department of Correctional Services in the process of drafting the specifications?

MR ANGELO AGRIZZI: Well Department of Correction has supplied Mansell with an overview of their needs and more or less what they needed to be achieved and I then used Johannesburg Correctional Facility to model it and to provide the blueprint around it.

ADV PAUL PRETORIUS SC: Right did you do as you were told?

10 **MR ANGELO AGRIZZI:** Always.

ADV PAUL PRETORIUS SC: Did you produce the specifications ...(indistinct).

MR ANGELO AGRIZZI: Yes I did.

ADV PAUL PRETORIUS SC: And to whom did you give it?

MR ANGELO AGRIZZI: It was mailed.

ADV PAUL PRETORIUS SC: No before it was mailed?

MR ANGELO AGRIZZI: I gave it to Gavin Watson.

ADV PAUL PRETORIUS SC: Did you show it to anyone?

MR ANGELO AGRIZZI: Who would have a look at it?

ADV PAUL PRETORIUS SC: And did he approve it?

20 **MR ANGELO AGRIZZI:** He was not very interested but he said it was fine I must just send it to Danny and to Patrick.

ADV PAUL PRETORIUS SC: Alright so this document was sent to the same two email addresses as you referred to in paragraph 25.16?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And you told the Chair that these were the email

addresses of Gillingham and Mansell respectively although you could not remember which was which?

MR ANGELO AGRIZZI: I cannot.

CHAIRPERSON: Please remind me maybe I have forgotten now who was Danny? You said he asked you to send to Danny and to Mr Gillingham?

MR ANGELO AGRIZZI: I do not know which one was Stokkies and which one was Kobus so it was Danny Mansell and Patrick Gillingham.

CHAIRPERSON: Okay thank you.

ADV PAUL PRETORIUS SC: We will find that out later in the evidence.

10 **CHAIRPERSON:** Ja thank you.

ADV PAUL PRETORIUS SC: After ...[intervenes].

CHAIRPERSON: No I think what created the problem for me is that to the – all along in respect of Mr Mansell you said – you used the surname.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: But then now you said Danny and I did not know who is Danny.

MR ANGELO AGRIZZI: Sorry Chair.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: I am not used to these cross-questioning and ...

20 **CHAIRPERSON:** Ja, okay, alright. Well we have five minutes to go and then it will be fine for the day.

MR ANGELO AGRIZZI: No problem.

CHAIRPERSON: Thank you.

ADV PAUL PRETORIUS SC: Subsequent to your preparation of the specifications document was an invitation to bid advertised by the Department of Correctional Services?

MR ANGELO AGRIZZI: Could you repeat that question, subsequent?

ADV PAUL PRETORIUS SC: You prepare the specifications document?

MR ANGELO AGRIZZI: Yes.

ADV PAUL PRETORIUS SC: You send it to Mr Mansell and Mr Patrick Gillingham?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Mr Gillingham is employed at that stage by the Department of Correctional Services?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Then as I understand your evidence the Department of
10 Correctional Services actually issue an invitation to bid in relation to those very specifications which you have drafted?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Do you recall when the invitation to bid was advertised?

MR ANGELO AGRIZZI: If I remember correctly I think it was the 4 February 2005.

ADV PAUL PRETORIUS SC: Right did you then receive an instruction from Gavin Watson in relation to that invitation to bid?

MR ANGELO AGRIZZI: Well I was asked to bid under Bosasa Security PTY LTD.

ADV PAUL PRETORIUS SC: Did you carry out that instruction?

MR ANGELO AGRIZZI: I started to prepare for it yes.

20 **ADV PAUL PRETORIUS SC:** And before the document was submitted did..

MR ANGELO AGRIZZI: No – sorry Chair there – before the document was submitted and that is maybe why sometimes it gets confusing. Before the document was submitted, the actual bid document the last minute Gavin Watson said change it to a new company called Sondolo IT.

ADV PAUL PRETORIUS SC: Alright so the initial instruction was to respond to the

invitation to bid under the name of Bosasa Security PTY LTD?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: Gavin Watson then intervened before the tender documents were submitted and said we must establish a new company?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: And the new company established at that stage was Sondolo IT PTY LTD?

MR ANGELO AGRIZZI: That is correct.

10 **ADV PAUL PRETORIUS SC**: This required amendments presumably to the bid documents, correct?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: And were these effected, it should read effected with an e not an a but they were effected and the application was submitted?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Alright. What happened in regard to the award of the contract?

MR ANGELO AGRIZZI: It was about the April 2005 we were actually awarded that contract.

ADV PAUL PRETORIUS SC: Sondolo IT PTY LTD?

20 **MR ANGELO AGRIZZI**: That is correct, that is correct.

ADV PAUL PRETORIUS SC: And for what period was the contract awarded?

MR ANGELO AGRIZZI: The contract's initial period was a two year contract. It was then later expanded.

ADV PAUL PRETORIUS SC: In what respect was it expanded?

MR ANGELO AGRIZZI: Well it was all well and fine that they had this beautiful system but they did not have anybody to manage it so that it was extended in terms of a control room contact and where we basically were paid to manage control rooms for the department.

ADV PAUL PRETORIUS SC: At how many sites?

MR ANGELO AGRIZZI: At – if I recall correctly it is 66 sites.

ADV PAUL PRETORIUS SC: Right and what was the value of that expansion?

MR ANGELO AGRIZZI: Just that value was about R240 million around there.

ADV PAUL PRETORIUS SC: Alright is that the figure referred to in paragraph 26.9?

10 **MR ANGELO AGRIZZI:** My correction R236 997 385, 31.

CHAIRPERSON: This amount is quite a big amount but maybe not by Bosasa standards. Was it as far as you are concerned the true value of the contract or was there any act of inflation? Now I am talking about this one but maybe you can enlighten me on others as well because some of these contracts that Bosasa seems to have been awarded at Correctional Services and the one in the Department of Justice in 2013 the amounts seemed quite large but it maybe that they were – they reflected the true value but I just want to find out from you?

MR ANGELO AGRIZZI: Chair they had captured the department. So the – it was inevitable that the R236 million which was budgeted was going to be exceeded. They –
20 who was going to – you see Chair if I may explain? You had this beautiful system, state of the art but who was actually going to run it? We knew at that stage that unless they took the proper measures and employed the right staff that the system would fall flat. So you had them in your clutches because now you would have to employ people and train them up to actually run the system and keep them there for the rest of time.

CHAIRPERSON: But – but does that talk to the question of whether there was inflation?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: At the beginning?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Okay, okay.

MR ANGELO AGRIZZI: Because you now had to pay and I think the amount that they paid every month was an additional R7.8 million rand per month. Because now you had to staff it. So it was never budgeted for.

10 **CHAIRPERSON:** That is in regard to this one. Now in regard to the others that were – other contracts that you awarded to Bosasa by Correctional Services.

MR ANGELO AGRIZZI: Yes Chair.

CHAIRPERSON: And the one by the Department of Justice and Constitutional Development in 2013 are you able to say that in regard to those two there was inflation of prices or not really?

MR ANGELO AGRIZZI: There was most definitely.

CHAIRPERSON: There was?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Thank you.

20 **ADV PAUL PRETORIUS SC:** In relation to the expansion to include the staffing of the control rooms at 66 sites you will recall right in the beginning of your evidence we told the Chair that there was some expansions that were authorised by the original tender documents and some were not and therefore would have to go out to new tender?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: What was the case here? Was this expansion

authorised?

MR ANGELO AGRIZZI: It was an emergency so it would have been authorised automatically. So it was an emergency for – because they needed to run the control rooms. So it was authorised in terms of the departments' processes but it never went out on tender.

ADV PAUL PRETORIUS SC: Right.

MR ANGELO AGRIZZI: For the staffing.

ADV PAUL PRETORIUS SC: So you would have responded to an invitation to bid at a certain price which was apparently budgeted for?

10 **MR ANGELO AGRIZZI:** Correct.

ADV PAUL PRETORIUS SC: By the Department of Correctional Services?

MR ANGELO AGRIZZI: Correct.

ADV PAUL PRETORIUS SC: But then later as you knew would happen the requirement for further expenditure on the part of the department entered the scene and you benefitted then from the extension of the staffing or the extension of the contract in relation to staffing?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: Right and the value of that was over R236 million per annum?

20 **MR ANGELO AGRIZZI:** Potentially – I need to.

ADV PAUL PRETORIUS SC: Or overall for the two years?

MR ANGELO AGRIZZI: No that is over two years.

ADV PAUL PRETORIUS SC: Right. After the award of that contract were you called into a meeting?

MR ANGELO AGRIZZI: Yes I was.

ADV PAUL PRETORIUS SC: What happened at that meeting?

MR ANGELO AGRIZZI: At the meeting I was told by Ishmael Dekhane who was at that stage Mncwaba Gumede and Leshabane that I was doing a phenomenal job and I was told to trade in my old Audi A6 for a new Audi A6 and the company would basically cover the shortfall which they did with everybody but specifically – specific here it was mine. They would cover the shortfall it was about R174 000,00 and Dr Smith handled the whole transaction.

ADV PAUL PRETORIUS SC: You mentioned the name Ishmael Dekhane and the name Mncwaba, the latter name was that his name at the time – surname at the time?

10 **MR ANGELO AGRIZZI:** Correct. That is correct.

ADV PAUL PRETORIUS SC: That is M-n-c-w-a-b-a, is that correct?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL PRETORIUS SC: In short are you telling the Chair that you were awarded for all the good you had done for Bosasa in relation to the evidence you have just given?

MR ANGELO AGRIZZI: Most definitely.

CHAIRPERSON: This might not – or let me ask. Are you sure that with regard to Mncwaba the last letter is a and not e?

MR ANGELO AGRIZZI: Chair I would have to check.

20 **CHAIRPERSON:** You would have to check, okay.

MR ANGELO AGRIZZI: Sorry.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: We had

CHAIRPERSON: It might be a but I know – I know Mncwabe with an e so.

MR ANGELO AGRIZZI: I am not too sure.

CHAIRPERSON: Okay no that is fine I just wanted to make sure that we get that right if it is e.

MR ANGELO AGRIZZI: Thank you.

ADV PAUL PRETORIUS SC: Is that a convenient time Chair?

CHAIRPERSON: Yes. We will take – we will adjourn for today. Mr Pretorius and Mr Agrizzi.

ADV PAUL PRETORIUS SC: We have an hour to make up.

CHAIRPERSON: Ja we have an hour to make up but I think I had indicated that we would start early tomorrow – earlier than normal tomorrow maybe at nine in order to do
10 that but I would like to change that and suggest that we add the hour from four to five if possible tomorrow. Would that be okay with you Mr Agrizzi?

MR ANGELO AGRIZZI: As it pleases the Chair.

CHAIRPERSON: Thank you. And Mr Pretorius would that be alright?

ADV PAUL PRETORIUS SC: Yes that is absolutely fine.

CHAIRPERSON: Okay so tomorrow morning we start at ten. I just need to attend to something relating to the commission. So if we start at nine I will not have that time.

MR ANGELO AGRIZZI: Yes and you had a statement that you were going to make tomorrow.

CHAIRPERSON: Ja but I have got something else also that will need my attention.
20 Okay thank you we adjourn now and we will resume tomorrow at ten o'clock. We adjourn.

MEETING ADJOURNS TO 22 NOVEMBER 2019