SWORN STATEMENT

I, the undersigned, Paul Robert O'Sullivan, ID number 5508265700085, state under oath in English as follows: -

1

This statement is supplemental to the various statements I have made over the years, in the matter of The State v Joshua Jacobus Vlok **'Vlok'**. After consulting with the prosecutor, I have realised that, whilst there are many sworn statements in existence from both me and many witnesses, there is no overarching statement, that gives a chronology of matters, from beginning to end.

This is that statement.

I thought that the affidavit I gave to the Zondo Commission might be useful, but now realise that statement, whilst it mentions Vlok quite a bit, was more geared to the criminal conduct of other senior police officials. Additionally, I realised that my Zondo Affidavit was restricted to a certain number of pages, which resulted in crucial events concerning Vlok, being left out. As such, this statement will repeat various facts, found in multiple other statements, but it will do so in a chronological fashion, bringing the whole story of Vlok and his involvement with crimes against, not only me, but against the State. I will start by going through a lengthy, but factual, background to the events of the last ten years, which will place the reader in a position to grasp the depth of the crimes that have been committed against me, in order to silence me.

BACKGROUND

MY FIRST KNOWLEDGE OF THE EXISTENCE OF VLOK

2

I should start by stating that Vlok was not a lone wolf, that had gone rogue. He was clearly part of a much larger conspiracy. However, Vlok was prepared to do certain acts, that some of his accomplices steered clear of. This then leaves Vlok on trial for serious offences, on his own and with no real back-up, other than the fact that, whilst on suspension and facing dismissal from the police, generals at head office, broke the law in approving his 'boarding' from the police on full pension, when he should have been dismissed and had his pension forfeited to the State. The very first time I heard the name of Vlok, was in **November 2014**. By that stage I had been working,

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pro-bono on a case involving a notorious mafioso type criminal, form the Czech Republic by the name of Radovan Krejcir **'Krejcir'**. It is necessary for me to sketch a little detail about this criminal Krejcir, as it was his corrupt relations with senior police officials that brought Vlok into focus and onto the scene. How Vlok became involved with the Krejcir matter, is easy to understand, when one understands where Vlok was working at the time. He was working in the office of Lt General Moonoo, **'Moonoo'** then Divisional Head of Detectives Services. I'll come back to that later, after I have explained how and where Krejcir fits in. Moonoo had established a substantial detective unit under his own command, known as the National Intervention Unit or **'NINU'**. Vlok was a low-ranked member of that unit.

WHERE DOES KREJCIR FIT IN?

3

Krejcir was a major mafia figure in the Czech Republic, but the law had closed in on him and he escaped from police custody and fled the country. After spending a couple of years in the Seychelles, he was again forced to move, as the law in the Seychelles had started to close in on him, and he ran the risk of being deported to the Czech Republic and a lifetime in prison. Krejcir then 'purchased' a fraudulent passport of the Seychelles, from corrupt officials in a false name and, together with his wife and son, arrived in South Africa in 2007. He was promptly arrested at Johannesburg International Airport (now OR Tambo) and placed in custody, pending extradition to the Czech Republic. He was detained at the holding cells at Kempton Park, between the court and the police station.

4

Krejcir's cellmate was a Greek Cypriot criminal, by the name of Georgio Louca, who had years prior, fraudulently obtained a false South African ID in the name of George Smith, which purported that Smith/Louca was a born and bred South Africa. The give-away was that Smith spoke only broken English with a strong Greek accent. He passed muster by saying he spent years after his birth in Greece. Going further, I shall refer to this Louca/Smith as simply **'Smith'**.

5

Smith was a career criminal, having been in and out of South African courts for petty crimes like theft and possession of stolen property. He made his living out of acting as a middleman or 'fence'

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in buying and selling stolen property. Smith was a wily criminal and somehow always managed to avoid the long arm of the law, who never ventured into the task of validating his citizenship or discovering his real identity. Whilst detained with Krejcir, Smith assisted Krejcir in a corrupt process to bribe the magistrate which resulted in Krejcir being released on bail and then claiming political asylum. Meanwhile Smith had also been released on bail, pending trial for possession of stolen property.

6

With both Krejcir and Smith released on bail, the crime scene in South Africa was about to get interesting. Smith & Krejcir formed a close alliance and within a short space of time, Smith was acting as a middleman for Krejcir in large scale money laundering, through another individual, namely well-known strip club owner Lolly Jackson **'Jackson'**. Coincidently, Jackson was a South African of Greek Cypriot parents and knew Smith well, from Greek Cypriot cultural activities. Jackson ran a number of strip clubs and made millions out of his activities, whilst avoiding paying his taxes. Jackson made it known to Smith that he was looking for ways of moving money out of South Africa, to the Bank of Cyprus, in Nicosia. This slotted right in with Krejcir's plans to bring the proceeds of crime into South Africa, to seed-fund his new criminal enterprise in the South Africa.

7

Being a Greek Cypriot and knowing that the needs of Jackson were complimented by the needs of Krejcir, Smith brought the two of them together, along with an employee of the Laiki Bank of Cyprus, residing in South Africa, by the name of Alekos Panayi **'Panayi'**. Between them, they came to the following money-laundering arrangements, all of which has been fully documented through sworn statements by both Smith and Panayi: -

7.1

Jackson would indicate the amount of money (Rand) he wished to transfer to Cyprus and convey this figure, via Smith to Krejcir, along with a suggested exchange rate, to Euro, in Cyprus. Jackson did not ONLY do the money laundering with Krejcir, but he also did deals with other private persons that needed money in South Africa from their secret (undeclared to SARS) overseas accounts. In all of these money-laundering dealings, Panayi was the middleman, and monies were

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moved to the bank account in Cyprus, for the benefit of Jackson. The relationship with Krejcir only developed in the latter part of 2007, when he needed cash in South Africa.

7.2

Krejcir would agree to the exchange rate, then a bag containing the Rand value would be deposited with Panayi, who would hold same as agent for Krejcir and Jackson, to be handed over to Krejcir, once Krejcir has supplied evidence of the transfer of funds to Jackson's account in Cyprus, to Panayi. The scheme worked well. Krejcir was even able to acquire expensive cars and properties.

8

In the above manner, millions of Rand were illegally moved out of and into the Republic, completely bypassing the exchange control regulations. The wheels came off the money-laundering scheme, when Krejcir decided he no longer had a use for the transfer of Rand into South Africa, as he was already generating enough cash through his various criminal activities. He then decided to defraud Jackson out of R1m, by creating a fake 'proof of payment' whereafter he received a bag with R1m in cash from Panayi. However, Jackson did not receive the Euro amount in his bank in Cyprus. This led to a major dispute, which culminated in Panayi going into hiding, Smith being seriously assaulted and Krejcir shooting Jackson dead, after Jackson warned Krejcir "*You don't know who you're messing with.*"

9

Krejcir shot Jackson dead on 2010-05-03, at Smith's rented house in Kempton Park and, together with a corrupt General in Crime Intelligence, who was already on Krejcir's payroll, framed Smith for the murder of Jackson, resulting in Smith fleeing the country, back to Cyprus. Well known Cape Town underworld gangster, Cyril Beeka **'Beeka'** was present when Krejcir murdered Jackson. Beeka was murdered by Krejcir associates less than a year later.

10

At the time of Jackson's murder, I had been investigating him, for human trafficking, as part of *pro-bono* investigations I was carrying out into the human trafficking industry in Southern Africa and Europe, also part of ongoing investigations I had been carrying out since the late 1990's, for which I had received commendations from the Australian, and Canadian governments. My investigations into Jackson, had already led me to Panayi, in October 2009 and I had managed to

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meet with him in secret and obtain a very detailed sworn statement from him, implicating Krejcir, Smith and Jackson in very serious offences.

11

At this time, I pause to mention that a few weeks before Jackson was murdered, a German National, Mr Uwe Gemballa, **'Gemballa'** had been tricked into coming into South Africa, by both Jackson and another person, known to be an associate of Krejcir. After his arrival in South Africa, he was collected from the airport by known associates of Krejcir and subsequently kidnapped and taken to a house in Edenvale and tied up. The house in Edenvale was being rented at the time by another known associate of Krejcir, a Bulgarian by the name of Ivan Savov, who was assisting Krejcir in various bank fraud schemes and was subsequently arrested and imprisoned for same. He subsequently served his sentence and was deported.

12

Not long after the murder of Uwe Gemballa, I was approached by a scared whistle blower, by the name of Dr Marian Tupy, **'Tupy'** who approached me to inform me that Krejcir had murdered Gemballa. Tupy also admitted his own involvement, together with Krejcir, in defrauding Liberty Life Insurance Company out of c. R5 million. Tupy therefore became a Section 204 witness against Krejcir, and Krejcir was arrested. I also worked closely with the police, in detecting and bringing to justice the Krejcir associates that physically murdered Gemballa and buried him in a graveyard near Pretoria. Krejcir soon realised that I was the one motivating and assisting the police and he soon started a process to have me murdered. To date, he tried at least six times to have me killed, all of which have been documented. Krejcir has been charged with others, with conspiring to murder me. The 'others' includes at least one police official from crime intelligence.

13

One of the attempts to murder me was on 2014-01-09. On this occasion, I already knew about the attempt, as I had been able to penetrate the Krejcir syndicate and had first-hand information about the plan to murder me. As a result, I along with Crime Intelligence officials and other officers from General Sithole's officer, were waiting for the conspirators and they were arrested. This is where Lt General Moonoo **'Moonoo'** came onto the scene. The picture that started developing, was quite ominous. Little did I know it at the time, but there would be multiple

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attempts by Krejcir, to murder me. Although I will come back to it in detail later, one of these attempts, in May 2015, was traced directly back to a man that Krejcir shared a prison cell with.

WHERE DOES MOONOO FIT IN?

14

Moonoo was no stranger to me. I had reported Moonoo to Lt General Anwa Dramat, as far back as 2012, for being involved on a social level with known criminals and tobacco barons. I had also opened a criminal docket in February 2014, at Linden Police Station, alleging what I perceived to be the corrupt practices of a motor vehicle tracking company, **'Tracker'**. I had established that Tracker were unlawfully utilising police services and manpower for the recovery of stolen vehicles and charging private clients for same. Over a period of ten or more years, Tracker had grown the business from a business with start-up capital of R50 million, to a business worth more than R1 billion. Tracker's success came at the expense of the taxpayer who were funding their exponential growth, by paying the police to do their vehicle recovery for them, at no charge.

15

On 2014-01-09, when Krejcir's accomplices were arrested whilst trying to murder me, an under-cover agent **'the Agent'** was arrested with them. For his own safety, I ceased all communications with the Agent, and he was given a change of identity and moved out of South Africa, by police officials working closely under then Deputy National Commissioner, Lt General Sithole. I subsequently established that Moonoo, had attempted to compromise the identity of the Agent and have him brought back from overseas, so he could be murdered by Krejcir associates. I'll come back to that later. I ceased communicating with him, because I knew, or had a reasonable suspicion that Moonoo and/or his accomplices had been intercepting my phone calls, as well as using triangular plotting to establish my precise location. In fact, a crime intelligence police official was arrested and charged with conspiring to murder me, as she was found to have sent by e-mail my plotted locations, using special software that crime intelligence had access to.

16

I subsequently obtained evidence of substantial payments by Krejcir to an associate of Moonoo, for onward payment to Moonoo, for the unlawful botching of the Krejcir matters, so that Krejcir could be freed from prison. I raised this hearsay evidence with then Commissioner of Police,

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General Phiyega, as well as other real evidence I had concerning the corrupt activities of Moonoo and the corrupt arrangements between Moonoo and Krejcir. Phiyega, in her stupidity, shared my mails with Moonoo, who was already busy with a strategy to silence me, on behalf of Krejcir, as well as to prevent me from exposing his own corrupt activities with Krejcir and others. This conduct of Phiyega placed me squarely into the sights of Moonoo, who would then pursue me with a vengeance, and utilise Vlok as part of his unlawful plan.

BACK TO VLOK & WHERE HE LINKS TO MOONOO

17

It will be recalled that I earlier mentioned the first time I had knowledge of Vlok, was when he acted as the *ex-officio* Commissioner of Oaths, regarding the FIVE separate Section 204 Sworn Statements prepared by Smith's attorney and commissioned by Vlok on 2014-11-05. I should mention at this stage, that Smith had no money for an attorney, so I paid the attorney to assist him in making the statements. Put together, the series of sworn statements were very damning of Krejcir and would ultimately result in him spending the rest of his life in prison. Unfortunately, Smith died, apparently of cancer, within a few months of making the damning sworn statements. Smith's family claim he was poisoned. No proper investigation was ever carried out. As Beeka had already been murdered in March 2011, and Jackson had been murdered in February 2010, it meant there was now no-one left to testify against Krejcir. This meant no-one would ever face justice for murdering Lolly Jackson, or Cyril Beeka. The murderers of Uwe Gemballa had been convicted and given hefty prison sentences, but the mysterious middleman that hired them, on behalf of Krejcir, had vanished into thin air.

18

Now, some years later, I realise the significance of Vlok's involvement in November 2014, but only AFTER recently reviewing and absorbing the sworn statements of the Agent, that was whisked away when he was arrested along with Krejcir accomplices. I also considered that statement, along with the statement of Gysbert Coetzee, **'Coetzee'** dated 2016-10-23, which stated: -

> *In or during late 2014, I was working with what was then known as the National Intervention Unit. This is a group of detectives, that operated under the direct control and management of*

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then Divisional Commissioner for Detectives, Lt General Moonoo. It was, whilst working under Moonoo, that I first came across warrant officer Kobus Vlok 'Vlok'. I could see that his conduct, in late 2014, appeared to be directed towards finding any information he could find, that would incriminate Paul O'Sullivan in any crimes at all. It was not as if there was a specific complaint, it was more like he was on a fishing expedition. I say this because he asked me several times, if I could help him find any dirt on Paul O'Sullivan. I made it clear that I had previously worked with Paul O'Sullivan's office, and he was professional at all time.

19

The statement of the Agent I have referred to above, dated 2016-06-26, is of high importance. The extract therefrom, which starts with the day of the attempt at my murder on 2014-01-09 states: -

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On the day of the operation, I was to be arrested, so the others would not suspect I was under-cover. Whilst we were arrested and sitting in Ximba's car, Moonoo came to me and took a picture of me with his cellular phone. Later on, when I met Miya at the holding cells, he told me '*If the police come and book us out of the prison, we must not say anything about the boss (referring to Krejcir)*'. He then asked me if I saw the Indian guy at the crime scene, and he named him 'Moonoo'. I said I did and that Moonoo had taken my picture with his phone. He then told me Moonoo is going to help us out, because he is 'Krejcir's connection' and we had nothing to worry about. Miya also told me that Moonoo had contacts in Mozambique, as Moonoo had people there involved in the rhino horn trafficking.

11

The next time I had cause for concern about Moonoo, was when I was at the office of General Sithole with Captain Greg Savari, from Interpol. Savari called Moonoo and told him he was with me, arranging money for accommodation, which Moonoo was supposed to approve, but he had refused to approve it. Moonoo then instructed Savari to hand the phone to me and I spoke directly with Moonoo. Moonoo said to me that he knew my situation, that I was back in the country (I had previously been in the UK) and he went on to tell me that I was '*in the wrong hands*'. He then told me that he had instructed Gininda to bring me to Mpumalanga to meet with Moonoo, as Moonoo was at that time in Mpumalanga. Moonoo then went on to tell me that I should NOT trust Gininda. I asked Moonoo why I should not trust Gininda, and he said, he could not tell me on the phone, but Gininda's phone is bugged and he is being followed wherever he goes. He then said '*When you're finished talking to me, you must put the phone down and not go with Gininda anymore, but you must go with Captain Savari and I will arrange with him where we will keep you and I will come and see you*'. He then made it clear that I was NOT under any circumstances to tell Gininda what he had said to me. By this stage I was very

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concerned, and I disagreed with his instructions, as I felt it would be the end for me, especially now that I recalled Miya telling me at the prison, that Moonoo was the Krejcir connection. Since it was now clear to Moonoo, that I was a state witness, my life would be at risk.

12

After this, I was very scared and went back to the UK. Whilst I was in the UK, I found that some of the upkeep conditions had been unilaterally reduced by Moonoo, to my detriment. He reduced the figure that was approved by General Phiyega and General Sithole. I decided to call him and tackle him about this. When I called him, he told me that he would fly to the UK, to discuss my future and that I should not let Gininda know that he would be coming to see me. He asked me if I had been speaking to Paul O'Sullivan. I told him I did not. He then accused me of lying to him and told me that I had indeed been speaking to O'Sullivan, which was clearly not true. This would have been around February 2015, and Moonoo alleged that O'Sullivan was in the UK to speak to me. I obtained the distinct impression from the way Moonoo spoke to me, and kept mentioning that I should consider my future, that he was suggesting in a round-about way, that I should not testify in the upcoming trials of Krejcir. He said he was not interested in the case of conspiracy to commit murder, as he (Moonoo) was more interested in other cases. I felt I was being intimidated into not giving evidence, but then thought it would be best if I simply made a report to Gininda about this. I then recall being interviewed by Gininda and General Taioe in the UK and I made a sworn statement. I do not know what happened to that statement.

13

Moonoo would call me many times and kept harping on about O'Sullivan. I sent him a detailed SMS and told him that I did not believe that he had the interests of the country at heart anymore. Things became strained between us as a result of his conduct and his continual insinuation that I should not give evidence. I then got a visit-request from the witness protection guy in the UK, stating that General Moonoo wanted to come and visit me. I rejected the request and advised Gininda about it.

20

In the last few weeks including March and April 2024, I have been preparing for giving evidence in the trial of Vlok. This has necessitated me reviewing many statements as well as the events of the last ten years. This is when it dawned on me that Vlok was, at all material times, Moonoo's man and carried out the instructions of Moonoo, from as far back as November 2014, when he carefully inserted himself into the investigation team on Radovan Krejcir, at Moonoo's instance, by telling the team leader, Captain, (now Brigadier) Gininda, that he was there to 'assist'. The reality is that he was there to 'spy' on the Krejcir investigation team and supply this information

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to Moonoo, so that Moonoo, who had received millions in cash via a close friend of his, from Krejcir, could help Krejcir get out, and stay out, of prison. Krejcir even phoned Moonoo, from prison and threatened to kill Moonoo, if he did not get him out of prison, or repay the R5 million.

21

What seemed convenient for Moonoo at the time, was that Krejcir's arch enemy so to speak, was me, and I was also a thorn in the side of Moonoo, as I had opened corruption dockets against him and repeatedly written to both Anwar Dramat and Riah Phiyega to expose Moonoo's corrupt conduct. I now realise that Moonoo wanted me 'out of the way' and it would be convenient for him, if Krejcir would have me murdered, as it would amount to the tying of two loose ends at once, or the proverbial '*killing of two birds, with one stone*'. With it in the reader's mind that by late 2014, Vlok had infiltrated the Krejcir investigation team and had started asking colleagues, (Coetzee is one that is evidenced) if they could help find anything that would incriminate me in any form of criminal conduct, I will now move forward with a chronology of Vlok's patently unlawful conduct over the years.

THE UNLAWFUL CONDUCT OF VLOK THAT DIRECTLY AFFECTED ME

DUDU MYENI – UNLAWFULLY FUNDED BY SAA

22

In November 2014, I wrote to the unlawfully appointed Chairman of South African Airways, **'SAA'** Ms Dudu Myeni, **'Myeni'** to advise her that her unlawful corrupt conduct had been brought to my attention and that she would be better off resigning and, if she did not resign, I would ramp up the public attention she received. In February 2015, I again wrote to her, after a journalist from the Sunday Times, and the CEO of SAA, supplied me with what appeared to be a bank statement, indicating that Myeni had a substantial amount of Euros stashed away in a foreign account. As it turned out the documents sent to me, turned out to be very good forgeries and within hours of sending same to the Commissioner of Police, Phiyega, as well as other state officials, I sent out a new e-mail, revoking my prior mail, and announcing I would carry out an investigation to determine the origination of the forged documents.

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23

On or about 07 March 2015, I opened a criminal docket against the person I had identified as the 'author' of the forged documents, a certain Mr Mbangwa as well as against Dudu Myeni, for various offences, pertaining to her own unlawful conduct, which was somehow connected to the manufacture of the fake bank accounts. Shortly after I opened the case against Myeni, she met with Moonoo and a plan was hatched to open a case against me, falsely alleging that I had attempted to extort her and that I had 'forged' the fake bank accounts, as part of that extortion attempt. Moonoo, in order to ensure he could not be connected to the fake docket against me, appointed his good friend in Durban, Colonel Amod Hoosen, **'Hoosen'** (a corrupt police official who often went gambling with Moonoo at the Casino near Umhlanga), as the investigating officer, and allocated Vlok to assist Hoosen.

24

Myeni unlawfully used SAA funds to hire various entities to assist the corrupt police officials assemble a trumped-up case against me. Vlok had a few ideas of his own to work on, as part of setting me up. His first move was to plan a raid on my offices. Before doing this, he went to Bramley police station and uplifted the criminal docket I had opened against Myeni. Vlok was now in possession of the docket I had opened against Myeni, as well as the fake docket she had opened against me. This effectively neutralised any chance of Myeni being investigated. Unperturbed, in January 2016, I opened a docket against Myeni and the whole board of SAA, for corruption. I shared that docket with OUTA, who brought an application to have Myeni declared a delinquent director and I also shared it with the Zondo Commission, and it ultimately led to her being charged, in 2023, with corruption.

25

On **2015-04-14**, Vlok went and fraudulently applied for and obtained a search warrant for my offices, at Randburg Magistrates Court. The next day, **2015-04-15**, Vlok arrived at my offices, with an entourage of about 30 police officials, including some from Moonoo's offices. General Solomon Makgale, the then National Police Spokesman had arranged a camera crew from SABC to go along on the raid. I had to throw them out of my offices, when I realised that they were not police officials. The televised raid was soon over and Vlok left with my two laptops in his possession.

26

When I read the search warrant and the application for search warrant, I immediately had my attorney launch an urgent application in the Johannesburg High Court. The court granted an order that the police copy my computers onto a hard drive, in the presence of my attorney and return the computers to me. The hard drive was to be sealed and handed to the registrar of the High Court, pending the outcome of an urgent application for the setting aside of the search warrant. The court order was specific about the two laptops being copied onto a hard drive and sealed in the presence of my 'agent', before being delivered to the Registrar of the Court, for safe custody.

27

At my request, my attorney, Darryl Furman, **'Furman'** sent his articled clerk by the name of Candice Olim 'Olim', as my 'agent', to be present and watch the copying and sealing of the hard drive, as well as to collect the original computers from the police, in terms of the court order. To be specific, the court order dated 2015-04-15, stated the following: -

1. *The Respondents will mirror image the electronic data seized and removed from the Applicants' premises pursuant to the warrant issued by the Randburg Magistrate's Court in respect of premises described as 7 Janine Road, Sandown, Johannesburg ("the premises"), on 14 April 2015 ("the Warrant") by 15:00 on Thursday 16 April 2015.*
2. ***The Applicants or their agents will be entitled to be present during the imaging process referred to in 1 above.***
3. *The mirror image will be sealed and delivered to the Registrar for safekeeping.*
4. *The Respondents will return the items identified in the inventory of the search and seizure by 15:00 on Thursday 16 April 2015.*
5. *Pending the outcome of an application to set aside the warrant: -*
   5.1 The Respondents (including any member or agent of the SAPS) and in particular the persons listed in Annexure B to the Warrant, are interdicted from having access to the mirror image referred to in paragraph 1, and any other copies of information stored on the items seized pursuant to the execution of the warrant.
6. *The costs of this application for are reserved for determination in the application to set aside the search and seizure warrant.*
7. *In the event that the Applicants do not institute proceedings foreshadowed in paragraph 1 above, within 7 days of the date of this Order, the interdict lapses, and the Applicants will pay the costs of this application.*

The highlighting above, is mine.

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I should mention at this stage, that Vlok was the 3rd Respondent on the above order and was served with a copy thereof. Notwithstanding the fact that Vlok had been ordered by the High Court as above, the very next day, he chose to go rogue and ignore the court order, as is clear from the sworn statement of Olim, dated 2015-04-23. Vlok not only flatly refused to comply with the court order, but he also bragged to Olim: -

- *"A summons will be served on Paul."*
- *"A new search and seizure warrant will be issued upon Paul and I currently have an advocate drafting the application papers."*
- *"Paul will be arrested and the application brought by Paul to set aside the warrant is merely delaying the inevitable. Paul is aware of the warrant and therefore has ample time to conceal evidence. The lady from SAA is putting pressure on us to conclude the investigation."*
- *"We want the evidence Paul referred to when he opened up a docket at Bramley Police Station last year."*

29

The reference to "*Bramley*" is I am sure a mistake and Vlok meant to say "*Linden*". Looking back at this matter now, it is clear to me that what he was really looking for, was what he had been tasked by Moonoo to look for; the evidence implicating Moonoo in serious offences of corruption, which Moonoo knew I had. This is the sole reason that Vlok had inserted the following expression into the list of items to be seized on the fraudulently obtained search warrant: -

6. Any official SAPS documents and/or any documents bearing the SAPS insignia.

It would subsequently emerge that Vlok had committed contempt of court so that he could get his hands on the contents of my laptops. I will come back to this later.

30

In respect of the application for a search warrant sworn by Vlok, he unlawfully and intentionally misled the magistrate at Randburg court, by dishonestly stating the following: -

<u>PURPOSE OF THE SEARCH</u>

I submit the offence is of a serious nature and we need to properly investigate and produce substantive evidence in the case. The reason is that despite the evidence, information is

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that the fraudulent documents were generated by Mr. Paul O'Sullivan on his personal computer or another electronic system or devices which are under his control.

I can prove beyond reasonable doubt that Vlok knew at all material times that the above wording by him was an intentional lie.

31

The most telling evidence against Vlok, which proves my hypothesis about him being an 'agent' of Moonoo, is the commissioning of his statement in his fraudulent application for a search warrant. His statement was commissioned on the day he applied for the search warrant. Apart from the fact that such haste and efficiency by the SAPS is unheard of, the Commissioner of Oaths for Vlok's statement, was a colleague that worked with Vlok, as is clear from the stamp: -

I certify that the above statement was taken by me and the deponent has acknowledged that he knows and understands the contents of this statement. This statement was sworn before me and the deponent's signature was placed thereon in my presence.

Walker w/o. 0430041-5

Commissioner of Oath

DIE AFDELINGSKOMMISSARIS
SPEURDIENS: HOOFKANTOOR
PRIVATE BAG X 302
2015 -04- 14
PRETORIA 0001
THE DIVISIONAL COMMISSIONER
DETECTIVE SERVICE: HEAD OFFICE

Full Names: Werner van den Bergh

Occupation: Warrant Officer

Address: 222 Francis Baard Street Pretoria

S.A Police Services: Head Office

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The application to have the warrant set aside, was duly launched by me. In that application, I pointed out the fraud that had been committed by Vlok, in order to obtain the search warrant. The High Court then set aside the warrant and awarded punitive costs to me. Most importantly, is the following aspect of the order, granted by the High Court on 2014-10-13: -

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> 3. *The First Respondent is to return all items, including all copies thereof, that were seized and removed from the premises on 15 April to the Applicants.*
> 4. *The First Respondent is to destroy the mirror image of the electronic data stored on the Applicants' electronic devices ....*

33

As will become clear further in sworn statement, Vlok violated my constitutional rights to privacy, by his unlawful conduct in not only contemptuously breaching the first court order obtained, but also breaching the second court order obtained. Whilst the evidence of his conduct is mostly circumstantial, when all the evidence is put together and read as a whole, it becomes clear, beyond reasonable doubt, that Vlok retained a complete copy of my computer, which he then utilised to harvest information, so that he could make direct contact with criminals I had been investigating and procure their assistance in opening trumped up charges against me.

34

I will go through these trumped-up charges, that Vlok assembled against me, but first need to bring attention on a few vital letters, that I caused Furman to write to place the criminal conduct of Vlok and Moonoo on record.

34.1

The first of these letters is dated **2015-05-26** addressed and sent to Vlok, Moonoo and Phiyega, and sets out a very good factual record of the events as at that date. I request that the contents thereof, which is attached hereto as **Annexure 'POS-1'**, be read as if incorporated herein. I record that neither Vlok, Moonoo, or Phiyega ever bothered to reply to the letter in question. It means that the letter content was 'undisputed'.

34.2

The next letter I wish to refer to, dated **2015-11-12** from Furman addressed to Moonoo and Vlok. I request that the contents thereof, which is attached hereto as **Annexure 'POS-2'**, be read as if incorporated herein. Again, both Vlok and Moonoo ignored the letter and refused to respond, despite the very serious allegations contained therein.

34.3

E-pm

The letter from Furman to Vlok and Moonoo dated 2015-11-20 is also of crucial importance and a true copy of it is attached as **Annexure 'POS-3'**. I request that the contents thereof, be read as if incorporated herein. It is clear that on 2015-11-19, at Langlaagte Police Station, Vlok and his accomplices, were busy printing documents from a hard drive containing the contents of my laptop, in violation of my constitutional rights and two High Court Orders. At the time, I could not suspect that was going on, but it has a direct bearing on the crimes of Vlok that were to follow.

35

The events up to the end of 2015, adequately sets the scene for the acting out of repeated crimes of Vlok, Moonoo and many other corrupt police officials and corrupt NPA staff in the period that followed. Before going onto the further crimes of Vlok, Moonoo and their accomplices, there is one more letter that is relevant. In late 2015, Phiyega was suspended from her duties as Chief of Police and replaced by an acting Commissioner, the corrupt Lt General Kgomotso Phahlane, **'Phahlane'**. I instructed Furman to write to Phahlane, just so we had it on record, which he did on **2016-02-01**. I request that the contents thereof, which is attached as **Annexure 'POS-5'**, be read as if incorporated herein. Attached to that letter, were the interim and final order obtained in connection Vlok's fraudulently obtained search warrant, as well as a copy of the letter mentioned at 'POS-1'.

36

In a good world, with honest people, one would have expected immediate action from the newly appointed Acting Commissioner of Police. However, this was not to be the case. Phahlane had been appointed for political reasons, as part of the broader project of State Capture. Not only did Phahlane refuse to reply to the letter, but he also passed a copy of it to Moonoo, as he was already in cahoots with Moonoo. At this stage, I pause to mention that by February 2016, I had already opened a criminal docket for multiple offences of corruption against Phahlane, running into millions of Rand, so there was no way he was going to do anything that would stop the criminals with police badges from silencing me. In fact, as it would later turn out, he joined forces with Moonoo and Vlok and their accomplices and became part of the problem, instead of part of the solution.

THE ULTIMATUM – PREDICATION OF CRIMES AGAINST ME BY VLOK & HIS ACCOMPLICES

37

By **2016-03-15**, it had become very clear to me that it was pointless trying to politely cajole the police or government to do anything to stop the rot and capture of the criminal justice system. I therefore sat down, drafted, and sent, a devastating e-mail to the whole of police management, telling them that I would now bring international pressure to bear on them, unless they all resign immediately.

38

The e-mail was intentionally drafted in such a fashion, so as to bring the festering situation to a head. I further copied the e-mail to the Deputy President, now President, Cyril Ramaphosa. I request that the contents of those 2016-03-15 e-mails, which are attached as **Annexure 'POS-6'**, be read as if incorporated herein. Of importance is the following taunting extract thereof: -

> *You dirty cops know where to find me, I'm waiting for you, and I'm ready for you. Bring it on you corrupt cowards.*
>
> *On **2016-04-04** I shall be calling a full blown media conference in, **Whitehall, London**, the purpose of which will be to tell the world that SA has been taken over by a corrupt regime of Zupta-led criminals and that the world must now boycott SA in every way possible, just like they did during Apartheid, until the people run the country again.*
>
> *I shall be departing here on 2016-04-01. Be like the apartheid government and stop me from leaving, thereby giving a global voice to my campaign, to stop the corruption that is tearing this country apart.*
>
> *If Ntlemeza, Abrahams, Phahlane, Jiba, Mrwebi, Myeni, resign before 2016-04-04, I will cancel the press conference. If not, the evidence implicating them will be delivered to the world's media.*
>
> *Launch your High Court applications to try and stop me, I will not be here and will do what I have to do and ignore your actions and carry on until you are all beaten.*
>
> *If I have to go into exile to beat you, then so be it. I will run my campaign from London, New York, Lusaka, or wherever, just like Mathews and Cyril did during Apartheid. It worked for them back then, it can work for us now.*

E-m

39

Many people later said the e-mail was reckless. However, I was sick and tired of the criminalisation of the Criminal Justice System. I had by this time laid serious criminal allegations against Phahlane, Ntlemeza, Mulaudzi, Moonoo, Abrahams, Mwrebi, Jiba, Myeni, Montana and many others. Not one of these allegations had resulted in a criminal investigation, as they had all been swept under the carpet. Yet, by this stage, at least 30 police officials were tirelessly investigating me on a myriad of trumped-up allegations. I would later discover that the investigations against me included, treason, espionage, racketeering, kidnapping, extortion, forgery, fraud, money laundering and a myriad of other completely false charges.

THE HYENAS START CIRCLING – WITH VLOK AT THE FRONT

FALSE ARREST DETENTION AND TORTURE – THE NIGHTMARE BEGINS

40

The threat of calling a media conference in Whitehall, was not an idle one. I had booked a meeting with a flurry of journalists on 2016-04-04 outside the steps of the UK's Foreign Office, on the corner of Charles Street and Whitehall in London. I had also arranged lunch between myself and London's then mayor, Boris Johnson, together with a well-known leading South African politician, who himself would later become mayor of Johannesburg and go on to lead his own political party. Two of my youngest children, were home in South Africa on holiday for Easter and I was also going to be taking them back to school. My minor female children aged 8 years and 9 years accompanied me to the airport, to board our flight SA236 to London on **2016-04-01**.

41

Upon arrival at the airport, we were held at the immigration counters for about half an hour, for reasons not then known to me. We were then allowed to go and board our flight to London. We got to the plane and boarded at about 20h00, as the plane was due to depart at 20h25. At about 20h20, as the doors of the plane were being closed, ready for pushback, there was suddenly a loud banging on the door and someone on the outside was shouting for the door to be opened. The door was then opened and an SAA manager, wearing a red jacket, came onto the plane and

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asked me and my children to bring out things and leave the plane. When asked why, I was told, the police are here and want to talk to you.

42

I do not need to go into a lot of further detail, other than to say, I was assaulted, arrested and hand-cuffed in front of my children, by Colonel Hoosen along with about 15 other police officials, including Vlok, who had driven Hoosen to the airport. Thereafter, I was taken in a blue-light convoy of three cars at speeds of between 200kph and 220kph to Pretoria Central Police Station, where my constitutional rights were abused for the next three days. All this on the allegation that I had used my Irish passport to enter and leave South Africa a couple of times, in breach of Section 26B of the South African Citizenship Act. Curiously I was the first, and the last, person ever to be charged with an offence in terms of Section 26B. Vlok brought Colonel Amod Hoosen to OR Tambo Airport and left with him. When the blue light convoy arrived at Pretoria Central Police Station, Vlok, Hoosen and Mokotedi soon arrived to start harassing me, including taking my fingerprints no fewer than FOUR times, as they said they needed FOUR sets.

PILING ON THE PRESSURE

43

On **2016-04-04**, the unlawfully appointed head of Hawks in Gauteng, Major General Prince Mokotedi, **'Mokotedi'**, was in court with a prosecutor from the NPA, namely Sello Maema **'Maema'**. The two of them were adamant that they were going to request the court to oppose bail. Only when they were told that we had a recording of Mokotedi saying he would not oppose bail, was bail then set at R20,000, despite no one ever having been charged with an offence in terms of Section 26B of the South African Citizenship Act. Mokotedi and Maema STILL persisted with their claim of denying bail, until Furman said, that if I was not released in bail, he had instructions to call a media conference and launch an urgent application, at the High Court, for an *interdictum de homine libero exhibendo*. Mokotedi and Maema caved in and agreed to bail of R20,000 with very strict reporting conditions of me having to report twice a day at a police station. All because I used my Irish passport twice!

E.m

ENTER MLOTSHWA THE FAKE ADVOCATE

44

Having been released from unlawful detention on Monday 2016-04-04, my attorney was then telephoned and told I had to appear at Gallo Manor SAPS on Thursday 2016-04-07, at 09h00, to be served with a J175, requiring me to appear in court at Kempton Park, on the fake Dudu Myeni case. I subsequently discovered that Vlok, Hoosen and Mokotedi had been to Kempton Park Magistrates Court on 2016-04-05, in an attempt to obtain a warrant for arrest for me, but they were chased away by the magistrate, who smelt a rat. Upon further enquiry, I discovered that the completed J50, had been signed by a certain Jabulani Mlotshwa, **'Mlotshwa'** of the Priority Crimes Litigation Unit **'PCLU'**. The PCLU had been set up by Thabo Mbeki in 2003, specifically to manage South Africa's obligations in respect of Rome Statute and related priority matters. Under the unlawfully appointed NDPP Shawn Abrahams, **'Abrahams'** the PCLU had been barstardised, to become a hit-squad to take down anyone that was seen as a 'political target' by Zuma and his corrupt allies, which included anyone exposing their crimes. It's necessary for me to go into some detail, as the relevance of the barstardised PCLU and Mlotshwa is very important.

45

Apart from me, the other notable targets of the PCLU included people such as Robert McBride, Lt General Anwar Dramat, Maj General Shadrack Sibiya, Maj General Johan Booysen, Pravin Gordhan and many others who were opposing State Capture. I therefore attach the following documents, which clearly indicate how, under a corrupt Shawn Abrahams, the PCLU, had become a hit-squad, populated with people of low, or no, ethics, with its sole intention to unlawfully take down persons of integrity, who's activity, threatened the survival of the criminally inspired State Capture Project: -

Annexure 'POS-7' is a screen dump from the NPA website.

Annexure 'POS-8' is the 2003 Presidential Proclamation, which formed the PCLU.

Annexure 'POS-9' is published document titled *'About the PCLU signed off'*.

Annexure 'POS-10' is a published document title *'Profile of PCLU Cases'*.

The documents 'POS-8' through 'POS-10' were downloaded from the NPA's website by me personally, on 2016-09-22, in preparation for an urgent application I launched in the Johannesburg High Court, to stop the criminals from their abusive conduct.

E-M

46

Despite the PCLU having 'control' of all the fake criminal matters pertaining to myself, with effect from 2016-04-01, when I was unlawfully arrested, detained and tortured, the memorandum authorising such PCLU control over me, was only issued by Abrahams, retrospectively, and as an afterthought on 2016-04-12, as is clear from **Annexure 'POS-11'**. The import of POS-11 is that the desperation to take me down was so great, that the criminals involved in the process, would act first and then take steps to retrospectively create some form of lawfulness of their conduct. However, they repeatedly left an audit trail of failing to follow correct procedures, as will become clear further on.

46

From 2016-04-04, Vlok, Hoosen and Mokotedi, teamed up with the dishonest and unlawfully appointed Mlotshwa. At this juncture, I should mention that Mlotshwa's employment at the NPA was unlawful, as he had been brought in by his cousin, who was a Deputy Director in the Free State office of the NPA. When his cousin became the provincial director in the Free State, she unlawfully promoted Mlotshwa to the position of Deputy Director, despite the fact that in 2000, when he was acting as an attorney, both he and his wife had been struck off the role of attorneys, by the Law Society, for dishonesty.

47

Vlok formed a very close working relationship with both Mokotedi and Mlotshwa. They liked him, because he was prepared to ignore the illegality of his actions and do their dirty work. His defence has always been that he was only carrying out his instructions. However, as is clear from Section 47 of the Police Service Act, being Act 68 of 1995: - *"... a member shall obey any order or instruction given to him or her by a superior or a person who is competent to do so: Provided that a member shall not obey a patently unlawful order or instruction."* I mention this solely because, the following of patently unlawful instructions, is precisely what led to the deaths of over 6 million people in the nazi deaths camps during World War II. That defence did NOT save any of the nazi's form the gallows and it should not save Vlok or any of his accomplices from prison. He is welcome to take his accomplices to prison with him, by coming clean, but I will NOT stand by and see him escape justice after what he did to me.

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THE CORRUPT TEAM & THEIR CRIMES

48

Vlok, Mokotedi, Mlotshwa and many of their accomplices, formed a criminal enterprise, with its sole objective to either send me to prison, or to get me to surrender to their criminal pressure, by giving up my citizenship and leaving South Africa for good. The attempt to trick me into surrender, failed miserably, when I instructed Furman to put their scheme into writing and invite them to confirm it. Mlotshwa then wrote back dishonestly said it was my idea, not his, that I should pack my bags and surrender my citizenship. It was both he and Mokotedi that came up with it.

49

Between April 2016 and April 2018, I was forced to endure the following criminal trials, as 'punishment' for exposing entrenched corruption within the SAPS and NPA: -

REF	CASE	ORIGINATOR & TRUMPED-UP CHARGES	OUTCOME
1	Kempton Park CAS 697/3/2015	Myeni & **Vlok** - Extortion, Forgery & Uttering	Struck Off
2	OR Tambo CAS 6/4/2016	**Vlok** - Using Irish passport; Section 26 B Citizenship Act	Acquitted
3	Rosebank CAS 47/5/2016	**Vlok** & Cora van der Merwe, Kidnapping, Extortion	Acquitted
4	Bramley CAS 414/4/2016	**Vlok** & Alice Johnston, Intimidation, Fraud, Extortion	Acquitted
5	Alberton CAS 799/11/2012	**Vlok** & Neil Diamond, Extortion	Struck Off
6	Kameeldrift CAS 12/1/2017	Phahlane, Intimidation, Extortion, Racketeering	Struck Off

I can prove beyond reasonable doubt that Vlok was the prime originator in cases 1 through 5. His criminal conduct also attempted to originate a multiplicity of other fake cases against me, but he fell woefully short. It is necessary for me to unpack the above a little, as this will be necessary, to demonstrate to the court at Randburg, where Vlok will go on trial, exactly how Vlok was the glue that bound the fake cases against me together, utilising his accomplices, such as Mokotedi and Mlotshwa.

KEMPTON PARK CAS 697/3/2015

50

This is the fake case inspired by the then corrupt chairman of South Africa Airways, Dudu Myeni. I opened various criminal cases against both her and the board of SAA. Myeni utilised the cash

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