

SWORN STATEMENT

I, the undersigned Sarah-Jane Trent, ID No. [REDACTED] state under oath as follows:

1

I am an admitted attorney and a Founding Trustee of the public-benefit organisation known as 'Forensics for Justice'. Forensics for Justice was formed in 2015 with NPC no. 2015/259621/08. It was formed with the intention of using forensic skills and techniques, for the purpose of ridding South Africa of the scourge of corruption, particularly within the criminal justice system. I attach hereto as Annexure 'SJ-1' and Annexure 'SJ-2', a copy of two published documents, that set out the aims and objectives of Forensics for Justice. I therefore have the standing, to open this docket.

1.1

The purpose of this sworn statement is to open a criminal docket against the following persons:

- Lt General Ntlemeza 'Ntlemeza'
- Lt General Phahlane 'Phahlane'
- Lt General (retired) Moonoo 'Moonoo'
- Major General Mokotedi 'Mokotedi'
- Advocate Shaun Abrahams – NPA 'Abrahams'
- Advocate Mlotshwa – NPA 'Mlotshwa'
- Ex-Minister of Police 'Nhleko'
- Additionally, ALL members of the so-called *Priority Crimes Litigation Unit* 'PCLU'.

Ntlemeza, Phahlane, Moonoo, Mokotedi, Abrahams, Mlotshwa, Nhleko and the PCLU, are hereinafter collectively referred to as 'the suspects'.

DEFINITIONS

1.2

The following abbreviations shall have the following meanings ascribed to them:

ACTT	Anti-Corruption Task Team
DPCI	Directorate for Priority Crime Investigation, also known as Hawks
IPID	Independent Police Investigative Directorate

ST

NDPP	National Director of Public Prosecutions
NPA	National Prosecuting Authority
PCLU	Priority Crime Litigation Unit – a unit of the NPA
SAPS	South African Police Service

2

I will allege that the suspects have acted in conspiracy with each other, and others, with a common purpose to commit the following serious criminal offences:

- **Corruption,**
- **Racketeering,**
- **Defeating the ends of Justice,**
- **Breaching Section 32 of the National Prosecuting Authority Act**

BACKGROUND - THE MOTIVE FOR THE CONDUCT OF THE SUSPECTS

3

By way of background, I state **ON THE RECORD** that the criminal conspiracy in the police, whilst being driven on the front line by Ntlemenza, Phahlane, Mokotedi, and their reporting functionaries, was being politically driven by Nhleko and was clearly aimed at protecting the following criminal suspects, inside and outside the Criminal Justice System. Some of those mentioned below are actively engaged in a subversive campaign to undermine the constitutional democracy of the Republic, for the sole purpose to cover their tracks by recruiting anarchist individuals and entities, such as the corrupt Black First Land First, 'BLF' entity and paying them to cause racial division in the country, so as to intentionally create (political and racial unrest) smoke-screen. I now examine some of these personalities:

3.1

Protected Criminal suspects in the Criminal Justice System:

Lt General (suspended) Phahlane	disgraced, corrupt suspended Acting chief of police
Lt General (suspended) Ntlemenza	disgraced, corrupt dismissed head of DPCI
Lt General (retired) Moonoo	disgraced, corrupt retired Divisional head of detectives
Lt General (suspended) Mdluli	disgraced, corrupt suspended head of crime intelligence

ST

Major General Mokotedi disgraced, former ethics manager at NPA, subsequently unlawfully appointed as head of DPCI in Gauteng by Nhleko

Nomgcobo Jiba disgraced, former advocate and Deputy NDPP at NPA, who also acted in the position of 'Acting' NDPP for a long period

Lawrence Mrwebi disgraced, former advocate and DPP at NPA

Both Jiba and Mrwebi, despite being on 'leave of absence' still attend meetings of the ACTT and actively participate in decision making pertaining to highly sensitive corruption cases.

3.2

Criminal suspects outside the Criminal Justice System 'CJS', that have been protected by the 'suspects':

Radovan Krejcir (Moonoo, Mdluli and many other police and politicians are on his payroll)

Preggy Padayachee (Moonoo is/was on his payroll, along with other police officials)

Jen Chi Huang (Moonoo is/was on his payroll, he employs Moonoo's daughter and shares the proceeds of crime with Khulubuse Zuma)

Yusuf Kajee (Moonoo is/was on his payroll and he shares the proceeds of crime with Edward Zuma)

The Bhana family (Moonoo is/was on their payroll and they share the proceeds of crime with Khulubuse Zuma who launder the proceeds, or conceals the proceeds in Panama)

Dudu Myeni The corrupt chairman of SAA, the proceeds of her activities benefitting both the Jacob Zuma Foundation and herself

Lucky Montana The corrupt erstwhile CEO of PRASA

The Gupta family It is now common-cause that this family have plundered South Africa for their own obscene gain, which plundering runs into Billions of

Rand. They share the proceeds of crime with Duduzane Zuma, and selected 'complicit' political figures and senior employees of organs of State and State owned companies.

CRIMINAL JUSTICE SYSTEM SUSPECTS - WILLING ACCOMPLICES TO CRIMINALS

4

I will demonstrate herein that the CJS suspects should be brought to justice, for their involvement in a criminal conspiracy, aimed at achieving two primary goals:

- Protecting criminals in and outside of the CJS
- Silencing those exposing systemic corruption, pertaining to the above named personalities.

4.1

In this regard, I attach a copy of a report, Annexure 'SJ-3', which has been published by Forensics for Justice, entitled '*Joining the Dots – Capture of the Criminal Justice System*'. Although originally published in December 2012, it was updated and re-published in July 2017. I wish that the report should be taken in its entirety, together with annexes, which are available on-line at <http://www.forensicsforjustice.org/portfolio-posts/state-capture-criminal-justice-system/> This report is evidence that the CJS, has been intentionally captured by criminals, for no other purpose, than to protect influential, politically connected individuals, who have plundered the State's resources, in order to obtain an obscene pecuniary advantage, and in order to entrench that protection to viciously attack any person or entity that is exposing the corruption being carried out by those being protected. Their collective conduct amounts to nothing more, or less, than a deliberate assault on the constitutional democracy of South Africa.

5

The plundering of State resources, has led to a massive bleeding of public funds, through private companies, owned and or controlled by the Gupta family and/or other criminals. It is impossible to gauge the full scale of the plundering, however a conservative figure is One Hundred Billion Rand, or 8 Billion US dollars. Using a process of money laundering, a large amount of the proceeds of that crime, if not all of it, has been spirited away, to such places as Dubai, Switzerland and Panama.

The wholesale corruption and theft of public funds has been so great, it has completely removed the ability of certain organs of State and certain state owned companies, to provide the public with the services they were originally established to provide.

6.1

By way of example:

- The Intelligence Services have failed the country and are instead being used by connected politicians, for unlawful purposes, such as spying on their political foes;
- Valuable CJS resources are being wasted on witch-hunts aimed at silencing those exposing corruption, whilst the crimes committed by the Guptas and the criminals listed at 3.2 above, go completely un-investigated and un-punished.
- The police DPCI and NPA have been neutralised to such an extent, that large-scale criminal underworlds, have sprung up and are operating with impunity, due to the impotency of the Police, DPCI and NPA, who are otherwise engaged on political witch-hunts, or covering their own criminal tracks.
- South African Airways, has been insolvent for many years and can only survive with State bailouts, (public funds) as they are losing hundreds of millions a month. In the last 18 months alone, Myeni was thwarted in repeated unlawful attempts to breach the Public Finance Management Act, by awarding tenders at massively over-inflated values, for 'consulting services' that were never needed.
- Eskom, is in dire financial trouble and has repeatedly failed in its obligation to provide a continuous supply of electricity, necessary for the economic advancement of the country. In recent times, the lights have stayed on, but only because of the down-turn in the economy caused by the systemic corruption that is strangling the country, which in turn has led to less demand for power. In other words Eskom failings, have led to a reduction in economic growth.

ST

- Water utilities across the country have failed to maintain their infrastructure, leading to a reduction of potable water, increase of polluted water or no water at all, whilst more than 80% of the country's rivers are being polluted with raw sewage.
- Transnet paid 5.3 Billion Rand more than they should have for locomotives, so that Gupta linked entities could receive a kick-back from China South Rail.
- PRASA lost more than 7.5 Billion Rand to contracts, corruptly awarded by Lucky Montana and his accomplices and have completely failed in their service delivery promises, with billions of Rand of useless and redundant technology on their books, at ten times its actual value.
- Vast sums of money have been paid out for roads, low-cost housing, schools and clinics that have never been built or handed over, yet the cash has simply gone.
- The Guptas, and their accomplices spirited away billions of Rand that could have been used to build thousands of low cost homes to help uplift the poorest of the poor. These poor people are still living in abject poverty and are becoming impatient with the State that has simply failed them, in order to feed the greed of a corrupt few.
- Roads have been e-tolled, against the wishes of the people that use them, with Billions of Rand being spirited away to Austria, in opaque tender processes.

6.2

Put simply, South Africa has been stolen and sold to the highest corrupt bidder and, in order to cover their tracks, (and prevent being caught and jailed) the criminals have procured the infiltration of the criminal justice system, so that the criminals can go unpunished, and those exposing the corruption can be unlawfully attacked, intimidated and harassed, with the worst victims even being subjected to kidnapping and torture.

TT
ST

SOME OF THE CRIMES THAT WENT UN-INVESTIGATED AND UN-PUNISHED

HOW THE COUNTRY WAS STOLEN

7

Over the last five or more years, many criminal dockets have been opened that expose widespread corruption within the criminal justice system or state owned companies. A few of these are set out below. There are many more. The below dockets were opened by Paul O'Sullivan, one of the founding trustees of Forensics for Justice and were based on thousands of hours of public benefit work, that uncovered mountains of incontrovertible evidence of deep-rooted corruption that goes to the very fabric of a rotten State. The tentacles of the criminal networks penetrate every single organ of state and reach into the highest levels of government and the criminal justice system. The common denominator in respect of all these dockets, is that no (proper) investigation has been done, and no-one has been brought to book. It is hereby alleged that this has been intentional and intended to protect criminal syndicates, which is bringing the country to its knees.

To place the racketeering charges into context, it is necessary to examine just a few of these dockets, whilst remembering there are many more dockets that have been opened and have been simply hidden in a dark room somewhere:

7.1

Silverton CAS 369/10/2012

This is a case of corruption, perjury, defeating the ends of justice and breaching Section 32 of the NPA Act, against Mrwebi, Jiba, Mdluli and Mokotedi, amongst others. It relates to unlawful attempts by the suspects to de-rail the prosecution of Jackie Selebi, who was subsequently convicted of corruption and sentenced to 15 years in prison. Ironically Jiba was fired for her role in the matter, whilst Mrwebi was suspended. However, as soon as the coast was clear Jiba was retrospectively re-appointed, then promoted and Mrwebi was unsuspended and then promoted. After they were both promoted their criminal conduct continued unabated. Only AFTER the General Council of the Bar and Freedom Under Law stepped in, were Mrwebi and Jiba neutralised. Curiously, neither of them have seen the inside of a jail cell, or a criminal court, as the NPA, under Shaun Abrahams continue to protect these criminals, who sold their souls for political purposes, and were rewarded with senior positions and salary, instead of dismissal.

7.2

Linden CAS 107/2/2014

This is a case of fraud and corruption involving hundreds of millions of Rand, and the main suspect is Moonoo, together with a car tracking company known as Tracker. It relates to systemic fraud and corruption in respect of the fake contracts awarded to Tracker, which cost the tax-payer hundreds of millions of Rand every year. Phiyega was notified about the seriousness of the case and did nothing, other than to alert Moonoo about it. Moonoo, in turn then set his sights on Paul O'Sullivan, who opened the docket. The half-hearted investigation soon petered out and Tracker continue to this day, to make billions of Rand out of the service rendered to them by the police. No-one has been brought to book. The resources that would have been freed up by stopping the police/tracker contract would have released valuable extra policing into the communities they are needed in.

7.3

IPID case, (no reference number) opened in October 2014

This is a case of corruption and defeating the ends of justice opened against Moonoo, for protecting underworld criminals from the justice system. The people named are mentioned above, and include Jen Chi Huang, the Bhana's, Yusuf Kajee, along with Khulubuse Zuma and Edward Zuma.

7.4

IPID case, (no reference number) opened in January 2015

This is a case of corruption and defeating the ends of justice opened against Ntlemeza. It relates to Ntlemeza protecting a criminal in the police who was engaged in house break-ins and other serious offences. Ntlemeza protected the criminal because the criminal and Ntlemeza's daughter were involved in a relationship. It also exposed questions about the relationship between Ntlemeza and the head of Human Resources in the police in Polokwane, in terms of which the head of HR, was receiving bribes for appointing certain persons into the police and was also a suspect in her own husband's murder. It was then discovered that she had an affair with Ntlemeza.

7.4.1

Not long after this case was opened, (and after McBride advised Nhleko that the case against Moonoo appeared to have merit) McBride was unlawfully suspended by Nhleko and replaced with a puppet that sat on his hands, whilst the high-level police corruption

continued unabated. Since Nhleko had already overseen the unlawful appointment of Phahlane and Ntlembeza, Nhleko now had total control of the Police, the DPCI and the IPID. The NPA had by then already been 'captured' which meant the coast was clear for wholesale looting of the country, with no possibility of the looters seeing the inside of a jail cell.

7.4.2

Through this 'control' of the criminal justice system, the criminals involved would have to work together, hence the conspiracy aspects of the complaint. If they did not work together, then there was a real risk that one or two of the criminal corruption cases against the 'connected' criminals, could slip through the net, leading to one or more of the protected criminals being arrested. The police, DPCI and NPA could make sure that no investigations would be carried out, whilst creating the impression that apposite investigations were under way. Should anyone complain about the lack of action by the police, or corruption on the part of the police, the only remaining part of the CJS, IPID, had also been neutralised. The CJS was now fully captured and the criminals were given free rein to undermine the constitutional democracy of the country.

7.5

Randburg CAS 305/5/2015

This is a case of corruption, defeating the ends of justice and breaching Section 32 of the NPA act, with the main suspect being Moonoo. It relates to a docket opened in early March 2015, against Dudu Myeni, for unlawfully attempting to acquire the cellular phone records and bank statements of three directors of SAA in February 2014. That docket was unlawfully intercepted by Moonoo and taken off the system, to protect Myeni. As a result Myeni has never been criminally charged, despite ample incontrovertible evidence as to her crimes. However, the problem with this docket, just like the next docket, is that it started to ask questions about the lack of ethics at those in the highest positions with the criminal justice system. Something would soon have to be done to silence the person asking such questions, namely Paul O'Sullivan. It was by now that a decision had been taken to start the public benefit organisation, Forensics for Justice, which was born out of the belief in a wider campaign that would be needed.

7.6

Pretoria Central CAS 1900/5/2015

This is a case of corruption, defeating the ends of justice and breaching Section 32 of the NAP Act. It relates to a corrupt relationship between Moonoo and Jiba. Moonoo was facing certain criminal charges and Jiba knew about it, as the docket had been brought to her. At the same time, a Colonel from Moonoo's office was investigating Jiba for similar offences to the previously mentioned Silverton case, but also involving an offence committed by Jiba in her attempt to silence General Booysen, who had arrested and charged Thoshan Panday for corruption. Jiba's goal was to get Panday off the hook, but she could only do this if she got Booysen out of the way. She therefore conspired with Ntlemeza to have Booysen unlawfully suspended, so that she could intervene in the Panday charges. Unfortunately she left a trail of evidence, as she was not a street-wise criminal and Booysen opened a docket against her. As the net closed in on her, she met with Moonoo and agreed with him, that he should pull back the Colonel from his office, who was seeking a warning statement from Jiba and, in return, she would bury the corruption docket against Moonoo. The *quid pro quo* worked and they both walked away. However, the Pretoria docket mentioned above, exposed them to scrutiny, so it was assigned to an NPA puppet and the fire was quietly extinguished, in furtherance of the corrupt conspiracy between members of the NPA, SAPS, DPCI and IPID.

7.7

Brooklyn CAS 278/9/2015

This is a case of corruption and racketeering. It relates to a corrupt relationship between Lucky Montana, Mario Ferreira and others, which has cost the tax-payer at least R4 billion. Parallel to this case, which was opened by Forensics for Justice co-founder (Paul O'Sullivan) a PRASA employee also opened a docket, pertaining to the corrupt front-company Swifambo Rail Leasing contract to supply locomotives to Transnet. That corrupt contract has since been cancelled at a loss to PRASA of R3.5 billion. In any event, the locomotives were too high, and would not fit onto the rail system they should have been used on. This fact was kept top-secret until the bad news eventually got out, and Lucky Montana was then shown the door by Popo Molefe. This was more than two years ago, yet the law has (deliberately) not caught up with Montana.

ST

7.7.1

Despite the docket containing three lever arch files of incontrovertible evidence, which was adduced two years ago, not a single person has been arrested or charged. Indeed, no-one has even been asked to give a warning statement. No attempt has been made to freeze the proceeds of crime, amounting to more than R7.5 billion.

7.7.2

In short 7.5 billion Rand of public funds, simply vanished off the books of PRASA, and no attempt whatsoever is made to recover any of the funds, or bring the criminals to justice. In respect of this case, reference MUST be made to the fact that Ntlemenza, in breach of his oath of office, if indeed he ever took the oath, intentionally under-resourced the PRASA investigation, by assigning one single head to investigate the cases. As a result of the fact that the case was put together by Forensics for Justice, it is known for certain, that the case was almost ready for prosecution. An early arrest was certainly indicated, as well as the freezing of assets. Yet, Lucky Montana has not even been approached to hand back the proceeds of crime, or to give a warning statement.

7.7.3

Meanwhile, billions in tax-payer funds, have been simply spirited away. It is trite that the longer a theft is left, the chances of recovery are diminished. Forensics for Justice now alleged that this delay has been deliberate so that the money-trail would go cold. In addition, certain obtainable evidence has time-limits on it, such as cellular and bank records. It is submitted that the delay to the investigation is deliberate, the delay was driven by Ntlemenza and his cronies and was intended to give the criminals enough time to make the R7.5 billion evaporate into thin air, and the suspects to likewise flee the country. The letter sent by PRASA chairman Popo Molefe dated 2017-02-13 is attached as **Annexure 'SJ-4'**, and makes compelling reading. This and the balance of the Brooklyn case is available for viewing or downloading at <http://www.forensicsforjustice.org/portfolio-posts/lucky-montana/> Despite the fact that Ntlemenza has been sent home, the investigations against Montana still flounders, indicating that the reach and control of Ntlemenza, is still extended into the DPCI. The cost to Forensics for Justice and to Paul O'Sullivan has been enormous, yet no steps whatsoever have been taken to verify the solid evidence, or bring the criminals to justice. Since it is clear that Billions of Rand are simply gone, and no-one has been brought to book, the suspects stand to be charged with corruption, racketeering and defeating the ends of

justice, as they have all acted with a common purpose to ensure that the crimes go un-investigated and un-punished.

7.8

IPID case, 'CNN 2016030085' opened in February 2016

This is a case of corruption, defeating the ends of justice and racketeering opened against Phahlane. It is again, the product of Forensics for Justice public benefit work, as no fees were received for working on the case. It relates to substantial kick-backs received by Phahlane, as a gratification in return for contracts awarded to a corrupt supplier to the SAP's forensic division. It is clear that Phahlane has received Millions of Rand. As far back as 2014-07-23, Nhleko was notified in writing, by certain POPCRU members, by being provided a copy of their complaint against Phahlane. Similarly a colonel in the police, wrote to Phiyega and to the Minister. No proper investigation was done, until Forensics for Justice, to the Public Protector on similar-fact evidence as is in the IPID case, which Forensics for Justice opened in January 2016. The only material difference between this docket and the public protector complaint, was that Forensics for Justice had discovered inexplicable life-style improvement by Phahlane in excess of R8 million, thereby taking the original complaint to the Public Protector further and demonstrating that there were flames to match the smoke. Soon after McBride was reinstated by the Constitutional Court, the Phahlane docket gathered some traction. This led to further real evidence being obtained that will eventually see Phahlane being convicted. The docket is with IPID and is now receiving proper attention. Certain elements of the above mentioned docket are also available for downloading or viewing at <https://www.forensicsforjustice.org/portfolio-posts/khomotso-phahlane/> The leadership of IPID, during McBride's unlawful suspension, suppressed any work on the Phahlane docket, in accordance with unlawful instructions of Nhleko and Ntlemeza.

7.9

OR Tambo International Airport CAS 91/1/2016

This is a docket against Ms Dudu Myeni and the whole (complicit) board of SAA for breaching Section 22(1) of the Companies Act, which relates to reckless trading. It also relates to corruption charges against Myeni, owing to the fact that Myeni unlawfully and intentionally caused the company to become financially distressed and unable to meet its financial obligations, whilst simultaneously using the distress to create a situation whereby she could introduce a 3rd party 'Quartile Capital' ostensibly to 'save' the airline by financing

new aircraft to the tune of R15 billion. The only conclusion to be drawn, due to the payments received by Myeni from a related party, is that the whole transaction was corrupt from the get-go. When Myeni could not pull off her corrupt plans with Quartile Capital, Myeni procured, through President Jacob Zuma, that the Finance Minister Nhlanhla Nene, who opposed her plans, would be summarily dismissed and be replaced with a Gupta 'puppet' appointee.

7.9.1

This plunged the whole country into financial turmoil and caused a fiscal drain that wiped Billions of Rand off the balance sheets of many companies and pension funds. The docket further relates how Myeni, canvassed a substantial 'donation' from Emirates Airlines, towards the Jacob Zuma Foundation and, when Emirates refused to make such a donation, she scuppered the planned code-sharing deal at the eleventh hour.

7.9.2

Supplemental charges were added for further offences of corruption, relating to the plan to skim off R256 million to a related party known as BNP Capital. Despite the public attention of the corrupt BNP Capital deal, Myeni still attempted to pull it off and only stopped when the High Court ordered her to do so, pursuant to an order obtained by fellow public benefit entity Organisation Undoing Tax Abuse 'OUTA'. Despite reams of evidence, Myeni remains a protected species and at the helm of SAA, further proving that the CJS has been captured. This docket is also available to be read at <https://www.forensicsforjustice.org/portfolio-posts/dudu-myeni-board-of-saa/>

WHO ARE THE SUSPECTS HERE, AND WHAT DID THEY DO?

8

In order for any reader, or prosecutor to understand the sheer scale of the institutionalised corruption and racketeering, it is necessary to explain where each suspect fits into the bigger picture. I do this hereunder:

8.1

Ntlemeza is or was a corrupt senior police official previously based in Limpopo and with close ties to disgraced (suspended) corrupt cop Richard Mdluli. As is clear from the 'Joining the dots report' produced by Forensics for Justice in collaboration with Afriforum, Ntlemeza

was the 'chosen one' having been chosen by Richard Mdluli (despite Mdluli being on suspension) to lead the DPCI just as soon as Mdluli could get rid of Dramat.

8.1.1

Ntlemeza arrived at his post with agreed instructions to:

- Get rid of Shadrack Sibiya, then head of DPCI in Gauteng,
- Bring fake criminal charges against Dramat, unlawfully suspended head of DPCI.
- Bring fake criminal charges against Sibiya, and replace him with Zuma loyalist, and lack of ethics, Prince Mokotedi, despite the fact that Mokotedi could never pass probity tests, due to his complete lack of financial and moral ethics.
- Bring fake criminal charges against McBride, then unlawfully suspended head of IPID.
- Bring fake criminal charges against General Booysen, then unlawfully suspended head of DPCI in KZN.
- Bring fake criminal charges against Pravin Gordhan, then Finance Minister, in conspiracy with Zuma loyalist and new SARS Commissioner Tom Moyane. Going so far as to imprison an exculpatory witness, because he refused to hand over documents that would prove Gordhan was innocent of all the trumped up charges.
- Bring fake charges against Forensics for Justice co-founder, Paul O'Sullivan.
- Ensure that all the dockets against 'connected' criminals would be suppressed, so that no investigation and/or prosecution would ever take place.
- Take over the dockets previously hidden in a dark corner of Moonoo's office, such as those against the Bhana family, Khulubuse Zuma, Yusuf Kajee, Jen Chi Huang, Jacob Zuma (Nkandla fraud).
- To also neutralise all the dockets against Thoshan Panday, Nomgcobo Jiba, Lawrence Mrwebi, Richard Mdluli, Moonoo himself, Lucky Montana, Dudu Myeni and the Gupta's and all their accomplices.
- To continue the process of infiltrating the Criminal Justice System, so that even if Ntlemeza was suddenly gone, or on pension, as he should have already been, that succession planning for the complete control of the criminal justice system, for years to come, would be assured and he would be protected.

8.1.2

For the above reasons, Ntlemeza stands to be charged with Corruption (since he was rewarded for his crimes with gratification, in the form of promotion and extended contract of employment, as well as protection from criminal charges) as well as Racketeering and Defeating the Ends of Justice.

8.2

Phahlane was the corrupt head of the police's Forensics Services Division. His corrupt activities made him wholly unsuitable as Acting Chief of Police, yet completely suitable for the role that Nhleko had in mind. Phahlane had previously assisted Richard Mdluli to over-run crime intelligence with criminals and Mdluli family members.

8.2.1

Phahlane arrived at his post, as Acting Chief of Police, with agreed instructions to:

- Support the criminal activities of Ntlemeza.
- Support the ongoing criminal activities of Mdluli, by facilitating the appointment of criminals into the police.
- Protect the corrupt head of detectives, Moonoo.
- Arrange for the 'cleaning up' of criminal profiles of 'connected' criminals such as Jen Chi Huang. By way of example, Jen Chi Huang is a convicted murderer, yet now has no criminal record – courtesy of Moonoo and Phahlane.
- Continue to deploy corrupt criminals into high rank in the police, so that the capture of the police would continue for many years into the future.
- Assist Ntlemeza in suppressing anyone that spoke out against institutionalised corruption.
- Ensure that no criminal investigations would be manifested against the 'protected' ones.

For the above reasons, Phahlane stands to be charged with Corruption (since he was rewarded for his crimes with gratification, in the form of promotion and protection from criminal charges), as well as Racketeering and Defeating the Ends of Justice.



8.3

Moonoo, was the previous Divisional Commissioner of Detective Services in the Police. He wielded massive power and influence and abused this power, to protect many criminals. He established, within his own offices, without any protocol whatsoever, a stand-alone detective service, which he called the National Intervention Unit, or 'NINU' as it later became known. NINU became Moonoo's own private fiefdom.

8.3.1

This enabled Moonoo to:

- Send NINU unit members to collect dockets from police stations and units, under the guise that his unit was going to 'intervene' in the investigation.
- Acquired dockets relating to criminals, that he was being paid to protect and would then hide the dockets in a safe within his office.
- Carried out investigations into others within the criminal justice system and politics, and kept these enquiry files for a rainy day, so that he would build a file on all potentially useful persons.
- Received substantial kick-backs, from the persons he was 'protecting'.
- Intentionally move close to those involved in crime with Zuma family members, so that he (Moonoo) would also garner political support and protection.
- Interfere in the Krejcir investigations, to such an extent that he even had people from his office trying to arrest Krejcir investigators, whilst they were giving evidence in court.
- Protect Jen Chi Huang, a convicted murderer, who was deported back to China after being released from prison, yet mysteriously re-appeared in South Africa some time later.
- Working with Phahlane, arranged to have Jen Chi Huang's criminal record wiped clean.
- Intervened on behalf of Jen Chi Huang, and prevented SARS from taking action against him, by investigating fake criminal charges against SARS members.
- Protect notorious serial fraudsters, the Bhana family. In this regard Forensics for Justice are in possession of a tape recording where the Bhana's brag about how they use Moonoo for such protection.

- Protect tobacco baron Yusuf Kaje, by having all dockets against him, brought to his office to gather dust, whilst simultaneously digging into fake charges against SARS investigators just like he did for Jen Chi Huang.

8.3.2

To show evidence of the depth of Moonoo's reach into the criminal justice system and the lengths he would go to, in order to protect his criminal pay-masters, I attach a copy of a complaint, as Annexure 'SJ-5', by Captain Coetzee which she filed in November 2016, against Moonoo. From this it is clear that:

- Moonoo had a corrupt relationship with convicted murderer Jen Chi Huang
- Whilst employed as a General in the Police, Moonoo made multiple trips to China, and represented himself as 'vice president' of Jen Chi Huang's company, Impisi Trading.
- Moonoo interfered in the planned prosecution of Jen Chi Huang, on tax-fraud and counterfeit goods charges
- Moonoo's daughter was employed by Jen Chi Huang
- Moonoo received obscene kick-backs from notorious gangster, Radovan Krejcir
- Moonoo conspired with Krejcir, to murder Paul O'Sullivan and State witness against Krejcir, Jacob Nare

As was expected the Coetzee complaint has been hushed up, with no action taken.

8.3.3

As a result of his conduct, Moonoo has not only brought the police into disrepute, he has clearly assisted foreign nationals, such as Radovan Krejcir and Jen Chi Huang in massive and debilitating crime waves in South Africa. As such, Moonoo stands to be charged with Corruption, Defeating the Ends of Justice and Racketeering.

8.4

Mokotedi was previously employed at the NPA. Perversely, he was head of integrity management at the NPA. During the trial of Jackie Selebi, Mokotedi elected to climb into the witness box and give false evidence (tell lies) for Selebi. Selebi was subsequently convicted and sentenced to 15 years. Paul O'Sullivan named Mokotedi in the Silverton CAS 369/10/2012, for the offences of perjury and defeating the ends of justice.

ST

8.4.1

In 2014, Mokotedi created unauthorised reports and deliberately leaked these to the media, thereby implicating senior NPA members in wrong doing. He was shortly thereafter suspended from his position at the NPA. Whilst on suspension and with no authority from his superiors, he went onto the John Robbie show on radio 702, and uttered many defamatory comments about the senior staff at the NPA. He admitted during that interview that he was a member of the NPA's 'Zuma Camp', whilst claiming that all the white prosecutors were in the DA Camp, thereby breaching the NPA Act and the Constitution.

8.4.2

Mokotedi resigned from the NPA, just before his disciplinary enquiry commenced, thereby avoiding being dismissed. He subsequently dishonestly claimed to have left the NPA with a 'clean record'.

8.4.3

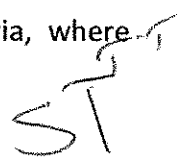
During 2015, despite being unemployed and having no source of income, Mokotedi took out a credit card with Investec Bank, and another with ABSA and ran up bills of R110,000 whilst knowing he could not pay the accounts. This meets the legal description of the crime of 'Fraud'. Whilst he has not been charged with the fraud by the banks in question, it is a clear display of unethical conduct that can best be described as Moral Turpitude. In late 2015, judgments were registered against Mokotedi, in excess of R1.1million by the banks in question.

8.4.4

Notwithstanding this covert (but known) display of moral turpitude, Mokotedi, was pre-selected by Ntlemeza and Nhleko, to replace the unlawfully dismissed Shadrack Sibiya, as head of DPCI in Gauteng. He took that position in February 2016.

8.4.5

Weeks after taking office, Mokotedi abused his unlawfully appointed position, to run an operation aimed at silencing Paul O'Sullivan, who had exposed the systemic corruption that had taken a grip on the criminal justice system. Mokotedi personally managed an operation to kidnap Paul O'Sullivan, just after he had boarded a flight to London, with his two minor children. Thereafter O'Sullivan was taken in a high speed convoy, at speeds in excess of 200 kilometres per hour, and dumped in rat and sewage infested cells at Pretoria, where Mokotedi commenced four days of mental torture against O'Sullivan.



8.4.6

Mokotedi therefore stands to be charged with Corruption, Kidnap, Torture, Defeating the ends of Justice and Racketeering.

8.5

Abrahams is alleged to have been appointed by President Zuma. However it is now common-cause, that the decision to appoint him was actually made by Michael Hulley. Abrahams agreed to accept the position, despite being told by Hulley that he (Abrahams) would have to do the bidding of Hulley, rather than what the Constitution required of him.

8.5.1

As a result, Abrahams unlawfully:

- Presided over a PCLU, which he bastardised, so it could be used for unlawful purposes, in chasing down perceived enemies of certain corrupt Police officials, businessmen and politicians.
- **Ordered accomplices in the PCLU** to carry out prosecutorial led investigations, hand-in-glove with Ntlemeza's accomplices, aimed at silencing, the following persons on trumped up criminal charges:
 - Pravin Gordhan, Oupa Magashula and Ivan Pillay
 - Julius Malema
 - Anwar Dramat and Shadrack Sibiya
 - Robert McBride, Matthews Sesoko and Innocent Khuba
 - General Johan Booysen
 - Glynis Breytenbach
 - Paul O'Sullivan
- Despite knowing that Jiba and Mrwebi were involved in criminal activity, in defeating the ends of justice and breaching Section 32 of the NPA Act, Abrahams took steps to protect these two known criminals in his midst.
- He went a step further and promoted Jiba, to a position where she could commit further crimes.

ST

8.5.2

It is clear therefore Abrahams issued the relevant memoranda to the PCLU, in respect of the above cases. In this regard, and by way of example, I attach hereto as **Annexure 'SJ-6'**, the Presidential Proclamation that breathed life into the PCLU. From this it becomes immediately clear that PCLU may ONLY be involved in matters pertaining to the Rome Statute. The Presidential Proclamation of 24 March 2003, specifically states (own emphasis):

*"Under section 13 (1)(c) of the National Prosecuting Authority Act, 1998 (Act No 32 of 1998) I hereby confer, impose and assign the following powers, duties and functions on or to Advocate **ANTON ROSSOUW ACKERMAN SC**, a Special Director of Public Prosecutions, appointed in terms of the said provisions:*

To exercise the powers, carry out the duties and perform the functions necessary, within the office of the National Director of Public Prosecutions as directed by the National Director and

(a) In particular, to head the Priority Crimes Litigation Unit and to manage and direct the investigation and prosecution of crimes as contemplated in the implementation of the Rome Statute of the International Criminal Court Act, 2002 (Act No. 27 of 2002), and serious national and international crimes, which include acts of terrorism and sabotage committed under the Internal Security Act, 1982 (Act 74 of 1982), high treason, sedition, foreign military crimes committed by mercenaries, or such other priority crimes to be determined by the National Director; and

(b) Generally, giving such advice or rendering such assistance to the National Director as may be required to exercise the powers, carry out the duties and perform the functions which are conferred or imposed on or assigned to him by the Constitution or any other law."

8.5.3

This proves **beyond reasonable doubt** that Abrahams was complicit in utilising his PCLU accomplices for ulterior purposes, in attacking and harassing those exposing corruption by the 'protected'. Since it is now clear that there is a pattern of such criminal conduct by the PCLU, it is also clear that there was a broader conspiracy, which in turn motivates the bringing of charges for 'racketeering'.

ST

8.5.4

By way of a further example, I attach hereto as **Annexure 'SJ-7'**, the memorandum directing PCLU to investigate Paul O'Sullivan. Curiously this was issued 12 days after O'Sullivan was dragged off a London bound plane, where he was heading on a pre-announced trip to expose corruption in South Africa making this directive from Abrahams *post factum*. Abrahams should be required to explain why, when and who instructed him to sign directives to the PCLU unlawfully aimed at intimidating the following persons:

- Pravin Gordhan, Oupa Magashula and Ivan Pillay
- Julius Malema
- Anwar Dramat and Shadrack Sibiya
- Robert McBride, Matthews Sesoko and Innocent Khuba
- General Johan Booysen
- Glynis Breytenbach
- Paul O'Sullivan.

8.5.5

There has to be a common denominator, over and above the obvious fact that all the people Abrahams directed the PCLU to investigate and prosecute, were people that stood up against corruption. It is suggested that the common denominator would be the criminals at work in the criminal justice system, which by extension means that Abrahams was and is part of a broader conspiracy aimed at undermining the constitutional democracy of South Africa.

8.5.6

The only logical conclusion is that the PCLU were chosen as a special purpose vehicle by Abrahams, for one reason and one reason only. That is that Abrahams knew that he could not have all these 'highly sensitive' yet trumped up charges, in the hands of local court prosecutors, as Abrahams and his accomplices would run the risk of having these prosecutors doing their job according to the law and taking a decision NOT to prosecute. Whilst Abrahams was overseeing and directing the attacks on citizens that were trying to stop corruption and looting, he contemporaneously ensured that NO STEPS would be taken against any of the persons named in this docket, thereby ensuring that the Constitutional Democracy of South Africa would be eroded to the point that anarchy and unrest would become the order of the day, which would act as a convenient cover for the looting of the

public funds to continue. Bizarrely, Abrahams attempts to explain his meeting with Zuma and certain other accomplices at Luthuli House the night before his public announcement on charging Gordhan, as a 'meeting to discuss the student unrest'.

8.5.7

Accordingly, Abrahams stands to be charged with Corruption (as he received the 'gratification' of position, power and money in return for his crimes), and defeating the ends of justice for directing the PCLU to oversee trumped up charges against certain persons, as named above, and for Racketeering for similarly protecting the suspects named above from criminal sanction.

8.6

Mlotshwa and his wife used to run a law firm in Newcastle KZN. In 2000, Mlotshwa was struck off from the role of attorneys for dishonest conduct. In 2000 Mlotshwa's wife (T.L.S. Mlotshwa) was admitted as an attorney and was later struck off the role of attorneys for stealing client funds. Mysteriously, no criminal prosecution took place against either of the Mlotshwa's. JJ Mlotshwa later re-surfaced as a prosecutor working for the NPA, where his shady past seemed to place him in prime position, for promotion to positions where he could be 'used' by other criminals in the criminal justice system. He was ripe material for the already politically corrupt PCLU.

8.6.1

Mlotshwa, like all the other members of the PCLU, was ready willing and able to ignore section 179 of the Constitution and the NPA Act, and proceeding at full steam with malicious prosecutions on trumped up charges.

8.6.2

Mlotshwa, along with his fellow accomplices in the PCLU are suspected of very serious crimes indeed. As a collective, led by **Tori Pretorius** and directed by **Shaun Abrahams**, they have shared out the dirty work amongst themselves, which has led to trumped up charges against the following people:

- **Pravin Gordhan, Oupa Magashula and Ivan Pillay**
- **Julius Malema**
- **Anwar Dramat and Shadrack Sibiya**
- **Robert McBride, Matthews Sesoko and Innocent Khuba**
- **General Johan Booysen**

ST

- Glynis Breytenbach
- Paul O'Sullivan

8.6.3

As a result of Mlotshwa's abandonment of Section 179 of the Constitution, Mlotshwa has, along with his accomplices in the PCLU, created an environment where people are hesitant to stand up against corruption, and thereby allowed foreign criminals such as the Guptas, Jen Chi Huang and Radovan Krejcir to bring South Africa to its knees. Put simply, Mlotshwa and his accomplices in the PCLU have created an enabling environment for the undermining of the Constitutional democracy of South Africa by foreign crime syndicates, resulting in a drastic increase in organised crime, and the systematic looting of the State's resources.

8.6.4

Accordingly, Mlotshwa, along with all the other accomplices at the PCLU, stand to be charged with Corruption, Defeating the Ends of Justice and Racketeering, as well as offences pertaining to Section 32 of the NPA Act.

8.7

Nhleko was the grand architect of the plan to take control of the Criminal Justice System. Nhleko's criminal conduct has manifested itself in the commission of the following crimes:

- He procured the firing of Dramat and Sibiya so that he could lay the groundwork to take unlawful control of the DPCI.
- He unlawfully appointed Ntlemeza and Mokotedi, as DPCI head and Gauteng provincial head respectively. At all material times, Nhleko knew that both of them were unfit as they both had shady backgrounds, steeped in dishonesty, whereas Section 17 of the SAPS Act, made it clear that appointees to the DPCI **MUST** be of the highest integrity, which requirement neither Ntlemeza nor Mokotedi could ever meet.
- Nhleko unlawfully suspended the Executive Director of the IPID, so that McBride could be replaced with an acting director, Kgamanyane, who would store all the dockets against senior SAPS members, including Phahlane, Ntlemeza and Mokotedi, in a dark corner, thereby protecting corrupt SAPS officials, as part of Nhleko's conspiracy for 'ownership' of the Criminal Justice System.

ST

- Nhleko procured that Ntlemeza and his accomplices would either direct that no investigations would take place, or that the investigations into certain criminal suspects, would be deliberately botched.

8.7.1

By way of example:

- The Guptas
- Jen Chi Huang
- Vinesh Moonoo
- Kgomoitso Phahlane
- Edward Zuma
- Khulubuse Zuma
- Duduzane Zuma
- Dudu Myeni
- Lucky Montana, to name but a few

8.7.2

Yet, during the same period whilst Nhleko's unlawfully appointees were protecting criminals, including each other, they unlawfully targeted the following persons:

- Pravin Gordhan, Oupa Magashula and Ivan Pillay
- Julius Malema
- Anwar Dramat and Shadrack Sibiya
- Robert McBride, Matthews Sesoko and Innocent Khuba
- General Johan Booysen
- Glynis Breytenbach
- Paul O'Sullivan

8.7.3

Accordingly, and in view of the fact that Nhleko, perhaps more than any other person, due to his deliberate and unlawful neutralising of the criminal justice system, thereby paving the way for the creation of an enabling environment, so that foreign crime syndicates could undermine South Africa's constitutional democracy with their rampant crimes and corruption, stands to be charged with Corruption, Racketeering and defeating the ends of justice.

ST

SUMMARY

9

I therefore hereby request a substantial investigation into the following persons, for the offences of corruption, racketeering, defeating the ends of justice and NPA Act breaches:

- Lt General Ntlemeza
- Lt General Phahlane
- Lt General (retired) Moonoo
- Major General Mokotedi
- Advocate Shaun Abrahams – NPA
- Advocate Mlotshwa – NPA
- The remaining members of PCLU - NPA
- Nathi Nhleko

Should the state not proceed in urgently appointing a (non-conflicted) task-team, to deal with this investigation, Forensics for Justice will join with other NGOs with a view to launching an application for a judicial intervention of such failure.

10

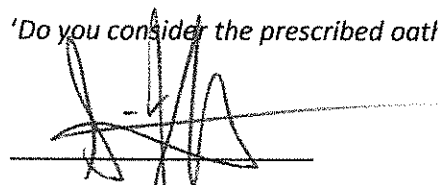
Prior to me signing this statement, I have carefully read through it and am satisfied that the facts are correctly and accurately recorded. The following questions were put to me in person by the commissioner of oaths and I entered the answers thereto in my own handwriting:

'Do you know and understand the contents of this statement?'

'Do you have any objection to taking the prescribed oath?'

'Do you consider the prescribed oath binding on your conscience?'

YES
NO
YES



Sarah-Jane Trent

I certify that the deponent has acknowledged that she knows and understands the contents of this statement which was sworn to before me and the deponents signature was placed thereon in my presence at GALLO MANOR on this 4th day of AUGUST 2017



Commissioner of Oaths

Therence Sibuyi
Sworn statement of Sarah-Jane Trent-2017-08-07

