

SWORN STATEMENT

I the undersigned [REDACTED], a 50-year-old white adult South African male citizen with ID no. [REDACTED] and cell phone number + 27 [REDACTED]. My residential address is [REDACTED]. I state under oath in English as follows:

1

I was and still am the sole director of [REDACTED] a company that was previously utilised by me for carrying out maintenance work and minor building works in the private sector. At this moment in time, [REDACTED] is no longer trading and for the avoidance of doubt, the company was never registered for VAT.

I am giving this statement as a result of my knowledge about certain events, as set out herein, and do so freely of my own will, without any promise of fear or favour.

SECTION 204 CRIMINAL PROCEDURES ACT

2

I therefore make this statement freely, voluntarily and without any undue influence in accordance with section 204 of the Act. Further, insofar as it may be necessary, subject to the provisions of section 105A of the Act; having been informed that my statement may incriminate me in various offences and notwithstanding the aforesaid, I may be called as a witness on behalf of the prosecution and further be required to answer questions which may incriminate me. However, if in the opinion of the court, I am found to have answered all questions frankly and honestly I will be discharged from prosecution on such charges or any competent verdict thereon. Further, that the contents hereof may not be utilised in any manner or be regarded as admissible evidence in any trial against me.

BACKGROUND TO EVENTS

3

In or about the middle of 2018, I was staying in a house in [REDACTED]. A place that I was renting had additional capacity for rental. In the additional rental apartments, there stayed a mechanic that



was employed by Interwaste and he was staying in an apartment that was around the corner from my house, in the same development. One day I cannot recall when, the mechanic asked me if I could do some building work at the Interwaste depot in Secunda. I quoted for this repair work for fixing a wall and got the job by Interwaste. Whilst doing the repair work on this job, I met a man named Daniel Lessing "*Lessing*".

For a few months after this, I did odd jobs for Interwaste and I made the assumption that Lessing had approved the works that I had carried out.

4

One day, also in 2018, I cannot now recall when, I received a call from Interwaste and was offered the job to clean their trucks at the Evander depot. Thereafter I carried on providing regular maintenance services of the wash bay at Evander, on an ongoing basis.

5

Subsequently at some point, Lessing approached me with regard to using my company for the concealment of certain transactions between himself and Interwaste. I will not go into detail of that matter here. It will form the basis of a further statement that I will prepare in due course. However, as a result of the secretive dealings between myself, Lessing and Interwaste, somebody at Interwaste must have figured out what was going on and a criminal investigation was launched. I make no bones about the fact that I assisted Lessing in some of the things that he did, which were wrong, but, both in this statement and the later statement I am going to make, I am going to tell the truth and will do so without any threat of fear of favour or any other form of prejudice. And therefore what I say is said of my own free will with a view to clearing my chest of these matters. This particular statement is only going to focus on what I now understand to be a corrupt relationship which existed between Lessing, the police and National Prosecuting Authority, as will be set out further, herein.

6

I have previously mentioned that a criminal docket was opened, I had no knowledge as to what was contained in that Criminal Docket or what the allegations were, save to say, I believed it related to the secretive dealings between Lessing, myself, Interwaste and other parties. Although I was concerned at the time that there might be some trouble, Lessing seemed confident at all times that the matter would go away. I should mention at this stage, while the criminal

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a series of loops and a final flourish.

investigation was going on, Lessing would regularly come to my house to discuss matters pertaining to the investigation, for example, to suggest what I should say if anybody asked me any questions. Sometimes he would visit me on a daily basis. He also instructed me to not discuss anything about the case with anybody.

7

In about **December 2020**, I wish to mention that the attorney of Lessing, [REDACTED] of [REDACTED] **Incorporated** informed me that I had done nothing wrong, and I would not be arrested. Lessing's attorneys had only prepared certain bail applications for Lessing, and this gave me a sense of confidence that I would not be arrested.

8

I can recall a time during the investigation that Lessing told me when he paid a visit to my house with his mother and informed me that he paid a visit to the Investigating Officer at Germiston police station and paid the officer about R60 000.00 to R80 000.00 in cash. I guess that would have been about May 2021.

9

Out of the blue, one day, in late May 2021, I got a phone call from Lessing and he offered for me to join him for a hunting trip. I enjoy hunting and therefore agreed to join him. He said this hunting trip would be at the beginning of June 2021. He did not initially tell me who would be joining us on this hunting trip. Someday later, but before we went on the hunting trip, Lessing came to my house and he mentioned that both the Prosecutor and the Investigating Officer of the criminal case against us, would be coming on the hunting trip. It was on this visit that he told me that the case against us would be dropped and there would be no further action taken and he seemed very relieved.

10

Somewhere around that time, I cannot remember if it was May or June, I was supplied with a photocopy of the front cover of the docket and an extract of the Investigation Diary inside the docket which clearly showed the case would not be going any further. I attached a true copy of the document that was supplied to me as **Annexure "LVR-1"**. I need to mention that I cannot now recall if I received this document (**Annexure "LVR-1"**) from Lessing or his attorney [REDACTED].

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a series of loops and a final flourish.

There is no purpose for me to repeat in writing what it says in the Investigation Diary, however the handwriting is not clear and I therefore copy and paste the below:

25/05/2021

ICO

State declines to prosecute the matter on the following grounds & suspects

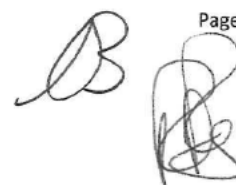
1. It is clear from accused warning statement that he acted in the best interest of the company at all material times by ensuring that the plant was procured on time in order for Interwaste to meet its contractual obligations towards **SASOL Secunda**.
2. Management knew or ought to have known that Semchem was not VAT registered at all material times. Semchem's VAT issues cannot be placed on suspects shoulders.
3. Suspect's explanation is reasonably possibly true. He has been candid and upfront with investigations.
4. The witnesses' statements of Jakobus Van Rensburg & McKenzie support suspect's version.
5. At the very best this matter constitute civil matter, not a criminal case.

11

I now wish to go back to the hunting trip. To the best of my recollection, the trip took place on the dates **2021-06-04** to **2021-06-06** (two nights) at a property known as Ezulwini Game Lodge located in the North West province near Brits. It is approximately five kilometers North-East of the R511, where there is a place called '*Greens Oasis*' and '*Makulu Padstal*', near the Hartebeespoortdam. This was a nice facility with thatched chalets and swimming pool. Lessing and I drove there together in his vehicle which was a white Toyota Hilux and the Investigating Officer, Captain Lucky Thabethe and the Prosecutor, Phuti Mathabane, arrived there together in one vehicle. To the best of my memory, it was a bluish coloured Toyota Vehicle. We arrived on a Friday afternoon, and we left on the Sunday morning. We only spent the Saturday hunting.

12

In so far as the hunt is concerned; the four of us did the hunt from a safari vehicle. The four of us shot two animals that day. Captain Thabethe was scared to shoot a Wildebeest that was in his sight and told me to shoot it. Prosecutor Mathabane was also hesitant to shoot his buck and told Lessing to shoot the one Mathabane was going to shoot. After our hunting trip, that same day, or possibly the following morning, both bucks were drained and butchered and placed into the boot and backseat of the vehicle being driven by Thabethe and Mathabane.



When we left on the Sunday, Captain Thabethe and Advocate Mathabane took their meat with them, when they left. Neither myself or Lessing took any meat with us, which means Thabethe and Mathabane took the meat from both Wildebees. As previously stated, the meat was packed into the boot of the car and on the back seat of their car. They left before me and Lessing. For some reason, either before they left or after, Lessing was not standing around, I asked the Manager of the game lodge for a copy of the game lodge documents pertaining to the weekend activities. Without hesitation, he handed me three pages which I attach hereto as **Annexure "LIVR-2"**. The first page is a tax invoice pertaining to the hunt made out to Daniel Lessing and it has on there his cell phone number [REDACTED] and also his email address which is [REDACTED].co.za and I observe that the total cost of the hunting weekend is **R14,795.00** less a previous deposit of **R4,200.00** leaving a balance due of **R10 595.00**.

For the avoidance of doubt, I did not pay anything towards any of the accounts and to my memory, Lessing paid the **R10 595.00** using his cell phone. The other two documents were '*permission to hunt*' documents, one made out to Captain Thabethe and the other made out to Advocate Mathabane. And I note that they both contain their respective ID numbers, cell phone numbers and physical addresses as well as a vehicle registration number [REDACTED] GP. I do not know if this vehicle belonged to Captain Thabethe or Advocate Mathabane. Whilst I was only handed copies, it is clear from the copies, that both Captain Thabethe and Advocate Mathabane have signed the documents in question which are dated 2021-06-06.

I have been informed that it is a serious offence to keep quiet if you know about Corruption with a public official, in this regard, I wish to say the following,

Firstly I did not know that it was an offence; secondly, even if I did know, I feared that had I have come forward before, Lessing may have taken action to silence me which may have included, having me murdered.

I pause to mention, sometime long before the hunting trip, I was informed by the current Interwaste Operations Manager, [REDACTED], that he heard Lessing tell him that he would take my

family and I out if I did not pay him his money that was paid to me by Interwaste for the leasing of various vacuum trucks. I understood this to mean Lessing would have me killed.

17

For this reason, it should be clear that if I was to voluntarily go to, for example a police station to report what I knew, I would be placing myself and my family in danger and I therefore respectfully submit that I was justified in not complying with **Section 34 of Act 12 of 2004** which requires me to report any corruption of a public official. In any event I am now making a clean breast of everything including the secretive financial transactions between myself, Lessing and Interwaste and others which will form the contents of an unrelated Sworn statement.

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 oath and I entered the answers thereto in my own handwriting:

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

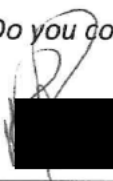
Yes

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

No.

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

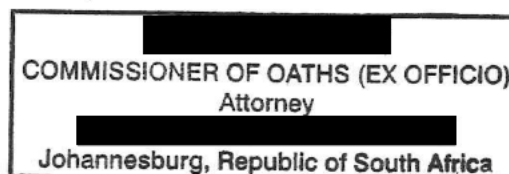
Yes.




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 deponent's signature was placed thereon in my presence **SANDTON** on the **EIGHTH** day of **DECEMBER 2022**.



COMMISSIONER OF OATH



CASE DOCKET • SAKDOSSIER

MATABONE

10111 Command Centre IR No.:

CR No.

MR No.

Control Register No.

Beheerregister No.

Station
Stasie

Germiston

CAS No.

MAS No.

164, 01

221

Case Register No.

Sakaregister No.

Indicate with X:
Mark met X:Case docket
Saakdoosier

X

Inquest Docket
GDO DossierCourt number
HofnommerCourt Case Number
Hofsaaknommer

Investigator

Ondersoeker

Sgt. Makhela

Tel. No.

Investigator

Ondersoeker

Tel. No.

Investigator

Ondersoeker

082 [REDACTED]

Tel. No.

Investigator

Ondersoeker

Tel. No.

Day and time of offence/incident:

Datum en tyd van misdryf/voval:

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INVESTIGATION DIARY * ONDERSOEKDAGBOEK

Station Stasie	CAS no MAS no	Date and Time Datum en Tyd	Particulars of investigation / Enquiry Besonderhede van ondersoek / Navraag	Reference Verwysing
Germiston	164	25/05/2021	ILU	
			→ State declines to prosecute the matter on the following grounds: Suspects	
			① It is clear from accused's wording statement that he acted in the best interest of the company at all material times by ensuring that the plant was procured on time in order for Interwaste to meet its contractual obligations towards SASOL SECUNDA.	
			② Management knew or ought to have known that [redacted] was not VAT registered at all material times. VAT issues cannot be placed on Suspects shoulders.	
			③ Suspect's explanation is reasonably possibly true. He has been candid and upfront with investigation.	
			④ The witnesses' statements [redacted] 2021-05-25 support Suspect's version.	
			⑤ At the very least this matter constitute civil matter, not a criminal case.	

Adv. [Signature]

B

"LJVR-2"

VAT NO: [REDACTED]
 EMAIL: [REDACTED]@p.za
 CELL: 0 [REDACTED] 8

WESTKNOTT PROPERTIES (PTY) LTD
 T/A EZULWINI GAME LODGE
 P.O BOX 3033
 BRITS
 0250

Copy Tax Invoice

Date: 04/06/21

Page: 1

Document No: IN100163

Cash Account

Deliver to
 Att: Daniel Lessing
 Cell Nr: [REDACTED]

Account	Your Reference	Tax Exempt	Tax Reference	Sales Code
CAS001	LESSING 06/21	N		Exclusive

Code	Description	Quantity	Unit	Unit Price	Disc%	Tax	Nett Price
4 - 6 June 2021							
AHPN001	Accommodation - Hunter Sharing/ Night	4.00	1	550.00	0.00%		2 200.00
ANHPN001	Accommodation - Non-hunter/ Night	4.00	1	400.00	0.00%		1 600.00
BDR001	Breakage Deposit per Room	2.00		300.00	0.00%		600.00
MIF001	Firelighters & Matches	1.00		35.00	0.00%		35.00
MIW002	Wood Large Bag	7.00		50.00	0.00%		350.00
VGH001	Hunting Vehicle	1.00		500.00	0.00%		500.00
PHG001	Professional Hunter/ Day	1.00	1	500.00	0.00%		500.00
GHW005	Wildebeest > 24"	1.00	1	4 750.00	0.00%		4 750.00
GHW004	Wildebeest Cow	1.00	1	3 900.00	0.00%		3 900.00
SLA004	Slaughtering Fee - Large Game	2.00	1	180.00	0.00%		360.00
ADEP	DEPOSIT PAID	-1.00		4 200.00	0.00%		-4 200.00

Received in good order

Signed _____ Date _____

Sub Total	10 595.00
Discount @ 0.00%	0.00
Amount Excl Tax	10 595.00
Tax	0.00
Total	10 595.00



P O BOX 3033, BRITS, 0250

Tel: [REDACTED]

Email: [REDACTED]@co.za

Permission to Hunt / Transport Venison

Toestemming om te Jag/ Vleis te Vervoer

Hunter / Jagter:

Name/ Naam:

ID:

Cell nr:

Address/ Adres:

SA Hunter No/ SA Jagters Nr:

Vehicle Reg No/ Voertuig Reg Nr:

Owner/ Eienaar:

Farm name/ Plaasnaam: Ezulwini Game Lodge - Klipplaat, JQ 217, Brits, Noordwes Provinsie

Owner/ Eienaar: Ricus Bamberger

Contact nr/ Kontak nr:

Email/ Epos: [REDACTED]@p.za

Address/ Adres:

Pecanwood, Hartebeespoort

Farm Exemption Certificate nr/ Plaasvrystellingsertifikaat nr: BOJ 17/10/17 - 0787 NW

Expiry Date: 16 October 2021

Date of Hunt/ Datum van Jag: 6-6 June 2021

The following species hunted and transported/ Volgende spesies gejag en vervoer:

Number/ Aantal

Species/ Spesie

Gender/ Geslag

1	Blauwvlleest Bomaas	Bull

Landowner/ Grondeienaar

Date/ Datum: 6-6-21

Hunter/ Jagter

Date/ Datum: 6-6-21



P O BOX 3033, BRITS, 0250

Tel: [REDACTED]

Email: [REDACTED]

Permission to Hunt / Transport Venison

Toestemming om te Jag/ Vleis te Vervoer

Hunter / Jagter:

Name/ Naam: Phuti Matlaba
ID: [REDACTED]
Cell nr: [REDACTED]
Address/ Adres: [REDACTED] SANDTON
SA Hunter No/ SA Jagters Nr: [REDACTED]
Vehicle Reg No/ Voertuig Reg Nr: [REDACTED]

Owner/ Eienaar:

Farm name/ Plaasnaam: Ezulwini Game Lodge Klipplaat, JQ 217, Brits, Noordwes Provinsie
Owner/ Eienaar: Ricus Bamberger
Contact nr/ Kontak nr: [REDACTED] Email/ Epos: [REDACTED]
Address/ Adres: [REDACTED] Pecanwood, Hartebeespoort
Farm Exemption Certificate nr/ Plaasvrystellingsertifikaat nr: BOJ 17/10/17 - 0787 NW
Expiry Date: 16 October 2021

Date of Hunt/ Datum van Jag: 6-6 June 2021

The following species hunted and transported/ Volgende spesies gejag en vervoer:

<u>Number/ Aantal</u>	<u>Species/ Spesie</u>	<u>Gender/ Geslag</u>
<u>2</u>	<u>Blouwalibest carasso</u>	<u>Bull</u>

[Signature]
Landowner/ Grondeienaar

Date/ Datum: 6-6-21

[Signature]
Hunter/ Jagter

Date/ Datum: 6-6-21

[Signature]