



Minutes of the Committee for Section 194 Enquiry

Date: Thursday, 14 July 2022

Time: 10:00

Venue: Hybrid (Virtual & Physical at Committee Room M46)

Agenda:

- **Hearings: Day 4 – Mr Johann van Loggerenberg appearing before the Committee**

Members

Status	Name of Member	Political Party
Present	Mr QR Dyantyi (Chairperson)	African National Congress (ANC)
	Ms D Dlakude	
	Ms J Hermans	
	Ms TM Joemat-Pettersson	
	Ms TI Legwase	
	Mr S Luzipo	
	Mr MG Mahlaule	
	Ms JS Mananiso	
	Ms T Mgweba	
	Mr BS Nkosi	
	Mr X Nqola	
	Ms ED Peters	
	Mr AM Seabi	
	Ms VS Siwela	
	Mr BM Maneli	
	Ms ME Tlhape	
Ms GK Tseke		
Mr GJ Skosana		
Ms J Tshabalala*		
	Dr A Lotriet	Democratic Alliance (DA)
	Mr KJ Mileham	
	Mr BB Nodada	
	Dr M Gondwe	
	Ms BM Van Minnen*	
	Mr JS Malema	Economic Freedom Fighters (EFF)
	Ms OMC Maotwe	
	Dr CP Mulder	Freedom Front Plus (FF+)
	Ms H Denner* (FF+)	
	Ms ME Sukers	African Christian Democratic Party (ACDP)

Mr AM Shaik-Emam	National Freedom Party (NFP)
Mr B Herron	GOOD
Mr B Holomisa	United Democratic Movement (UDM)
Mr MGE Hendricks	Al Jama-ah

*indicates that a member is an alternate

Parliamentary Officials and other

Name	Organization	Designation
Mr TK Ngoma	Parliament	Committee Secretary
Ms TC Morie	Parliament	Graduate Trainee
Ms H Davids	Parliament	Graduate Trainee
Adv. N Bawa	Parliament	Evidence Leader
Adv. N Mayosi	Parliament	Evidence Leader
Adv. A Pillay	Parliament	Evidence Leader Support
Mr J van Loggerenberg	Member of the Public	Committee Witness
Adv. D Mpofu	Seanego Attorneys	PP Legal Representative
Adv. B Shabalala	Seanego Attorneys	PP Legal Representative
Adv. H Matlhape	Seanego Attorneys	PP Legal Representative
Mr T Seanego	Seanego Attorneys	PP Legal Representative
Ms N Patel	Seanego Attorneys	PP Legal Representative
Adv ML Tau	Parliament	Acting Section Manager
Mr M Dano	Parliament	Committee Researcher
Ms S Sipamla	Parliament	Content Advisor
Mr S Magagula	Parliament	Content Advisor
Dr S Khuzwayo	Parliament	Content Advisor
Mr P Dlomo	Parliament	Content Advisor
Ms F Ebrahim	Parliament	Legal Advisor
Mr S Njikela	Parliament	Legal Advisor
Mr T Nage	Parliament	Procedural Officer
Mr P Hahndiek	Parliament	Procedural Officer
Mr S Thwala	ANC Caucus	Content Advisor

1. Opening and welcoming

The Chairperson opened the meeting and welcomed all members present, the Evidence Leaders of the Parliament led by Adv. Bawa, Adv. Mkhwebane, together with her legal team led by Adv. Mpofu to the fourth day of hearings.

He granted Adv. Bawa the opportunity to complete her interaction with the witness, Mr van Loggerenberg and then granted the opportunity to Adv. Mpofu to cross-examine the witness on behalf of the Public Protector Adv. Mkhwebane.

2. Witness statement

Mr van Loggerenberg, led by Adv. Bawa, continued with, and completed leading his evidence before the Committee. A record of the witness statement will form part of the Committee report.

During cross-examination of Mr van Loggerenberg, Adv. Mpofu, addressed the following issues with the Committee:

- a. The broad scope of the evidence that was, and will be presented by the witnesses; and
- b. The dynamics of the process that could possibly require the extension of invitations to possible witnesses to present evidence, including the President and former Presidents.

Adv. Mpofu continued with his cross-examination of the witness, Mr van Loggerenberg. A record of the cross-examination will form part of the Committee report.

4. Deliberations

The Committee deliberated on the issues that were raised by Adv. Mpofu. They indicated that some of the issues that Adv. Mpofu raised with the Committee would be best dealt with and addressed by the Evidence Leaders of the Committee.

On the issue of inviting more witnesses, the Committee indicated that there was no new ground brought forward, the Committee would deal with matter as per the Motion. Adv. Mpofu took issue with this assertion and put it to the Committee that it was only his legal team and the Evidence Leaders who could trigger the power to summon witnesses.

The Committee was also concerned about what it called delaying tactics by the legal representatives of the Public Protector intended to keep the Committee busy beyond the September 2022 deadline until the end of the term of the incumbent.

The Committee raised concerns regarding whether the recording that was played the previous day was acquired lawfully. Furthermore, concerns were raised regarding the necessity to validate whether indeed it was Adv. Mkhwebane in the recording.

5. Closing remarks

The Chairperson thanked Mr van Loggerenberg for availing himself, appearing before the Committee and that the cross-examination would continue on Friday, 15 July 2022.

In closing, the Chairperson explained to Members that the concern regarding the necessity for confirmation from Adv. Mkhwebane regarding the recording in question, would be answered by Adv. Mkhwebane herself at a later stage.

6. Adjournment

The hearing was adjourned at 15:53

Signed electronically

16 August 2022

Mr QR Dyantyi, MP
Chairperson: Committee for Section 194 Enquiry

Date