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### **Zondo Commission – Mdluli investigation deliberately hampered at all levels**

The almost decade-long investigation into alleged fraud and corruption against former head of crime intelligence (CI) Lieutenant-General Richard Mdluli and former procurement head Colonel Heine Barnard has been frustrated at all levels, including that of national police commissioner. It became clear to Hawks senior investigator Colonel Kobus Roelofse, though, that the classified documents kept from him possibly incriminated more than just Mdluli and Barnard, but important people outside the South African Police Service (Saps) too. He returned for his third day of testimony before the commission of inquiry into state capture on Thursday.

Roelofse has been investigating allegations of corruption against the two as well as the unit's former chief financial officer General Solly Lazarus since around 2010.

Khehla Sitole, the current national commissioner, is just as aware of Roelofse's attempts to get intelligence documents relating to the investigation de-classified as his predecessors, but like them has not acted on the request from the Hawks. According to Roelofse, the instruction to have the documents de-classified should come from the office of the commissioner, as it is the one that holds the authority to do so, especially in the case of senior CI management being implicated. A number of former commissioners named by Roelofse as having failed to support the investigation include current police minister Bheki Cele, Riyah Phiyega and Lesetja Mothiba.

An added layer of frustration came from both Mdluli himself and former director of special prosecutions at the National Prosecuting Authority (NPA) Lawrence Mrwebi. Mdluli allegedly intimidated any members of his unit who may have been suspected of aiding the investigation, while Mrwebi attempted to deflect the matter in late 2011 by claiming that the investigation fell outside the jurisdiction of the Hawks, and should rather be handled by the office of the Inspector-General of Intelligence, at this point headed by Faith Radebe.

"It just didn't make sense to me. This was a deliberate attempt to not continue with the investigation" said Roelofse. "It was thought that if the NPA tells police the matter is closed, the matter would not be investigated further. In this regard, to me, it was quite deliberate to stop the investigation."

When in March of the following year Radebe advised then acting commissioner Nhlanhla Mkhwanazi to reinstate corruption charges against Mdluli that had been withdrawn by Mrwebi, even more walls went up before Roelofse. He received no co-operation whatsoever from CI officials from then on, he told the inquiry, and would later learn that it was due to the intimidation from Mdluli.

About 20 officials were inexplicably transferred, some to lower ranks, owing to their suspected involvement in the investigation.

Lieutenant-General Chris Ngcobo, who acted as head of CI, replacing a suspended Mdluli in mid-2012, also seemed to be receiving pressure from above to not give in to Hawks requests. It got to the point where the back-and-forth movements even frustrated then Hawks head Anwar Dramat, who also seemed to Roelofse to be under pressure to drop the request.

Giving comment to journalists against the backdrop of his kidnapping trial in the Johannesburg High Court, Mdluli said he was ready to go before the inquiry, as he did nothing wrong.

"I can only comment at the right time, such as what I did when I was in office," he is reported to have told SABC News. "I briefed Parliament, the inspector-general and so on. Those are the areas where one can be able to explain what is happening in that environment."

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