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Zondo Commission – Mentor cross-examination reveals inconsistencies, but she remains firm

Former ANC MP Vytjie Mentor was the first witness to be cross-examined by lawyers representing people she implicated at the commission of inquiry into state capture on Tuesday. Despite being pressed, she would not budge on the veracity of her version of the evidence.

Mentor faced the legal representatives of former chief of staff in the office of Jacob Zuma, Lakela Kaunda, and advocate Mandla Mtolo of the Hawks. Kaunda, said Mentor in her testimony in August last year, had invited her to a meeting in Johannesburg in 2010 on behalf of the former president, which never materialised, but actually ended up being the occasion on which businessman Ajay Gupta offered her the position of minister of public enterprises in Zuma’s cabinet.

Years afterwards when Mentor decided to lay criminal charges against Gupta over this, she approached the Hawks and was given an opportunity to produce a sworn statement to back up her claims. Mtolo would later persuade her to alter this statement by erasing some intricate details according to Mentor, thus acting irregularly in his mandate as a public official.

Advocate Henry Cowley, representing Kaunda, argued that Mentor’s version of events of the Sunday evening in late 2010 differed from his client’s. Mentor claims that Kaunda – during a telephonic conversation between the two – noted her repeated attempts to secure a meeting with Zuma for weeks without success. On that basis, Mentor said she was told, Zuma would make time for her the next day, a Monday, and that she would have to travel from Cape Town to Johannesburg.

During her interview with the public protector in July 2016, Mentor mentions that she was called by Kaunda on the night in question, without mentioning previous contact between the two of them. Her statement to the commission alludes to calls exchanged prior to the Sunday evening call, yet the public protector version does not refer in any way to any contact before the one in question.

“Prior to the Sunday evening, we had communicated, me and Ms Kaunda, through SMSes,” said Mentor, “not telephonically. I had written to the Presidency, but not to her.”

Kaunda, in consideration of Mentor’s evidence, obtained her mobile phone records, which show no contact between them. Mentor disputed the record submitted by Kaunda, questioning its accuracy, as the same service provider had responded to a similar request from her by saying 2010 was beyond the cut-off date for which they can provide records.

“The record from Ms Kaunda is her own, and not from her service provider,” said Mentor. “We also asked for the records from the service provider, and the legal team also asked the service provider, and the response was the service provider does not keep records that are beyond five years old.

“My records could not be brought forward, then I asked how then could Ms Kaunda have cellphone records, if the service provider only keeps records for five years.”

Mtolo’s legal representative Vincent Sewela questioned Mentor’s integrity in allowing herself to be persuaded by Mtolo to alter her own sworn statement to a law enforcement agency. According to Mentor, Mtolo had arrived at her home for a meeting over her statement, and one of his first

comments to her was that she had made things very difficult for them because she claimed in her statement that former president Jacob Zuma had a corrupt relationship with the Gupta brothers.

Mtolo then persuaded her to remove Zuma's name from her statement, which she did. A subsequent statement by Mentor reinserted the information.

Sewela also pointed out that Mentor's interview with the public protector excluded Zuma's name. This, said Mentor in her defence, was because her interview focused on the meeting with Gupta in Saxonwold, and the events thereof. She also said although an audio recording of their meeting exists, it does not contain Mtolo's comment regarding the difficulty for the Hawks – a deliberate omission by Mtolo, according to Mentor.

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