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Zondo Commission – Vytjie Mentor returns to be cross-examined

Former ANC MP Vytjie Mentor returned to the hot seat at the commission of inquiry into state capture on Monday, to answer to allegations she had made in an affidavit last year. Most of the morning's proceedings focused on travel records of both Mentor and some of the people she had implicated in her testimony in August 2018.

The August 2010 state visit to China was the first to come under focus. Evidence leader Mahlape Sello questioned Mentor's version of the connecting flight from Johannesburg to Dubai, against evidence obtained by the commission's investigators. During this flight, Mentor testified last year, she met Duduzane Zuma, the son of former president Jacob Zuma. Duduzane was with a man she later came to believe was Rajesh Gupta, the second eldest of the three Gupta brothers. She had also said that former government advisor Fana Hlongwane was on the same flight, but Mentor has since retracted this part of her statement and apologised to Hlongwane. He had been among those who applied for permission to cross examine Mentor, and since the retraction and apology, has withdrawn his application.

There was no dispute from Sello over whether Duduzane and Rajesh Gupta were on the flight. She did question Mentor's evidence that Rajesh's brother Atul was part of an advance team of government and business delegates during the visit in China. Working from records obtained from the Department of Home Affairs, Sello put it to Mentor that Atul had not travelled outside the country during the time of the trip. To this, Mentor responded by saying that with Atul having more than one passport to his name, the records may have very well left out details from other passports that they did not scrutinise. Sello noted that all of Atul's travel documents were scrutinised, and the records thereof were part of a confidential portion of evidence that was up to commission chair Raymond Zondo to admit onto its records.

Next to be queried was the date on which Mentor said she travelled from Cape Town to Johannesburg, some weeks after the China trip, under the impression that she was to meet with the former president. She testified that she was instead misled by the Guptas, who sent a delegation to OR Tambo International Airport to pick her up and drive her to the office of one of their companies, Sahara, instead. Later she was driven to their home in Saxonwold, where she met with Ajay Gupta, the eldest of the brothers. At this meeting, Ajay attempted to offer Mentor a ministerial post, but she refused this on the spot, only for Zuma to appear from one of the rooms of the house to help calm her down from an agitated state.

Sello told the inquiry that her team submitted enquiries to South African Airways, British Airways and Mango Airlines to check if there were records of Mentor having travelled on the date that she said she had, a Monday. They found no record of her being on a flight on the Monday in question. Mentor's previous testimony was that she was called by Zuma's then chief of staff Lakela Kaunda on the previous Sunday, to meet the former president in Gauteng the next day. She maintained that she travelled on a Monday, and not any other day of the week. Kaunda's lawyers are set to cross examine Mentor on Tuesday.

The rest of the day was dedicated to evidence that related to the visit by Mentor to the Gupta home. In August she had described what she said were distinctive features within the home. Sello submitted that a team from the commission led an inspection of the house in early December 2018, with a view to comparing their observations with that of Mentor. They were accompanied by Mentor and her legal team, the Guptas' legal team, and a team of experts in the field of the built environment, provided to the commission by the Department of Public Works. The work of the team of experts was to verify if there had been any structural modifications made since Mentor's testimony, to the house.

Mentor queried some of the findings of a report by the experts, as well as whether they were given the correct brief. According to Sello, their mandate had been to take note of Mentor's points during the inspection, relating to any possible changes, and prepare and submit a report for the commission. It would then be up to Zondo to say whether a further, more detailed investigation of the house was warranted.

Video evidence of the tour of the house will be submitted as evidence. During a short adjournment meant to allow the commission's legal team to resolve glitches in the location of certain evidence in filed documents prepared for the day, the legal representative of the Gupta brothers, advocate Mike Hellens, argued that although all parties represented at the inspection filmed the process, his clients' version of the video recording should be admitted as evidence as it showed more than the rest.

Sello in turn argued that this was not the case, and that the legal team of the commission had decided that only their version is the official one, and the others were made purely for their respective clients' interests. Zondo noted the request from Hellens, but said he would not make a ruling on the admission of his video as evidence at this point.

Mentor continues with her evidence on Tuesday. She is expected to face cross-examination from the legal representatives of Mandla Mtolo of the Hawks, and Kaunda. Mtolo is alleged by Mentor to have interfered with her evidence during the Hawks' investigation into the meeting between herself and Ajay Gupta.

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