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Zondo Commission – SA Express witness flees for her life

Two months after giving evidence before the commission of inquiry into state capture in June, Mahikeng businesswoman Babadi Tlatsana has fled the country in fear for her safety. This was shared at the beginning of Thursday's proceedings by commission evidence leader Advocate Kate Hofmeyr, who learned of the development through Tlatsana's lawyer. Hofmeyr did not disclose Tlatsana's destination.

Following several alleged incidents of unknown people making suspicious enquiries about her movements, on some occasions at her home in Mahikeng, Tlatsana thought it best to leave South Africa as a precaution. Commission chairperson Deputy Chief Justice Raymond Zondo is concerned about the impression created of a witness unhappy with protection sought through law enforcement, having little option but to leave the country.

"When the commission received this information it took it very seriously," said Hofmeyr. "We have engaged our own investigators, particularly on aspects of security, and they are updating us regularly on this."

This is the first recorded case of a witness of the commission taking the step to flee the country. There have, however, been cases of witnesses reporting threats to their safety both prior to, or in between first appearances and follow-ups. It is on these occasions that Zondo instructs his team to engage law enforcement agencies to seek protection arrangements for affected witnesses.

Tlatsana's evidence on a R51-million-per-annum contract she was awarded by SA Express (SAX) implicated several high-profile politicians and officials of the North West government. The contract was for ground handling services at Mahikeng and Pilanesburg airports in the province. It had not gone to tender when Tlatsana's company, Koreneka Trading and Projects, was appointed in May 2014, and was ruled unlawful by the Mahikeng High Court two years later. From the evidence shared to date, Koreneka appears to have been used as a vehicle by then SAX executives and North West transport department officials to channel government funds for private use.

Tlatsana told the commission during her testimony that she was pressured by SAX general manager for corporate affairs Brian van Wyk to allow him to run the books of the company, therefore directing how the funds would be spent. Van Wyk, she said, told her some of the money was for ANC politicians like former ministers Dipuo Peters and Lynne Brown, as well as then North West premier Supra Mahumapelo, among others.

Earlier on, Van Wyk had lied about what her company's money was used for, said Tlatsana, recalling that he noted the need to source equipment such as CCTV cameras, only to confess later that it had been to bribe key players in the scheme for their role in securing the contract and maintaining it.

She then hired a private investigator, who later revealed to her that some of the money had gone towards private companies in order to launder it into cash, presumably for the bribes. The Hawks also took interest in the matter, and on several occasions interviewed Tlatsana, she told the commission. It had been expected that Tlatsana would return to the commission, should there be a need for more information from her.

Vivien Natassen, who took the witness chair shortly after Hofmeyr's announcement, is the director of Neo Solutions, one of the companies found by investigators to have received some of the money Van Wyk pilfered. The company received two deposits of R5-million each over the same number of days in November.

Natassen, who was returning for his second appearance, denied knowing at the time where the money had come from. Together with Van Wyk, he had plans of starting a farming venture at the time, and assumed the R10-million was a legitimate contribution towards this by Van Wyk. Hofmeyr questioned him on Thursday on the principles of due diligence on which he operates his company.

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