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Zondo commission – Noma sticks to her guns on Gigaba, Gupta cash

The cross-examination of Noma Mngoma, the estranged wife of former cabinet minister Malusi Gigaba, was completed on Wednesday before the state capture commission. For the most part in her two-day testimony, Mngoma's evidence was challenged by Gigaba's lawyer, Advocate Richard Solomon, who declared to her that he would submit that aspects of it be declared inadmissible.

Solomon's strategy was to expose Mngoma as a witness lacking credibility. He took issue with her oral testimony in April in which she said that parts of her affidavit were drafted by the commission's investigator Sakhile Masuku, and not her. Solomon questioned why the commission should consider it as credible evidence when those were the circumstances under which it was deposed.

Mngoma explained that she signed her finalised affidavit under pressure, after she had started receiving security threats. Her counsel at the time, Advocate Tembeka Ngcukaitobi, called her to meet with him to sign the affidavit, which she did not get a chance to read again, before he submitted it to the commission.

Solomon challenged Mngoma on this, arguing that the only time she raised security issues with the commission was when Ngcukaitobi was no longer her counsel, and after Gigaba's own affidavit had been given to her for her response. It was at this point that certain details in her own version changed and she started questioning the commission's motives.

This was not the case, said Mngoma, who explained that along with the security threats, there had been media interest in her affidavit. She and Ngcukaitobi met with the commission's officials to iron out her concerns, and she was assured that a media leak that she had learned about would be taken care of.

Next was the motive Mngoma had for appearing before the commission. She stuck to her guns about not being a bitter, vindictive wife who wanted to swindle a favourable settlement out of Gigaba. It was in fact Gigaba who filed for divorce late in 2020, to discredit her version.

"He did that so he can drive the narrative, so when I decide to speak about why I was arrested you can say I'm bitter about the divorce," said Mngoma.

"If he really meant to divorce me, it's almost eight months now. Since Malusi filed the summons he has never done anything. It's me and my lawyers who keep chasing him."

Then came Mngoma's academic qualifications, whose veracity Solomon questioned, seeking to further query her credibility. According to Gigaba, Mngoma lied in the CV about having completed a certificate with Henley Business School. But Mngoma was not willing to enter that space.

"What I have put here has got to do with capture. So I don't know how my education is capturing the commission or maybe the state. I am not willing to attack his personal life, because I have never

done so. Since I have never attacked his personal life, I do not want my personal life to be dragged as well,” said Mngoma.

But what about how she benefited from the same lifestyle she claimed was bankrolled by the Guptas? Mngoma had previously testified that the Guptas paid for their lavish wedding – worth around R5-million – and gave her estranged husband bags of cash during the couple’s visits to their home.

“Now when did it strike you that you were a beneficiary of Gupta money that would be involved in corruption and the cancer you talk about?” asked Solomon.

“I only knew when Malusi said I should not mention that to the commission, he said it [the cash] was for elections,” she said. “I have never been part of ANC things or any branch and I do not know how money is raised. I did not know it was wrong for him to do that.”

When it was the turn of her own counsel, Advocate Mpati Qofa, Mngoma’s testimony veered towards painting Gigaba as a spouse who controlled everything from what the family watched on TV, to how the public image of the couple’s life was to be portrayed in the media.

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