

Cop denies part in Nxasana smear campaign

 By [Valencia Talane](#)

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A South African Police Service (Saps) colonel has told the state capture commission that it should throw out evidence that he assisted former acting national director of public prosecutions (NDPP) Nomgcobo Jiba to oust her successor Mxolisi Nxasana.



Source: Mawardi Bahar – [123RF.com](#)

Colonel Sthembiso Mhlongo appeared before the commission on Thursday to answer to allegations by National Prosecuting Authority (NPA) official Terence Joubert, implicating him in a smear campaign against Nxasana. In his evidence in 2019, Joubert told the commission that Mhlongo was among the Saps officials attached to the NPA at the time. These were roped in by Jiba soon after Nxasana's installation in August 2013, and charged with finding dirt on him.

Mhlongo further refuted the contents of an affidavit by colleague Queen Mhlongo – with whom he admitted to have had a close relationship – that his reaction to the news of Nxasana's appointment was less than favourable. According to Queen, the colonel described Nxasana as a temperamental and unpredictable individual with whom he had had a past encounter when a client of Nxasana's was in his custody. This was when Nxasana was still in private practice, before joining the NPA. His demeanour towards Mhlongo on this occasion, Queen said she was told, had been one of a very angry person who could not control his temper.

Mhlongo initially said in his affidavit that his conversation with Queen had been taken out of context, accusing her of deposing to it only to help support Joubert's version that he was part of the Jiba campaign. Under questioning by evidence leader Advocate Garth Hulley, however, he denied that such conversation ever took place. Commission chairperson Deputy Chief Justice Raymond Zondo called on Mhlongo to respect the oath he took prior to testifying and give the commission his true position on the events, to which he responded by saying the conversation did indeed happen, but Queen exaggerated parts of it for impact.

Joubert's version was that about a month after Nxasana's appointment, Jiba was travelling to Durban and he had been scheduled to fetch her from King Shaka International Airport. There was, however, a sudden change in plans at the last minute, when Jiba's secretary called him to say that Mhlongo would be fetching her instead, a development that made Joubert curious. He investigated the circumstances around the change of plans, and learned that Mhlongo had been roped in by Jiba to engineer a smear campaign against Nxasana.

In his own testimony, Nxasana said it was an email from Joubert around this period that alerted him to the alleged campaign. Mhlongo told the commission that he was instructed to vacate his office in the NPA building in Durban at some point, and told by his then supervisor that it was because Nxasana had revealed that he was trying to uncover dirt on him.

Nxasana resigned as NDPP in May 2015, amid controversy, with media reports speculating that he was being purged for pursuing corruption cases involving powerful politicians. Former president Jacob Zuma then offered him a settlement of R17-million, the legitimacy of which was overruled by the Constitutional Court in 2018.

When Nxasana appeared before the commission, he told of an insubordinate Jiba who would not take instructions from him. Her apparent unhappiness with his appointment stemmed from what Nxasana believed to have been a promise to her from Zuma that she would be permanently appointed to the NDPP position. But Instead Zuma's former state attorney Michael Hulley head-hunted Nxasana, who was then invited to meet with Zuma in Pretoria to discuss the requirements of the position. It was only after this meeting that Nxasana sent through his CV, and the required vetting process was instituted.

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ABOUT VALENCIA TALANE

Valencia Talane is a senior journalist and editor with Corruption Watch in Johannesburg. Talane has followed the hearings of the state capture commission since their commencement in August 2018 with a view to documenting evidence shared therein.

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