


Zondo dismisses Fraser bid to cross-examine SSA witnesses

 By [Valencia Talane](#)

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Former State Security Agency (SSA) director-general Arthur Fraser will not be cross-examining any of the witnesses who implicated him in state capture earlier this year. The chairperson of the state capture commission, acting Chief Justice Raymond Zondo on Wednesday dismissed an application by Fraser to cross-examine a number of witnesses in the intelligence stream of evidence.



Image source: Sergii Ghatiuk – [123RF.com](#)

Among those that Fraser wanted to quiz is the current national security advisor, Dr Sydney Mufamadi – who chaired the high level review panel into the operations of the SSA in 2018, former SSA DG Jeff Maqetuka and two of the agencies former deputy DGs, Mo Shaik and Gibson Njenje. Loyiso Jafta, who was the acting DG of the SSA at the time of his testimony in January, and Inspector-General of Intelligence, Dr Setlhomamaru Dintwe, were also in Fraser's sights for cross examination.

According to Zondo, Fraser characterised the testimonies of the witnesses as implicating him in four general areas: spearheading the controversial national intelligence agency network (also known as PAN); centralising power in PAN in terms of the SSA's strategy; governance matters during his term in office; and condoning a doctrinal shift resulting in the repurposing of the SSA during his term.

Conditions and protocol

Zondo, however, said Fraser failed to follow the commission's legal protocols, including spelling out what areas of the witnesses' testimonies he wished to challenge specifically.

Furthermore, although Fraser had sought to gain access to documentation from the SSA that he asked the commission subpoena on his behalf, he abandoned this process when the agency – through its legal representative in the state attorney's office - notified him of the processes he would have to follow in order to do so. Despite the commission granting him time to engage the SSA for access to the documents, Fraser did not see it fit to communicate updates with regard to this process, said Zondo.



Zondo denies claims he blocked Fraser evidence

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He said the former DG had failed to explain to the commission his reason for abandoning the process, despite communication from the agency granting him access under certain conditions. "The applicant has not complied with the rule in relation to identifying in the affidavits of the witnesses exactly the paragraphs and parts of the paragraphs that he disputes which implicates him and what his version is in regard to them," Zondo said on Wednesday.

He added that Fraser could still assist the commission with its investigative work, despite the lapse in time and the missed opportunity for his oral evidence.

'Unfit'

Fraser recently made public a statement about Zondo's nomination for the position of chief justice of the Constitutional Court, saying that the latter was not fit for the role as he lacked integrity and objectivity.

Through his lawyer Advocate Muzi Sikhakhane, Fraser told the commission during his application in April this year that the witnesses who had implicated him had laid bare state secrets that should have been protected in an effort to advance factional battles within the ANC.

This article was originally published on [Corruption Watch](#).

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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