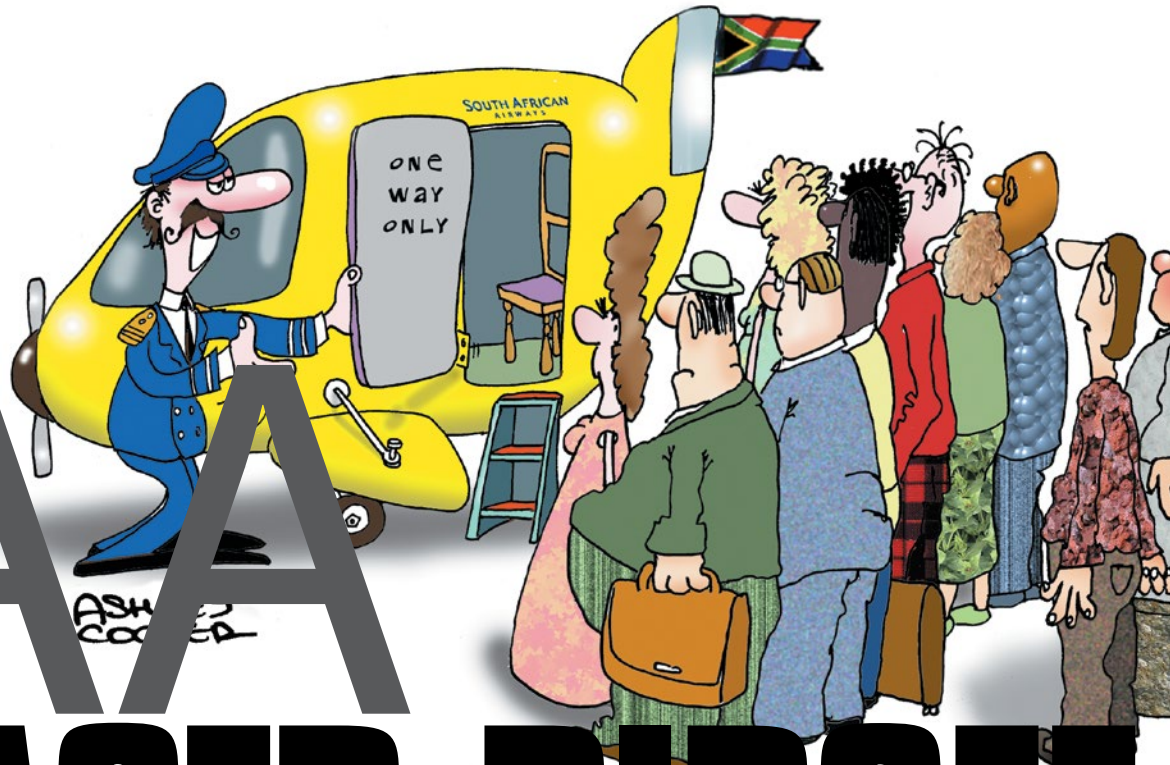


MAY 2003

noscoweek

news you're not supposed to know

ISSUE 46 R25 (INC VAT)



SAA

VOYAGER RIPOFF

++MERVYN KING AND THE FRAMES AGA: PART 2++

+Durban's Carsa Nostra + Lazerson's 3 weddings, 2 divorces and a funeral+

School falls for R2m scam + Justice on the streets + Barefoot on the rug



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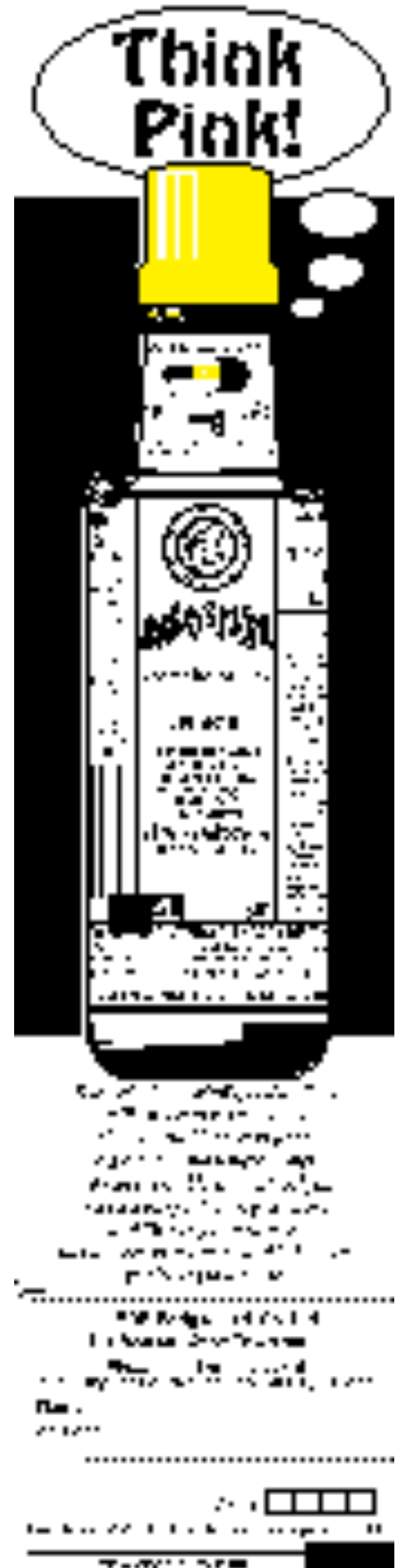
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Frame and King

Apart from Frame (*nose45*), Mervyn King was also a director of Fedsure at the time of its collapse. The board included a representative of Investec and one of Econometrix. It was these names that persuaded many of us to hang on to Fedsure's shares to the bitter – very bitter – end.

Nobody has yet explained just what caused Fedsure's collapse or what its directors were doing (other, perhaps, than comparing notes on corporate governance) while the company was self-destructing. Material for a *noseweek* inquiry?

Ray Flanagan

George

See *Frame Affair: Part 2* on page 6; and *Bruce Sanders' letter* on page 28.

Travel insurance

After your gripe about Europ Assist (*nose45*) here's a good news story. My company offers travel insurance. A few years ago we switched to AIG (American Insurance Group). Our first sale was to a man who made all his own arrangements when his wife took ill in the middle of their holiday. After his return he came to see if we could get him a refund on his cancelled accommodation.

"Do tell," said I, "how were you treated by our new insurance company?"

"What insurance company?" he asked. He'd forgotten he'd paid a large sum for travel insurance!

Everybody knows the rules: You must claim from the other side. I

being sold by travel operators.

Europ Assistance offers a 24-hour telephonic helpdesk in support of claims covered by this travel policy.

Alta Cornelissen

Manager, Marketing, Europ Assistance, Auckland Park

Cape-to-Rio storm

The reference to "Abromowitz's Boating Partners" in your article on the Cape-to-Rio race sponsorship ("Close to the wind", *nose45*) was most misleading.

I have never been a shareholder or director of Boating Partners (Pty) Ltd. I am a shareholder and director of SA Boats (Pty) Ltd, which is a joint venture between Boating Partners and my own

Loud whale

A while back you reported on a controversy in the B&B industry (*nose40&41*), referring inter alia to a set-to between *Portfolio of Places* and Christiane von Ulmenstein, the owner of Whale Cottages, Hermanus.

You might like to know that my wife and I suffered badly at Ms Von Ulmenstein's hands. I was due on a business visit to SA last November and decided also to have a fortnight's holiday. I phoned Whale Cottages and specified that we wanted a view of the sea and privacy. I stressed privacy as we were badly in need of a quiet break.

I was told we would have the Lighthouse room at the new Whale Cottage and that it had its own patio area. We paid in advance.

When we arrived we were deeply upset to find that the room was indeed on a patio, which had lots of tables and chairs – because that's where everyone had tea and breakfast!

It was like a public walkway. The side of the room facing the patio was all glass so the only way we could have had even minimum privacy was to keep the large glass door and curtains tightly shut. We refused to stay there. We would not have dreamed of making a booking had we not been so misled.

We have been trying to recover the money we paid. I wrote to Cape Town Tourism Council but thus far have had only a bromide response. I am sure that this cannot be connected with the fact that Ms von Ulmenstein is vice-chair of the council.

Whale Cottages have offered a weekend at one of their cottages. [*This must surely be a joke. – Ed.*] I'll probably have to sue.

Warmest good wishes to you for your muckraking. Great stuff.

Benjamin Pogrud

Jerusalem

Stannic

Regarding the fraud on the truck drivers (*nose43&44*), what do you suggest we, as consumers, should do regarding companies like Stannic?

Vic de Valdorf

Muizenberg

We are giving it some thought. What we suggest will depend on what Stannic itself does. – Ed.

"Nobody has yet explained what caused Fedsure's collapse or what its directors were doing"

Misunderstood

So if it was Santana that sang "Please don't let me be misunderstood" (editorial, *nose45*), then it must have been Eric Burdon and the Animals who sang "Black Magic Woman".

Bruce MacDonald

Rondebosch

OK, so our music history isn't as good as our investigative journalism. Who's perfect? – Ed.

Patently silly

This will be the last time I renew my subscription if you persist in your silly and unjustified criticism of intellectual property practitioners.

I A Freimond

Patent Attorney, Randburg

The minute the practitioners stop being silly, we'll stop. – Ed.

thought I'd give it a try anyway and phoned AIG in Cape Town. Within half an hour they had agreed to his claim for doctor, hospital, cancelled accommodation. Within a week we had his cheque.

Anne Hill

British TIPS, Tygervalley

■ Regarding the inoperative UK call number for Europ Assist (as alleged by Mr Lewis in *nose45*), other claimants are using our emergency telephone numbers regularly and all tests have established they are fully operational.

Europ Assistance uses the latest technology to log all telephone traffic and quality tests regarding advice and telephone etiquette are undertaken regularly. To date we have not come across any instance where a reverse charge call was refused by any call centre operators. Europ Assistance South Africa has received and accepted reverse charge calls for the past 15 years and currently receives an average of 10 daily, each of which is electronically logged. Internationally the Europ Assistance Group annually handles 33.5m calls and carries out 6.5m assistance actions.

Some time before publication of the *noseweek* article, Europ Assistance settled Mr Lewis' medical expenses claim.

Let me also resolve the confusion regarding TIC and Europ Assistance's roles. TIC is the owner of the travel insurance policy

yacht brokerage business – but this business markets South African boats internationally and has no connection to the Cape-to-Rio race.

Your article also made out that I enriched myself from the sponsorship that I had helped secure for the Rio race. I did not. Dr Plattner's yachting manager, Dee Smith, is a close friend. Following a request by Bruce Parker-Forsythe, the MD of World Sports Group [who, together with Boating Partners had contracted to manage the event], I made a call to Dee to ask him to talk to Dr Plattner regarding an 11th-hour sponsorship of the Cape-to-Rio race to the extent of \$150,000.

There was no discussion of a fee. Dee and I did this as a favour – and to ensure adequate media coverage of the event.

David Abromowitz

Cape Town

It's a pity you did not say all this when you were first interviewed by our correspondent. We are happy to set the record straight. Now see page 17 – Ed.

It's a crime

What about the biggest white collar crime in the history of South Africa: Tigon, Porrit, et al? Come on, you guys, get onto the real crime!

Gordon Calmeyer

By email

What? So you too got greedy, ignored all the warnings and fell for the scam? – Ed.

South African reds



Despite the Stalinist nose, recent vintages are quite accessible and blend amazingly well.

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THE THREAT TO DEMOCRACY

When George W Bush coughs, Tony Blair jumps. And Thabo Mbeki jumps when his best friend Tony coughs. So now we, too, have a “new” anti-terrorism bill on the agenda. In government speak: “In the post-September 11 era, this bill will bring South African law into line with that of many other countries.”

In fact it’s just the old repressive Nat laws back.

Terrorism’s logic is that the end justifies the means, and if it can provoke the enemy into applying the same logic, it can claim to have won the fight before it has started.

If passed by parliament, the proposed Anti-Terrorism Act will limit basic constitutional rights, such as freedom of expression and association. It sets brutal sentences, provides for very tough bail conditions, allows the minister of safety and security to blacklist organisations, and seeks to turn individuals into informers by requiring them to report to the state about suspected “terrorist” activities. It is an act of state terrorism in itself.

How does the bill define terrorism? It does not define it. Instead, it provides a vague definition of what is meant by a terrorist act – it says that this is an

unlawful act that is likely to intimidate the public or a segment of the public. A great variety of forms of political protest until now accepted as part of our political culture, would fall within its ambit.

The bill also introduces a mechanism called investigative hearings. Police may get an order for a person to appear before a judge to provide evidence in the investigation of a terrorist offence. Should the person fail to appear, a warrant of arrest can be issued.

The bill does not affirm the right to have a lawyer at the hearing. Those who refuse to give the information required may be jailed for between two and five years. It’s your basic witch trial. Tell the state the facts it has already decided you know, or face the consequences.

There are at least 20 constitutionally sound laws already in place that give the authorities powers to deal with terrorist threats. The proposed act flouts some of the most fundamental safeguards of individual citizens against the abuse of power by government.

What is emerging ever more clearly is that terrorism and such anti-terrorism measures are counterparts: both are dimensions of the threat to democracy posed by American-style globalisation.

FRAME’S WILL

Our story about Phillip Frame’s Will and the Trust he created in it, is all about conflicting interests and conflicting points of view. It is also about the law and liberty – in this case the liberty of an individual to do something that is both within the law and out of the ordinary.

On Page 28 we publish the outraged reaction to our story of long-time Frame group director Bruce Sanders. Sanders draws a picture of “business reality” – the reality which he certainly knows and understands better than most – with absolute confidence. So confident is he, that he appears oblivious of that other, social, reality. He appears to find the possibility that one might choose

to bankrupt, or even just impoverish, a wealthy company or trust by keeping 20 000 needy people employed for an extra year or two - in preference to selling up and giving five probably charming Sloane rangers an extra R50-million each to spend - so outrageous that he is unable even to contemplate, let alone tolerate it.

He and the likes of Mervyn King clearly found the mere possibility so outrageous that they were prepared to ignore Frame’s Will – and deny an old man the liberty to do with his own goods what he thought was right.

As always, read and judge for yourself.

The Editor



THE FRAME AFFAIR PART TWO

2

“During my lifetime I can in all modesty claim to have played a major part in establishing the textile industry in South Africa. This has been achieved through the founding and developing of a large group of companies commonly known as the Frame Group.”

– Phillip Frame in his 1974 will

THE STORY SO FAR...

During Frame's lifetime, shares in the Frame Group were hardly sought after. When dividends were declared at all, they were tiny. The will explained this: "I have always been able to influence the boards of the main companies in the group to exercise a conservative dividend policy with the result that the group has been able to accumulate substantial reserve funds and finance its capital expansion programmes from its own resources I believe that this conservative dividend policy should, in the interests of the group, be continued for many years after my death, leastwise until substantial reserve funds

have been accumulated."

It was at Frame's own cost most of all that his companies declared minimal dividends.

Frame was as parsimonious to

Mervyn King, Charles Stride, Charles Friedman, Gerald Stein, Sydney Kentridge and Sam Aaron.

Frame died in January 1979.

The controlling shareholding in



his workers (who eventually numbered nearly 30,000) as to his shareholders. He paid as little as possible and used every trick in the book to keep the unions out.

But his will went a long way to putting things right. His workers were to be the primary beneficiaries of a trust:

"It is ... my express wish that for many years after my death my trustees should ensure that ... the group's resources are conserved I am concerned to ensure the group will continue to provide a live-

lihood for all its personnel and labourers and be able to safeguard their employment during periods of trade depression."

Frame did have heirs, his five young granddaughters. But they would inherit starting only many years after his death, when each reached the age of 50, although they would have the use of the trust's "net income" – interest and the modest dividends – in the meantime.

Frame's chosen trustees understood and approved of his brief. "The policy of ploughing back profits for productive purposes has led to the growth of an industrial group ... creating employment for tens of thousands of workers," trustee Selwyn Lurie told the Financial Mail as late as 1984. "The present severe recessionary conditions have proved the policy to be correct, particularly because of the critical employment situation in the country."

So the primary purpose of the Phillip Frame Will Trust was most explicitly not to maximise shareholders' profits or the eventual inheritance – just the opposite.

The trust would probably have continued to function as intended, if not for the intervention of

I am concerned to ensure the group will continue to provide a livelihood for all its personnel and labourers

the Frame group (with assets worth an estimated R1 billion) was being administered by the trust according to Frame's wishes.

But in 1980, Elaine Ulfane, Frame's second daughter, who was not a trustee, issued summons against the trustees and the master of the high court, the alleged beginning of a "dispute." The grounds were quite insubstantial-looking and were never properly addressed in any legal forum.

In April 1985 the Sunday Times reported: "Speculators have taken the view that resolution of the [Frame will] squabble will result in the sale of the Frame factories at large premiums." The price of Frame shares had increased five-fold on the JSE.

In April 1985, Elaine Ulfane's case was finally called. Sydney Kentridge SC and Sam Aaron SC, representing the "warring" parties, informed Judge Booysen that the dispute had been "settled". The judge made the settlement agreement an order of court

In terms of the agreement, the trustees who had been Frame's long-term associates resigned, in exchange for a R2m each.

Appointed to succeed them were Mervyn King, Charles Friedman, Gerald Stein and Charles Stride – "legal advisers" to the Frame family, according to King.

Business Day reported: "After a lengthy legal dispute, the group has been finally freed from the many restrictions in Phillip Frame's will." Which was nonsense. Frame's will stood, with all its restrictions. The only change was that the new trustees, contrary to Frame's wishes, were happy to ditch needy workers for the sake of greed.

Now read on ...

ALMOST immediately after the fight for control of the trust set up by Phillip Frame to administer the R1-billion Frame Group of companies was "settled", there was talk about the obviously close relationship between new trustee Mervyn King and Frame's less-beloved son-in-law Max Ulfane.

King was Natie Kirsh's right-hand man at the time, and had apparently helped set Ulfane up in London as caretaker of Kirsh's offshore interests. This led to speculation that Kirsh Industries and its partner in business, Sanlam, might now be in pole position for a quick buyout of the Frame Group.

It didn't work out quite that way – and the buyout took just a little longer to arrange. But it didn't take any time at all for the interests of Frame's 30,000 workers to drop from the top of the new trustees' agenda.

Three months after the "settlement" was reached, the Frame Group announced the closure of one of Frame's oldest businesses, Natal Canvas Rubber Manufacturers in Umgeni Road. Five hundred workers lost their jobs.

A month later, the new Frame board announced a fivefold increase in dividends to Frame Group shareholders. Clearly they no longer saw any need to accumulate reserves for workers in lean times. (And, this way, the Frame offspring got all the good times they could possibly dream of.)

The dramatic increase in dividends also served to further buoy the share price.

In May 1986 (just a year after they had signed the court settlement and received R2m each in "restraint of trade" payments), ex-trustees Berman, Lurie and Peimer quietly resigned their Frame directorships as well.

No doubt the five-year service contracts they had signed as part of the settlement (but which they were too shy to produce in court) were the basis for further, very substantial "retrenchment packages". (Berman could afford to emigrate to America in his retirement – and keep a luxury holiday apartment on Fourth beach, Clifton.)

PAGE 8 ►



◀ PAGE 7 Thanks to the bigger dividend and all the takeover talk, the share price was nicely up and, in July, “the family” were ready to sell the first tranche of

Frame shares – just R90m-worth (R450m at today’s prices) to start with, but enough to make the news. The sellers of the shares were reported to be “the Frame sisters resident in London”. That gave a clue to what the trusts Frame had created for his “poor” daughters were worth.

In September they sold another

had founded. The new owners were not constrained by any of the stipulations of his will. Their function was now the conventional one: to maximise shareholders’ profits.

Lucky Mr King! The new majority shareholders of the Frame Group were persuaded to retain him as chairman of the group. Charles Stride and Gerald Stein also got to keep their jobs on the board. And, lo and behold, who should join them but Max Ulfane!

The board’s decision to immediately accelerate the dismissal of Frame workers led to extensive strike action in the latter half of 1987, bringing

the thousands of sacked workers would have found work elsewhere in the industry. “I suppose a lot of them are dead. In this country if you don’t have money you can’t afford to go to the doctor and if you can’t afford to go to the doctor you die.”

So much for Frame’s workers. So what became of the trust – and all the money? We would not have known, had Charles Stride not resigned as trustee in 1990.

It appears from records held by the master of the high court in Pietermaritzburg that for the first 10 years of the trust’s existence the trustees did not file annual accounts of their

“In this country if you don’t have money you can’t afford to go to the doctor and if you can’t afford to go to the doctor you die” – textile union leader Jabu Ngcobo

R12m-worth (R60m today) and, six months after that, in April 1987, another R2m-worth.

“Market sources report that an acquisition is being negotiated,” *The Star* noted.

The Star was right. In mid-1987 the Frame directors again declared a handsome dividend and, not long after, in September, the trustees sold the 10.6 million Frame Group shares directly held by the Frame Will Trust to a consortium of financial institutions including Liberty and Sanlam. The price – R235-million (R1 billion today) – made it the biggest transaction in the history of the JSE. (In Phillip Frame’s estate these shares had been valued at only R6m.)

Do Mr King and friends – not to speak of Messrs Berman, Lurie and Peimer – occasionally cringe at the recollection of clause 14(a) of Phillip Frame’s will? It reads: “In view of the fact that a sale of any of my estate’s holdings in the main companies may defeat my objective, I rely on my Trustees not to sell or alienate any such shares unless this becomes absolutely essential.”

It was, of course, essential that the trust remained in control of the Frame Group if it was to ensure that the group’s employees’ jobs remained secure – at the cost of shareholders.

Phillip Frame’s Will Trust no longer controlled the textile group he

production to a standstill for weeks. At some plants the entire workforce was sacked.

In June 1990 King told *Business Day* that the then-recently announced plant closures – which included the oldest Frame mill, Wentex – occurred because they were not giving an acceptable return on assets. “We need to move away from the paternalistic employer attitude to mould a leaner and commercial operation,” he was quoted saying.

In 1994 he reported to shareholders: “Five years ago a plan was evolved to downsize the group’s core business, close or dispose of peripheral businesses, close mills outside Natal, upgrade plant, rightsize systems and people, reduce working capital levels and eliminate borrowings.”

(By firing people you “rightsized” them?)

In the five years from 1989 to 1994, the number of people employed by the Frame Group (no longer controlled by the Frame Will Trust) was further reduced from 19,150 to just 6500.

In the economic conditions that have prevailed since – as anticipated by Phillip Frame in his will – many of those who lost their jobs can be expected to have died of starvation. Others live on in despair (see “Shattered dreams” opposite page).

Textile union boss Jabu Ngcobo shakes his head when asked whether

administration, as is customary.

This only became an issue when Stride resigned as trustee and the remaining trustees nominated Johannesburg attorney Joseph Rabinowitz (of Fluxman Rabinowitz—Raphaely Weiner) to succeed him.

The master of the high court needed to determine the value of the trust’s assets to assess whether a surety bond was required to cover any loss that could arise from maladministration of the trust. To do so he asked to see the trust’s latest audited accounts.

The trustees then filed the trust’s accounts for 1990 (which contained comparative figures for 1989) and 1991.

The trust’s major asset was its Frame Group holding, which we know the trustees sold in 1987 for R235m. The accounts reveal that after deduction of fees and commissions – a good time was had by all – R195 million remained to be reinvested. As most good trustees would, they invested most of it in Anglos, De Beers, JCI, SA Breweries, Genmin and Richemont shares.

The trust still held a significant number of Frame Group shares as late as 1991, but these were held indirectly through a subsidiary group tantalizingly called Phimax. In Frame’s estate these shares were valued at only R2.6m. In the

Shattered dreams

When Monica Sekhosana landed her first job at Frame Textiles, she allowed herself to dream for the first time in her life.

The 24-year-old single mother knew that, in 1978, permanent employment with the textile giant secured her and her four young children a future.

Nothing, not even the paltry weekly wage for a tortuous 12-hour daily shift behind a spinning machine at Frametex in New Germany outside Durban, could dampen her spirits.

Sekhosana's happiness was shortlived. Within seven years, she was back on the streets; retrenched with 12 others in 1985. Management had decided that each employee should be responsible for seven machines, not four. Superfluous workers were axed.



the machines were too old," said Sekhosana.

"I didn't cope at all. I ended up borrowing money from loansharks to buy material to make clothes," she said.

She could no longer afford to visit her children; Christmas and birthdays became lonely and miserable.

"I used to ask my mother to bring the kids to Durban. How could I go home with bare hands? Children expect their mothers to come home with something."

That year, they sat together in a tiny room and shared a 1kg packet of rice.

Sekhosana's most painful memory, however, is when her son Nicholas contracted pneumonia and spent three months in hospital.

"Imagine knowing your child is that ill and not being able to go to him. It broke my heart," she said.

She wasn't alone. Nicholas

I promised my children they would have a better life than me"

"It was devastating," said Sekhosana, recalling the hardship that followed. "I was the only breadwinner in the family and needed to send money home to Matatiele [in the Eastern Cape] for my mother and children."

She used the R1000 severance pay to buy material and, with her own sewing machine, made clothes to sell. Every cent was spent on keeping her children in school.

A year later, her luck changed. She was re-employed at another Frame Group company, Seltex, also in New Germany. Even though the dusty spinning rooms were notorious for causing chest infections, a hardworking Sekhosana jumped at the chance to put her dreams back on track.

She built a home for her mother and children in Matatiele; they were well fed and clothed and were given the best education and school books her steady wages could buy. She visited regularly, bearing gifts from the city.

But in 1993, her world collapsed – again. The department in which she worked was suddenly closed, leaving Sekhosana and 600 colleagues jobless.

"The bosses called us to a big meeting and told us

remembers the experience vividly: "The parents of the other children came to visit. I waited for my mother but she never came.

Except for a short stint at a textile plant in Umzinto on the South Coast – the company was liquidated in 2001 – the 49-year-old mother hasn't had a job since. She can't make clothes to sell because, in desperation two years ago, she flogged her sewing machine.

Home for the family – two sons (her third son was killed in a road accident), a daughter and an 11-year-old granddaughter – is two rented rooms in a communal house in Clermont, the sprawling township that borders New Germany.

Sekhosana shares a double bed with her daughter and grandchild. Her sons sleep in the other room, which doubles as a kitchen. Their toilet is an outdoor; there is no bath or shower.

"I had promised my children that they would have a better life than me, that they would get a tertiary education," said Sekhosana, who left school in standard six.

"I didn't think I'd have to see them standing in the street looking for work. I'm angry I didn't get to fulfil my dreams."

Three weddings^{two} daughters^a few divorces a funeral^{plus a} whole whack of aggravation



Ivor Lazerson was one of South Africa's top matrimonial lawyers, which made him a wealthy man. A notorious bully with a booming courtroom voice, his speciality was forcing ex-husbands to provide generous maintenance for their former wives. Most of Lazerson's clients were women, and their errant exes quaked under his abrasive, high-decibel cross-examination. This courtroom thug carried the same blustering boom into his personal life, which not surprisingly saw three failed marriages.

Lazerson died last year on June 24, aged 64. Now Johannesburg's Jewish community, of which Lazerson was a member, is rocked by the actions of his third wife, Sue-Ann, who launched actions for divorce and maintenance against the controversial attorney as he drifted in and out of a coma in his dying weeks.

Lazerson's wife number 1, in the 1960s, was Lesley Bloch, whose family was in the catering business. Lesley is the mother of Lazerson's only children, daughters Dana and Lindy, who both feature prominently in this saga. Lesley's divorce from Lazerson set the pattern for his subsequent acrimonious marital bust-ups, although she and Lazerson patched up their differences in recent years.

These days Lesley, a lavish enter-

tainer, enjoys new-found respectability in the Jewish community following her marriage two years ago to well known Johannesburg attorney Len Rapeport. Rapeport now represents the interests of his step-daughters Dana, 37, and Lindy, 31, who are fighting Sue-Ann's claims against their late father's estate.

Wife number 2, in the 1980s, was a charming but struggling widow, a beautician named Bernice Gewer. They separated after just one year and divorce followed a year later, in 1986. Bernice died eight years later and her son, documentary film maker Lance Gewer, still ponders why his mother married Lazerson.

"She was very set up in her own flat across the road from our school," says Lance. "She was a single mother

putting two kids through private school. Probably she wanted security and money. They bought a house together in Houghton. He had his Rolls Royce. My mother had a problem, being married to him; he just wanted someone to cook his meals. And he was pretty mean. He was a rough guy, not a very nice man."

Lance says that when it came to the divorce – and maintenance – Lazerson tried to leave his mother nothing. "So she took her own measures to try and ensure that he didn't."

Bernice's "measures" involved some undercover work with the assistance of Lazerson's secretary who, Lance says, "couldn't stand him either". The women dug out details of Lazerson's secret funds offshore, and the suggestion was dropped that the Reserve Bank might be interested. "It was hard for my mother, being a single woman, to take him on; he was quite a tyrannical kind of character," says Lance. "But she did and in the end she got something out of him, but not a lot." [R200,000 was Bernice's rumoured payoff.]

Which in this gristly marital meander brings us to wife number 3. It's the winter of 1989 and a blind date for Sue-Ann Silcock, a 37-year-old never-wed blonde career woman then working for Edgars as a clothing

accessories buyer.

"It was at a small Italian restaurant in Norwood," remembers Sue-Ann, a Catholic and farmer's daughter from Colesberg. "I saw this man talking to someone. As I approached he said, 'here's my future wife.' He hadn't even introduced himself! He was very commanding and I had not been married before. He swept me off my feet. It was quite a quick whirlwind romance."

They were married (out of community of property – crafty old Ivor) on February 4, 1990. The previous

FAMILY WAY: Courtroom thug Ivor Lazerson on the day of his wedding to Sue-Ann, opposite page; and flanked by his daughters Dana (left) and Lindy



Lazerson, irrational, argumentative and abusive at the best of times, evolved into a monster

month Sue-Ann gave up her job at Edgars. "He made it quite clear that he had a busy lifestyle," she says. "He had a second home in Cape Town and he loved to travel. He was an incredible planner; nothing deviated from what he wanted. He went to sports matches all over the world. In 1990, when they opened the gates to tourism, he went to China." [Throughout our interview, Sue-Ann refers to Lazerson as he, never Ivor.]

In their lavish lifestyle, the first big acquisition came the following year with a new retreat in Cape Town. And this led to a long-standing coolness with Lazerson's elder daughter Dana, who everyone describes as "difficult". Dana, who ran – and still runs – a rag trade enterprise in Cape Town called Dana L Designs, was already installed in Lazerson's second home, a Sea Point townhouse.

Explains Sue-Ann: "Coming in as a stepmother, I didn't want to cause a disturbance, so I said to him: 'Why don't you just give her this townhouse and we'll go and find another little pied-à-terre somewhere else?'"

The little pied-à-terre they found was an oceanside luxury three-bedroomed apartment at Chapmans Peak in Hout Bay. Its price tag was R650,000, expensive for 1991 – and double Lazerson's budget. He raised the shortfall by selling the Dana-inhabited townhouse at Sea Point.

"It did cause a bit of aggravation," says Sue-Ann. "In fact he fell out with

DOG'S LIFE: Sue-Ann Silcock left with nothing but her pets after 12 years of demanding marriage to Ivor Lazerson



Dana over that debacle. So much of the animosity came my way – and I was just the innocent victim."

At home in Johannesburg, the newlyweds soon found Lazerson's two-bedroomed home in Norwood – convenient for his attorney's practice in nearby Yeoville – too cramped. Sue-Ann had to keep her clothes in the garage. So in 1993 they moved to an old homestead in up-and-coming Orchards, which Sue-Ann proceeded to have rebuilt into a custom-made

home for Lazerson's comfort.

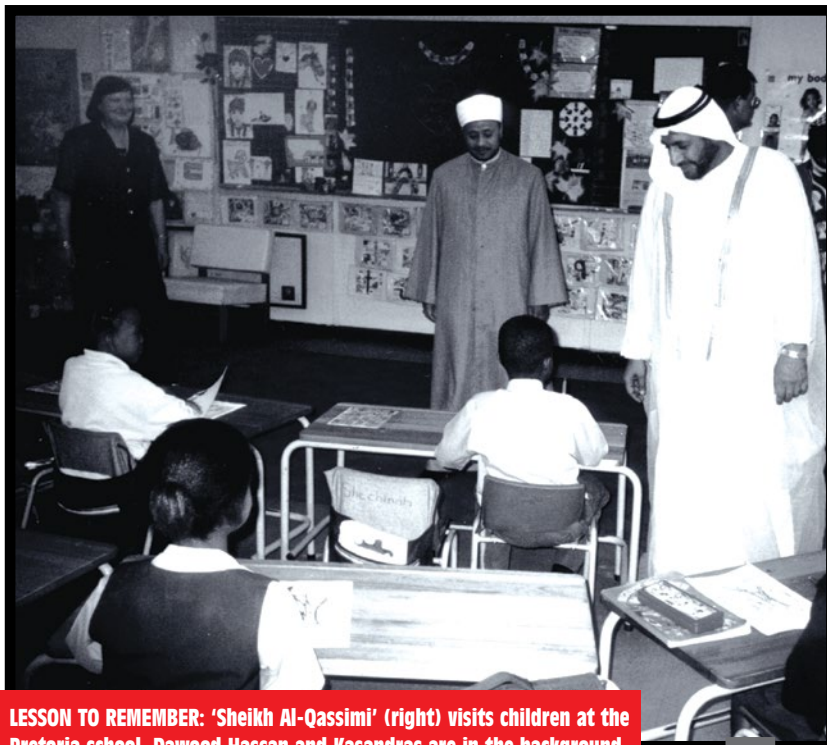
"I finally got him to agree that we rebuild; I anticipated his every need," says Sue-Ann. "He had more than 50 suits, lots of leather jackets and hundreds of pairs of shoes. He loved quality. I turned over the room I had fitted out for my wine cellar to hold all his shoes. He had three tiers of running shoes alone (Lazerson was a serious runner who competed in 10 Comrades Marathons.)

Sue-Ann set up a luxury co-ordinated clothes business, dressing the rich wives of the northern suburbs. First she worked from the house, but finally, finding this too cramped, paid R270,000 for a "very old ramshackle little cottage" next to their home, for her business. She proceeded to gut and revamp it with the same enthusiasm she had lavished on the main house.

Once revamped, the cottage – which is in her name – was revalued at R775,000. She raised R475,000 in a bond from Nedbank to fund the rebuilding, then upped the bond to R700,000 to buy stock and pay off her overdraft.

Around the same time Lazerson bought a larger property next to his wife's new business premises and moved his attorney's business there from Yeoville. So for both of them it was a two minutes' walk to work.

"I bought from the wholesalers in Paris, Milan and New York – I travelled to the shows three



LESSON TO REMEMBER: 'Sheikh Al-Qassimi' (right) visits children at the Pretoria school. Dawood Hassan and Kasandras are in the background.

An offer of a whopping \$35m from a purported Arab sheik to buy two small private schools in Gauteng just seemed to its owner too good to be true – and so it proved. Having taken the bait, the victim was systematically drawn into a bizarre sting that took him to the Middle East, cost the school R2m and left a trail of misery and death in its wake.

\$ SCHOOL OF \$ HARD KNOCK\$

YOU may recall an item in the usually staid *Financial Mail* 17 months ago recounting an unusually fascinating tale of how a private school in Johannesburg was conned out of R2.1m, extracted from it as a fee to “speed up” a gift of \$35m promised by a supposed sheikh in the Gulf emirate of Dubai.

The \$35m, of course, never materialised, the South African conmen who pocketed the R2.1m “fee” vanished and Rand Tutorial College was left out of pocket and with a generous amount of egg on its face. Police, reported the *FM* cautiously, were treating the affair as an advance fee fraud, of the 419 variety so beloved by Nigerian crime syndicates.

Since then – nothing. No sight of the vanished crooks. No arrests – just a decision after many months by the prosecuting authority that there was insufficient evidence to lay charges.

But in human terms, the cruel con has had awful consequences, including two suicides.

On January 13 last year, a bare month after the *FM* article appeared, Mimi Uys, mother of two and the wife of Rand Tutorial principal André Uys, gassed herself to death.

And amidst circumstances still shrouded in mystery, a lawyer who had apparently been persuaded by the two conmen to give them R1m from a trust connected with the college’s sister school in Pretoria, killed himself when the payment became known.

Today principal André Uys, the conmen’s prime victim, still sits in his study at Rand Tutorial College, in Johannesburg’s leafy Observatory. But he is a broken man: the affair has left him a widower; he is personally bankrupt; he has lost his two children – and a stream of debt collectors is forever at his door.

“My wife killed herself because of this

mess, there’s no two ways about that,” he tells *noseweek*. “She shared the pressure with me and couldn’t take it any longer.” They had been married for 14 years and 46-year-old Uys says Mimi’s suicide was “an enormous blow. It took me about a year to come right.”

Today their Kempton Park house has gone and all their belongings have been seized by the sheriff. Uys lives alone in a tiny flat near his school. Its only furniture is two camping chairs and a mattress on the floor. His children – a boy of 13 and a girl of 15 when his wife died – now live with Mimi’s parents.

Unravelling the nightmare of the sheikh and his \$35m is like a journey through cloud cuckooland.

The tragic farce started more than three years ago, on Christmas Eve 1999, when two Muslim men arrived out of the blue at Rand Tutorial College. “They asked me if I would like to renovate the school,” says Uys. “I said we would, but we hadn’t the money.

“They said they would get the money. They asked for a budget. It came to R3m for my school and R7m for our second school [SA College Private School] in Pretoria.”

The money, Uys was told, would come

from Awqaf in the Gulf emirate of Dubai. Awqaf is the endowment section of Dubai's Ministry of Justice & Islamic Affairs, and the deal, explained the visitors, was that in return both schools would provide Madressa classes [teaching Arabic, the Qur'an and Muslim history] to Muslim pupils.

As Uys and the schools' owner, Pretoria-based Abraham Olivier, rubbed their hands in glee at this windfall, the offer got even better. "Our visitors then decided to buy the schools for \$35m," says Uys. Again, Awqaf would come up with the money.

The conmen were Dawood Hassan and his "father-in-law", introduced simply as Karsandas. Police believe both names are false. Hassan has an impres-

style visit cost the school a bundle: a suite for a month for the "sheikh" at the Sandton Sun hotel; the hire of a stretch limousine and two professional bodyguards; trips to Sun City, the Kruger National Park and Durban. The lot.

"Sheikh Al-Qassimi promised we'd have the \$35m the following month, by Christmas [2000]," says Uys.

Had the schools' representatives retained their sanity, alarm bells by now would surely have been ringing. Could the two schools really be worth \$35m? At Christmas that year the exchange rate was R7.56 to the dollar, so \$35m represented a gigantic R264m. Very nice for owner Olivier, but it does stretch credibility. Rand Tutorial College does not even own its premises – it

noseweek for their business class journeying, to Dubai and on to Jeddah, came to R22,136. The two conmen extended their jaunts on the school's account to Cairo. Tropicana's unpaid bill totals R94,972.

The furious contractors, who have created a super-renovated (if uncompleted) Rand Tutorial College, took out summonses for their unpaid bills, which totalled R1.2m.

According to Uys, the owner of the two schools, Abraham Olivier, maintains that all outstanding monies are owed by the Al Islamic School of Arabic Trust, not the school. But the sheriff descended on trustee Uys's Kempton Park home, stripping it bare.

Olivier, the schools' publicity-shy

Unravelling the nightmare of the sheikh and his \$35m is like a journey through cloud cuckooland

sive array of ID numbers, some giving his age as 50; others 56.

The "sheikh" was "Sheikh Al-Qassimi", who the conmen said was head of Awqaf.

A trust was registered with the master of the High Court in Pretoria on January 24, 2000 to receive the funds and take over the schools. It was called the Al Islamic School of Arabic Trust (AISA). The master's office confirms that its three trustees were "DC Hassan, C Karsandas and Dr A Uys".

Rand Tutorial College opened an account with Tropicana Travel in Sandton, and in November 2000 Uys, accompanied by Hassan and Karsandas, flew to Dubai to meet Sheikh Al-Qassimi.

Al-Qassimi is the ruling family in the neighbouring Gulf emirate of Sharjah. There are more than a dozen Al-Qassimi sheikhs in Sharjah, but diplomats know of none in Dubai. Nonetheless, Uys is convinced that on his half-dozen visits to Dubai to chase the elusive \$35m he was meeting a genuine Sheikh Al-Qassimi who was indeed head of Awqaf. "I've been in the ministry's offices in Dubai. The sheikh was there. I've been in his palace," he says.

At the end of the November trip Uys, Hassan and Karsandas brought "Sheikh Al-Qassimi" back with them to South Africa to visit the schools. The royal-

rents them from Johannesburg Children's Home. But human greed knows no reason and the scholarly suckers plunged enthusiastically into a series of events that have ended in tears – and death.

Taking the "sheikh" at his word, the trust started spending like there was no tomorrow. Sixteen contractors were whisked into Rand Tutorial College to embark on a lavish facelift: 11 new classrooms, bathrooms, re-painting, new carpets, burglar bars on every window.

But although cheques were written on the trust's bank account at Absa's Eastgate branch, not a cent of the promised \$35m ever materialised to meet payments.

Then came the sting. Hassan and Karsandas demanded R2.1m to "speed things up". The money, says the principal, was handed over from school funds in cash and cheques.

The Rand Tutorial College account at Tropicana Travel was used to fund air tickets and hotel accommodation for a series of visits by Hassan and Karsandas to "Sheikh Al-Qassimi" in Dubai.

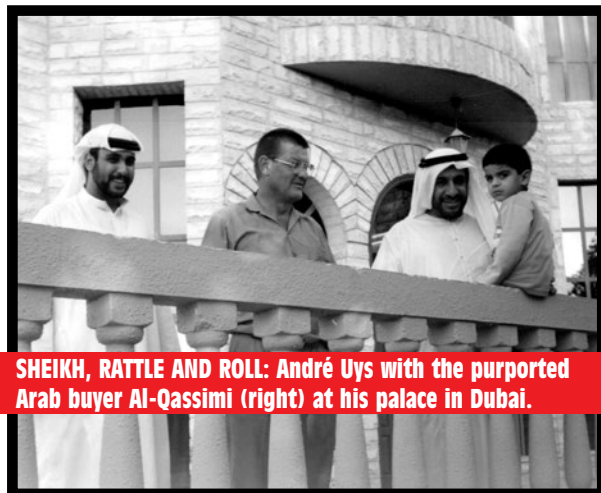
The duo usually flew Emirates business class. One unpaid invoice held by

owner, has dumped all the blame on Uys and refuses to discuss the situation. "Sorry, I've got another incoming call. Let me check with Mr Uys and if necessary he'll come back to you," said Olivier when *noseweek* interrupted his holiday in Cape Town with a cellphone call.

Relations between Olivier and himself are not harmonious. Is the owner planning to oust him? "Not yet, but I think it's in the pipeline," says Uys.

"He's scared the education department will close the schools. I'm sitting all alone to fight this battle – and I don't think that's fair."

PAGE 25 ▶



SHEIKH, RATTLE AND ROLL: André Uys with the purported Arab buyer Al-Qassimi (right) at his palace in Dubai.

CARSA DURBAN'S ONE-MAN NOSTRA

ON THE Thursday just before Easter, the Durban metro council had one of those rare meetings in which everyone agreed. When DA councillor Colin Gaillard proposed that council should urgently investigate Durban's heavily regulated car guard industry, there was not even a murmur of dissent.

Behind it all, we have discovered, lies a most curious and embarrassing tale.

Preliminary investigations by the Durban metro police appear to have confirmed what *noseweek* has suspected for the past year – that the car guard business is worth big bucks to at least one public official – a man with a false identity and a criminal past who has managed to con his way to the top of the local police hierarchy.

In terms of Durban's bylaws nobody may work as a car guard on public streets without being registered with the Durban metro police. In order to register with them a car guard has to be registered with a company that regulates car guards, and in order to be registered with a car guard company one has to pay.

Mark Todd, chairman of the Durban Central community police forum and a member of the area police board isn't Mark Todd at all, it transpires. The name Todd is only one of his many aliases. Another small detail that none of his colleagues on the forum and police board did not know: the man has a criminal record – a conviction on 25 counts of fraud.

"Mr Todd" has succeeded in using his public position to gain control of the local car guard industry. Now Vishnu Sewram, the legal advisor of the Durban metro police, is trying to establish what has become of the "millions" he believes car guards have paid over to Todd in the past few years.

Every morning at six, hundreds of car guards report for duty at the offices of Car Watch – The Programme and hand over a R7 protection fee for the privilege of working a strip of Durban's public

roads. The R7 allows the guard to don a black and white reflector vest with "Car Watch – The Programme" emblazoned on it. Todd appears to be the only director or office-bearer of Car Watch – The Programme.

Those who do not pay Todd his fee are arrested for being in violation of city



Picture: Independent Newspapers

This man calls himself Mark Todd. He has been convicted on 25 counts of fraud, yet he sits on Durban's community police forum – a position he uses to help him run a lucrative personal empire controlling the city's Car Watch scheme.



bylaws. Sitting on both the community police forum and the area board, Todd frequently encourages police to crack down hard on unregistered car guards. Every cent of the R7 a day fee appears to go straight into Todd's back pocket.

Almost a year after *noseweek* began probing Car Watch, police inquiries are underway into Todd. With the 500 car guards the Metro police estimate he has

paying him R7 each day, Todd could be making anything up to R100,000 a month – but he won't talk.

The police computer reveals Todd has a clean slate, but that's only because someone has wiped his record off the computer databases. Checks on the identity numbers he uses and all his aliases come back clean. But at the SA Criminal Bureau in Pretoria, a paper file – number AM 48278 – reveals that Todd was convicted of 25 cases of fraud in 1984, and for vehicle theft in the same year.

Todd's rise to wealth began in 1997 when Car Watch – The Programme was established to help regulate the car guarding industry in the city. Car Watch was to be a Section 21 company – one that was not for gain, but for the public good.

The original directors included Brian Boucher, the station commander of Point Road police station; Brian Adams of Tip-Offs Anonymous; Durban restaurateurs Robert Mauvis and Chris Pollard; Captain Dirk Swarts of Durban Central police station; and the current speaker of the Durban metro council, Nomsa Dube.

The original deal was that would-be car guards would be vetted by the company, and then provided with a reflector bib

identifying them as registered car guards. They were expected to make a small payment each day that would include a contribution toward insurance in case a guard was injured in the line of duty.

Soon after Car Watch was started, Mark Todd, then a down-and-out living in the Methodist Church refuge, was brought into the company by Chris Pollard – at first simply to act as a manager. Todd proved to be an able administrator, so Pollard brought him along to the Durban Central police station's community police forum.

Todd's problems began when he handed in a fraudulent identity document when it came time to check the background of candidates for office. Todd,

after being a down-and-out tramp was now standing for the position of chairman of the forum.

Sadly for Todd his forged ID book was very quickly picked up and a fraud investigation was opened against him in early 1998 under case number 908/2/98.

The complainant was director Ronnie Winter, at the time the station commander of Durban Central police station. When, recently, *noseweek* enquired about the docket, it could not be found. Winter has since retired. Todd went on to become chairman – and to run Car Watch.

Noseweek first made contact with Todd more than a year ago, when we asked to see Car Watch's audited financial statements. We also wanted to know how many car guards the company "employed", who its directors were – and who were its auditors.

Todd told us his books were being audited. He did assure *noseweek* that his

large directors' fees Todd claimed to be paying. "I told Todd I needed to question him in my capacity as a policeman – and got a lawyer's letter in reply saying that he refused to meet me or answer questions.

"When my probe is complete, I'll be opening a case with the commercial branch of the police. He can answer my questions in court. I believe Todd has made millions."

Todd would not respond to questions regarding the R2 a day from each car guard's "fee" that was meant to be used for insurance. Sewram believes Todd has no insurance policies for his car guards. "Car guards are stabbed and attacked on a regular basis and nobody helps them. There is no insurance as far as I can tell. These people are left to their own devices when they are injured."

In his defence, though, Todd has done some good.

Police figures show that, prior to Car

"I believe Todd has made millions"

Vishnu Sewram, Durban city police

books would be available for inspection as soon as the auditors had finished with them.

A CALL to Todd just before the Easter weekend had him claiming he had been told by his accountants not to hand over his financial statements, as these were "highly private documents."

He told us the directors of Car Watch had "not changed substantially" and that most of his expenses went on directors' fees – R22,000 per month. He would not, however, name the directors or even say how many there were.

Our research shows that Todd has been less than forthright. Every director we contacted claimed to have resigned a year or more ago. Car Watch appears to be a one-man band. Amazingly, Car Watch never bothered to have directors' meetings and no new directors were appointed as old ones resigned. Todd was simply left to run the show unsupervised.

The Registrar of Companies has no record of who the directors of Car Watch are – nor of who the auditors are. The company is, to be blunt, in a mess.

Vishnu Sewram, the legal advisor to the Durban city police, confirmed, "There are no auditors. He has no audited books. I also suspect he has never paid any form of tax."

Sewram only laughed when told of the

Watch, over 800 vehicles were stolen or broken into on the Durban beachfront every month. This has fallen to fewer than 100.

When *noseweek* spoke to him more than a year ago he said negotiations were in hand for his company to operate in East London, Pietermaritzburg and Gauteng.

■ Todd may be better known to some as Mohamed Laher. Soon after the murder of Chris Hani, Laher made a name for himself claiming to have been working for the former ANC department of intelligence and security at the time of the murder and alleging he had warned of the imminent murder of Hani. He then alleged this warning was ignored as the ANC "wanted Hani dead".

These claims were false according to an internal ANC probe.

Todd was also a paid informer for former CCB operative Eugene Riley. Confronted about this Todd said: "Yes, I was. But that was a long time ago and in a different place."

Asked about his name changes Todd claimed he initially took the name Mark Todd when he converted to Christianity. He claimed he was sometimes called "Doctor" Todd simply as a nickname - at school he had been considered so clever that the other children had taken to calling him "Doctor". □

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NEDBANK

Race is on for your cash

In 1999 a *noseweek* reader – we shall call him Mr Moneypenny – wished to open a money market account with Nedbank. Remember: this is not an application for credit facilities, but to place money on deposit with the bank.

On receiving Nedbank’s application forms, Moneypenny was surprised to find that the bank expected him to state his race and divulge the value of his property and his income. Offended, he protested: “My race and the extent of my property and my income are none of the bank’s business!”

To add insult to injury, the application form contained a further offensive clause. This one asked Moneypenny to attest that if the bank manager signed a certificate to the effect that the customer

he had wanted to deposit with Nedbank.

In April this year, three-and-a-half years later, he decided to try again. This time he wanted to open an N-5000 account at Nedbank. (The holder is required to maintain a minimum balance of R20,000.)

Nedbank duly faxed our reader the “appropriate” forms. We hardly need tell you that the same three questions as to race, property value and income, and the same stipulation as to proof of indebtedness, are still there.

CHINA CONSTRUCTION

Abattoir workers get chop

When conmen move in on a business, grab the cash and move on, it’s the innocents left behind who suffer. In *nose44* we reported how China Construction Bank unsuspectingly made a R30m-plus loan facility available for a revamp of

from the damper this must put on any enthusiasm the mainland Chinese may have had left for investing in South Africa.

It was in 2000 that conman “Slim Danie” and his son Danie jnr got control of National Meat Property Holding (Pty) – and the abattoir. It wasn’t until last August, when losses were running at R1m a month, that the penny dropped and the bank took cession of National Meat’s shares – Danie jnr held 60% of the stock – and started tracking the lost money.

“Investigations have revealed that monies in excess of R3m have been misappropriated and the Van der Merwes are being investigated for such transactions,” reads a glum court affidavit filed by China Construction director Lawrence Thorn.

Pending final liquidation, all legal actions by China Construction against “Slim Danie” and others have been placed on hold, says China Construction’s attorney David Singer.

criticism of the treatment of the Gana and Gwi Bushmen of the Kalahari.

Survival International is a worldwide organisation supporting tribal peoples. It supports their right to decide their own future and helps them protect their lives, lands and human rights. It receives no government funding and is dependent on donations from the public.

The Botswana ban, which has provoked concern from teachers and others, specifically refers to Survival’s ‘We, the world’ education pack for 8- to 12-year-olds. The pack, which mentions the Bushmen only in one short paragraph, was described as ‘excellent’ by the *Times Education Supplement* and “brilliant” by the head of the Botswana Centre for Human Rights.

By contrast, in Brazil, where the majority immigrant population has also traditionally been hostile to the rights of indigenous “Indian” tribes, government agencies have requested Survival materials for display in schools.

In Botswana the government remains brutally confrontational in its approach to the Bushman land issue. Gana and Gwi still trying to return to their ancestral homeland in the Kalahari reserve – from which they were evicted by the Botswana authorities – are being physically turned back by officials.

In some areas, Bushmen are not being allowed in even if they offer to pay the tourist fee. Military personnel are rumoured to be in the area now.

The recent South African court ruling that the Richtersvelders just across the border from Botswana have a right to their land, although they have never had title deeds or had their rights recognised by the government, creates a

“My race and the extent of my property and my income are none of the bank’s business”

was indebted to Nedbank in any amount, that would constitute prima facie proof of such indebtedness.

Nedbank officials agreed that the questions were unnecessary and inappropriate, but blamed the bank’s computer system. The system was set up in such a way, they told him, that answers to those questions had, unfortunately, to be supplied before a money market account could be opened. They assured him that the offending questions would be removed from the system ‘soon’.

Since he refused to answer the questions our reader made alternative arrangements for the funds

Limpopo province’s largest abattoir – playing straight into the hands of local conman “Slim Danie” van der Merwe.

Danie and his friends and family in the Boere mafia cleaned out a good wallop of the cash and the bank has now applied for National Meat Property Holding (Pty), the company that owns the abattoir, to be placed in voluntary liquidation. The order was granted on April 22.

And in Polokwane (formerly Pietersburg) 67 of the 90 abattoir staff have been retrenched, with just a skeleton staff retained to supply meat to local butchers. This is apart

When the liquidator has sorted out the mess, an attempt will be made to find a buyer. “But the bank felt it was improper to try and dispose of a business under the present circumstances,” says Singer.

BUSHMEN

Botswana muzzles critics

The Botswana government has banned materials produced by the civil rights charity, Survival International from the country’s schools, as part of ongoing attempts to silence

hopeful precedent for the Bushmen in Botswana, where the legal system is similar.

Diamond mining or prospecting is an issue in both areas.

ROYAL CAPE YACHTIES

Pass the seasick bag, sailor

Cutlasses are being sharpened as mutiny brews at the Royal Cape Yacht Club (RCYC) in Table Bay follow-



ing our report (*nose45*) on the controversy surrounding the sponsorship and management of the last Cape-to-Rio race.

Royal Cape's Commodore, Craig Middleton, and his committee face a grilling by members about how sponsorship monies were spent and even a possible challenge to their leadership at the AGM in June, which promises to be the most explosive in the 98-year-history of the club. Among the candidates for Middleton's job is said to be wealthy insurance businessman Mike Daly.

The panic before German software tycoon Hasso Plattner, chairman of SAP, stepped in at the last minute to save the 2002 Cape-to-Rio race with a \$150,000 (R1.2m) life-

boat; the ludicrously small number of entries; the alleged absence of public relations staff in Rio to promote the race and – cookie on the top – the organisers' failure to provide the traditional slap-up dinner (quoted at \$45 a head for about 300) at the prize-giving (ravenous yachtsmen had to make do with finger snacks) have all served to raise questions on how race funds were spent.

Two associated companies that specialise in sports event management, Boating Partners (Pty) Ltd and World Sport South Africa (Pty) Ltd last year for the first time acquired the rights to manage and market the Cape-to-Rio race in terms of a contract they signed with both the RCYC and the national amateur sailing body, Sailing SA.

David Gant, who is chairman of both companies, has confirmed that, in accordance with the contract signed in February 2002, they paid the yachting bodies a total of R600 000 for the event rights, and that this amount had been set off against race income – which included Plattner's sponsorship money – in their budget for the race. The R600,000 was not intended to cover race expenses: in terms of the contract the companies were also to reimburse RCYC and SA Sailing for all expenses they incurred in connection with the event – in addition to the R600,000 "rights" fee.

Gant cannot account for how RCYC and SA Sailing spent their share of the R600,000 he paid them for the rights. What he has been at pains to explain is that, far from profiting from the Rio race at Plattner's expense, Boating Partners and World Sport had, by his calculation – and in terms of the event budget – suffered a R600,000 loss on the event.

A contract had been

signed by his companies with Plattner's SAP – and Plattner had been given the event budget, claimed Gant.

Finally, he said, the *noseweek* report was incorrect with regard to the Rio after-race party. There were feathers, samba dancers and plenty of rum! And while it was true that there had not been a sit-down dinner, hot finger foods had been served.

Gant has asked Royal Cape for a 15 minute slot at their AGM to give details of his companies' spending on the event.

Royal Cape, who have thus far refused to divulge how much money the race generated for the club or how funds were spent (while talk of officials living it up at plush hotels in Rio are rife) are pointing accusatory fingers at Worldsport.

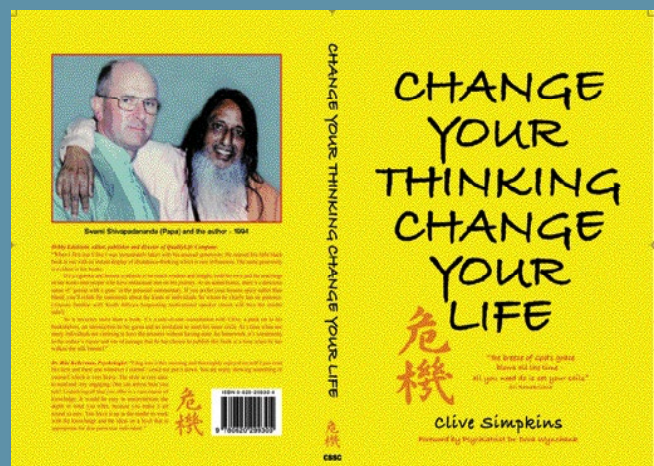
The R1.2 million Plattner handed over to the race was deposited in Worldsport's

account, but one senior race officials contends that the company was never entitled to this money as they failed to honour the agreement by finding a sponsor themselves.

Former Royal Cape commodore Dave Abromowitz contacted Plattner's yachting manager, Dee Smith, to help bring the German tycoon onboard. And, as Abromowitz has pointed out (see "Letters" on page 4) he has nothing to with Boating Partners and did it for free. Ted Kuttel, president of the yacht club, took the process further by writing to Plattner officially requesting the sponsorship.

The race official further alleged that some of the sponsorship funds had been spent to help woo the Swedish trimaran Nicator – which easily took line-honours, but failed to break the 12-day record for PAGE 27 ▶

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Justice

WAS DOWN THE EP BY SCORE ON THE corner of Kotze and Claim, sleeping on the big rocks where the street kids sit. One of my

friends was by the fire, sniffing glue. They fix cars there and there's lots of rubbish. Two white police came in a private car. One took his gun and pointed it at me. He searched me but didn't find anything.

He shone a torch and saw these pieces of plug. They had been there for a long time and you couldn't see them nicely. He dug them out of the ground with a knife. I told him they were not mine. The second police saw his friend dig out these things and said, "Leave this boy." I went to the fire and both of them went to a disco in the passage there. They telephoned and some African police came with a van and they took about 10 people from the disco, who had been drinking.

The first police who found these plugs in the ground called to me and gave the pieces to an African police. He said he found me with them. They put me in the van with the drunk people and took me to Hillbrow police station. When I tried to speak they told me to keep quiet.

I stayed two nights in a cell at the police station. On Monday I went to court [Court 7 at Johannesburg Magistrates Court]. I told them where I live at home, the house number, how old I am, I am going to school. The magistrate [Wilma Ferreira] said I was going to the juvenile prison. I raised my hand and said, "You must take me to the children's safety place, I hear about Sun City on the street; it's too terrible there." The magistrate told me the children's safety place was too full.

I thought we were going to the same prison with the big men. I was very frightened. When we got to Medium A at Sun City they started calling names. They took us small ones, about 20 of us, to the juvenile section. They gave us a shower and shaved off all our hair and put some ink stamps on our faces.

The first night we were in the court cell. The following day they give you a cell where you

As of January 31 there were 4303 children in South African prisons. That month, after problems at home, Justice, 15, ran away from a small mining town southwest of Johannesburg and ended up in Hillbrow. There, in the early hours of March 15, he was arrested by police for being in possession of housebreaking implements—four pieces of spark plug. These seemingly innocuous fragments of porcelain are used to break car windows. Possession of them is a serious offence. The public prosecutor opposed bail on the grounds that as a runaway Justice had no address to go to. So the Grade 8 pupil was remanded to the overcrowded juvenile section of notorious Johannesburg Prison, better known as Sun City. This is Justice's account of prison life ...

are going to stay. At the juvenile cells they go by ages. I was in the youngest one, from 14 upwards until 17. After that are the big guys: some of them are 20 years old but they are still juveniles.

Four of us went into cell 16. There were 100 boys in there and I was very afraid. The Cleaner is the guy in charge. His name was Jabu. He was 18 and making years inside. His sentence was five years and he'd done two and a half. Jabu was a nice guy. He told us the rules: about how we don't have to fight and if somebody gives you a problem just tell one of the guards.

Jabu said he must show me my place to sleep. The cell was something like a hall, with bunk beds. We were sleeping two of us in every bed. Some were sleeping on the floor. I was sleeping with an Indian boy named Andrew from Eldorado Park. Andrew was 15 and in for [alleged] hijack. There were two more on the top bed: Kabelo was 16 and Gomotso was 17. They were in for [alleged] murder. We four were all waiting for a trial, but some of the other children were there for a long time; their trial was in 2001 and they are serving prison sentences.

Us four were a group. When we cleaned it was the four of us. They didn't frighten me; they are only boys like me.

The blankets weren't clean and we always scratched ourselves. There were lice and lots of things were coming from the blanket. Big things: red, red, red, full of blood! They came when the lights were off.

It's better if you have a sheet. Andrew and I were sleeping nicely because I was clever. I bought sheets on my first day. I gave one of the guys my belt and he gave me two sheets and three cigarettes.

In the morning there's a bell at 7 o'clock and they come and open up for us. We make one line and they count us. When the bell rings again you go to the kitchen for breakfast: four slices of bread with butter and jam, porridge without sugar and tea without sugar. After breakfast they ring a bell and lock us in the cell. They put some pills in this porridge and it makes all of us sleep. After eating it, you close your eyes and you are asleep.

onthestreet

At half past 12 we go to the kitchen for lunch: mill rice and a juice, but they don't cook it nicely. Lunch is the last meal. They don't give you enough food and I was always hungry. After lunch, back to the cell. Some are sleeping, some are singing, some are training in the toilets, making push-ups. There was lots of noise in there, always.

Me, I was singing. I enjoyed singing. We call it Kobafire; it's prison music. Some of them are whistling, some of them making a rattle of the windows. We sang in Sotho:

*These polices they catch us for what we don't know,
Because they just take you for nothing.
Next time they will catch you for what you have done.
It was like the way they catch me. For nothing.*

At 4 o'clock in the afternoon they close the doors for the night and there are no guards. Just Jabu, who is something like a monitor.

The All-Star treatment happened many times. For fighting, for smoking ganja [dagga]. The guards lift your T-shirt and beat you on the back with an All-Star takkie and you see some footprints of All-Star on your body. Not me, I was always quiet. When the guards say "do that" I do it fast! The All-Star is the punishment when you are small. But if you are a big guy and don't listen they take you where you can be by yourself, in solitary.

There was no sex abuse in my cell. That's with the big ones. If the guys in our cell bully a little guy they punish the bigger one. They take him to the big ones' cell, to the ones who are 18 and more. It's a bad punishment, because with these big ones there are no rules.

The guards were nice if you were nice. If you're not nice they are not nice. No one was thinking to beat me, but some of them they beat so badly. They kick them with their shoes. The blood must come out.

A lot of guys in my cell are calling to the big men in the cells below ours. They are not juveniles, they are the big ones who are wearing prison uniforms. They sell ganja and cigarettes down there. The ones who are with me made a rope with a blanket and if they want something from the big ones they lower a Checkers [plastic bag] with something in it. You must give them something; nothing is for nothing. Some of them sell their clothes inside there, just for smoking.

I started singing my Hu [a song to God] a little bit later on. I sang it quietly, in my heart and I did it a lot because it was helping me. When someone shouted at me and wants to fight I sang my Hu and after that the guy won't fight with me.

The All-Star treatment happened many times for fighting, for smoking dagga. The guards lift your T-shirt and beat you on the back with an All-Star takkie and you see some footprint of All-Star on your body

Once someone stole some All-Stars from a boy who was sleeping. They went down in the Checkers. The guards made us line and started beating us with a rubber pipe, one by one, until we talked who had stolen the All-Stars. When the beatings got near to my place in the line I was singing lots of Hu to myself. I was the next to be beaten when the one they beat first raised his hand and said: "I know who took those things." So they did not beat me! They beat the one who stole the All-Stars too much.

Singing my Hu helped me get through prison. I did sing it lots of times. At night I sang it out loud. They said I was mad. I told them, "I'm not mad; I know what I'm doing." Once I was closing my eyes in bed and I saw a blue colour and I saw something coming near me. When I looked I can see it is something like an angel. It's not a bird, it was a small baby. It was nice. I did look at this angel for a long time and it took me somewhere else. I was not in prison. But when I opened my eyes I remembered I'm in prison.

I saw my angel only once. Another time it was stars shining. Some were close and some of them were far away. It was Hu, protecting me in prison.

On Mondays I went to court. Four times. It was remand, remand, remand. They said: "You can't have bail because you have no address." The first time I was in court I asked the social worker to telephone Jack [Lundin, director of Goodbye Street Outreach Project and noseweek's bureau chief in Gauteng], who has helped me since I was 10, and he came to court the second time. The magistrate told him to fetch my mother and Jack brought her with my teacher.

My lawyer was the public defender, but he was useless. He never spoke to me and he told Jack it was a waste of energy to ask for bail. He said I would only run away after two days. Jack told him to ask for bail. But then this public defender told the magistrate, "We do not want bail!" They don't do their work, these ones.

Jack tried to speak to the court; he was trying to ask a bail for me. But the magistrate shouted at him and said he must sit down. She said this was not a circus. That grandmother was very terrible. She doesn't give the children a chance to speak.

In prison there was a church in the kitchen on Sundays. We also made a church by ourselves in our cell. We were always making our own church. I was telling each and every one of them that they must always pray. They mustn't just pray when they have problems, thinking about their mothers. They did listen

Dear Sir

I have accumulated sufficient Voyager miles for a trip to and from the UK. When I was last in Cape Town in January (I am currently living temporarily in Western Australia) – I asked my travel agent, Ronnie Morrison, to book me onto a return flight from Cape Town to London and back some time in mid-July. I was not too worried about the precise date.

This was six months before I wanted to travel, but no matter how hard he tried, every flight was already fully booked for Voyager miles seats. Being a travel agent he was able to look at the actual bookings for the flights. In every case, there were literally dozens of empty, unbooked seats, but bookings specified for Voyager miles were not permitted because SAA only releases a very small number of such seats on each flight.

Ronnie tells me that they will probably release a few more nearer the date - but by that time, most people would be too worried about not getting a booking and would probably book onto the same flight after buying an ordinary fare ticket (earning more useless Voyager miles!).

Maybe SAA should re-launch their Voyager programme with a new adline: 'Join our wonderful Voyager programme where you accumulate miles that you can never use'

Even worse, in my opinion, is SAA's attitude to passengers who use their Voyager miles to upgrade an economy seat to business class. Sure, in theory you can do it. In reality, however, you have to do so before actually booking in for the flight, and then you have to take your chance whether there will be any seats in business class left vacant when the flight takes off. Fair enough - except that, if there aren't, you lose the air miles that you used booking the futile upgrade. When I was coming to Perth on SAA in February, I was sitting next to a guy who had used Voyager miles to upgrade but, once on board, found that there were no seats left in business class. He sat in economy class all the way - but was told that his Voyager miles could not be re-credited to him – hard luck! Yet another SAA ripoff.

Maybe SAA should re-launch their Voyager programme with a new adline: "Join our wonderful Voyager programme where you accumulate miles you can never use and upgrade to seats that don't exist!"

Peter Cook

Tania of Cape Town

recently had a bad experience similar to the one described above, when she and her husband tried to use their SAA Frequent Flyer miles to book flights to London. "The incredible frustration I have had over the past month in my dealings with SAA and Voyager has prompted me to write to you about what I feel is

which was on 8 October. Their troubles did not end there, however. Now they were informed that there were no seats on the return flights until sometime in November.

"As working people, we are restricted to our 20 days annual leave and obviously neither of us had the leave to spend over

these tickets are not 'free'. Thousands of rands are spent flying with SAA to accumulate the miles. I can't see how SAA is rewarding us for our loyalty when we can't even get on a flight seven months in advance. My husband was so frustrated that he chose to fly on British Airways to Johannesburg recently for business. What is the point of sitting with thousands of Voyager miles and nowhere to fly?" she asked.

One of her colleagues wanted to book a one-way ticket to Johannesburg using Voyager miles. She was advised that you have to use your full Voyager quota (a return flight) to book a one-way ticket. Voyager miles could not be redeemed at full value for a one-way flight.

But, it would appear, everything is available at a price. If you are willing to cash 100,000 Voyager miles, SAA advise you can have a seat any date and on any flight. However this is the equivalent of buying two tickets for one person.

"Why is everything in life becoming such a complete ripoff?"

'SAA make a big deal of their wonderful Voyager programme – then make it almost impossible to use'

a total scam that is being run by SAA," she told noseweek. "SAA make a big deal of advertising their wonderful Voyager programme – but then make it almost impossible to use."

When, in March, the couple first made inquiries about flight availability and seats, they were wanting to fly in September. They were told that all Voyager seats were full until October. Because they did not need to be in the UK by a specific date, they agreed to take the first available flight with Voyager seats,

a month in England," said Tania. "We were advised that we would be wait-listed on a return flight and that SAA (Voyager) would try and confirm these seats 'some-time' before we are due to fly."

While there is "the possibility" that SAA "may" release a few more Voyager seats at a later stage, this is only if the flight is not fully booked – and then the release is only at the last minute. Of course, SAA hope that people will get fed up with waiting and book normal paid-for seats.

"SAA and Voyager need to realise that

■ See editorial on page 5.

with Voyager miles

Media consultant Chris Brewer explains how things have got miles worse for SAA passengers

SAA: Simply Awful Airline?

I've been incredibly loyal to SAA over the years. I fly to Johannesburg on average about 15 or 16 times a year and overseas about three times – with our national carrier every time. I've always booked on line (avoiding travel agents which, of course, is of considerable advantage to SAA).

I've been hearing complaints all over the place about their "revised" Voyager award system, but, frankly, didn't pay much attention. Until, that is, I realised they'd made it more difficult to get the award miles and that it also now costs more to use them!

It was a brilliant system and now someone (and I'll bet it was an accountant) has stuffed it up. It's a textbook case of how to totally alienate your customers.

The only thing separating SAA from any other carrier was their loyalty award system. Their flights are no better, their fares are generally higher and their overall service is nothing spectacularly different.

But I paid the higher fares and put up with the so-so flights because, hey, the Voyager miles actually worked well for me.

But no more – I'm going to try other airlines. I'm sure the 50 grand or so I spend with them each year will have no effect on SAA's profits and I doubt they'll even attempt to get me back.

I contacted their helpline. (The welcoming message while you wait says, "Due to recent Voyager award changes we are experiencing a high volume of queries so please be patient.") I'll bet there have been a lot of "queries".

According to the first lady

South Africa's tourism and migration statistics for January 2003 indicate further growth of 22.7% in the number of foreign travellers who visited the country, compared with the same month in 2002.

What fantastic news! But we have to be careful of putting off tourists by charging too much for too little – and this especially includes our national carrier. (No, this is not a personal vendetta.)

I'll tell you what a mate of mine said to me on holiday here

It was a brilliant system and someone has stuffed it all up. It's a textbook case of how to totally alienate customers

when he wanted to "nip up to Jo'burg". He went to Cape Town airport and was given a price of R3,502. "No, no, love I want an economy ticket."

That was the economy fare.

He pulled out his calculator and said, "Bugger me, that's just under 300 quid, which is more than half what I paid to fly from London to Cape Town! What a ripoff!"

"Yes," I said, "but you get full Voyager miles."


I spoke to, Zama: "No, we have had no complaints about the reduction in air miles – you are the first."

Oh really? Well let me have a chat to your supervisor then. Quinton Francis came on the line. "No, we've had no complaints about the reduction in air miles. You are the first." (I think they were reading from the same prompt card, but he did add, "In fact this is a good thing and all full-fare paying passengers are in agreement.") Let me get this straight: passengers are actually happy about having to use more miles to get Voyager flights? "Yes."

Okay, right, so nobody's complaining (hah!) – but

let's have a chat to Customer Services – so I phoned another number and spoke to Pully Maseti, who said, "No, we have had no complaints." (I wish I could hear what's on the rest of that prompt card.)

No matter what the SAA staffers are told to say, it's a stupid idea. Whoever authorised this idiotically rash change is in for a big lesson (I hope), because when you forget the awesome power of the consumer (you know, the average oke like me and you), you're on a slow, inexorable, decline – and winning an unhappy customer back is extremely difficult.

So, to the person who initiated these changes, whoever you are at SAA, you can have my gold card back and stick it. 

Credit-card fraud

Before 31 March it "cost" 50,000 miles to travel to London. Now it's 70,000. To "earn" each of those miles, you previously needed to spend R5 on Voyager credit cards. Now it's R7.50. This means you must now spend R525,000 instead of R250,000 to get to London. Worse than that: in effect they have simply grabbed back more than half the "miles" I had already earned.

According to their terms they have to give 30 days' notice. Well I and some of my clients didn't receive this notice. Their new booklet of terms is dated 1 January 2003. I received mine in the middle of March [we received ours in April – Ed.] and the terms relating to miles redemptions came into force on 1 April. This didn't give any of us much chance to use our accumulated miles at the old, better rate.

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Lazerson

◀PAGE 11 to cooking classes; he enjoyed my cooking. We were happy. Everybody has their problems, but basically we had enormous enjoyment of each other's company."

By now it was 1999. But despite the convenience of the new separate business premises for both of them, Sue-Ann says that things started getting a little bit fractious in the marriage. "I sensed there was something wrong when he started getting very forgetful."

That year Lazerson was diagnosed as suffering from cirrhosis of the liver (the result in his case of his addiction to rich food rather than drink, for he rarely tiddled). And a damaged liver can lead to brain impairment. An amplification of the personality can be expected and Lazerson, irrational, argumentative and abusive at the best of times, evolved into a monster.

"The illness emphasised his character – your social mask slips," explains Sue-Ann. "It got to the point where the maid was crying, his secretaries were crying, the bookkeeper was in tears. We'd go to a restaurant and he was belligerent with the waiters. I used to try and calm him.

"It must have been very undignified for him, this illness. But the more I tried to do for him, the more he pushed me away. His diet was very important. He liked his meat, but every time he ate the wrong thing his liver couldn't cope and that caused a toxin build-up in the brain. He'd collapse and I'd have to rush him to hospital for a drip. He'd forget this had happened."

The cirrhosis was confirmed by Groote Schuur hospital in 2000. But Lazerson refused to consider a liver transplant in England. "He said he'd have to close his practice and it would be very hard to start again," says Sue-Ann. "But how can a man who's by then irrational make a rational decision about his life? The doctors told him not to work any more, but the less he worked the more cashflow problem he thought he had."

Lazerson's brain-affecting illness turned his preoccupation with money into an obsession. "I wrapped up my

clothing business to look after him, but it became really difficult for me," says Sue-Ann. "I had no income, I wasn't getting any money. He couldn't understand why I needed any. I started borrowing from friends to supplement things for the home.

"I kept saying: 'You've got money here and money overseas, just use it – it's a rainy day'. He said: 'No, I want it for my retirement, you must go back to work.'"

A report on Lazerson's condition in 2000 by Johannesburg neuropsychologist Digby Ormond Brown states: "Mr Lazerson shows signs of brain dysfunction that are probably due to encephalopathy. Most striking feature of profile is impairment of short term memory and specific profile consistent with liver dysfunction.... Also signs of frontal lobe dysfunction.... Planning and organising information below expected level. Fluctuations in concentration.

"From the information obtained from his daughters it is clear there have been occasions when there have been gross signs of brain involvement – confusion, slurred speech...."

Lazerson was always updating his will, but from the time his mind started losing its grip on reality, this took a disastrous turn for Sue-Ann. Early in their 13-year marriage he had twice assured her father, Denis Silcock, that he was leaving the Orchards property to her.

As she struggled to cope with Lazerson's ever more difficult behaviour, Sue-Ann discovered a new will he had made on August 10, 2001. Under its terms, she was to be given "usage" of the Orchards property for just 20 years, with responsibility for its upkeep, maintenance and municipal charges. Apart from some minor bequests, everything else went to daughters Dana and Lindy.

In this will, as is usual in these matters, Lazerson declared that he was "of sound and disposing mind, memory and understanding" – which he clearly was not.

"I tried to discuss it with him, but by then he was very forgetful," says Sue-Ann. "I realised I was going to have to start looking after myself. I went to a top lawyer and he said my best way was to use the vehicle of divorce as a tool to get maintenance before he died."

The couple spent Christmas 2001 at the Hout Bay flat. On the second day Lazerson collapsed and was rushed to hospital. "He was a very ill man," says Sue-Ann. "He was either sleeping or watching TV. I just used to take my dogs for a walk. I couldn't entertain. I didn't have a life."

Lazerson's daughters, Dana and Lindy, were there to visit their ailing father – Lindy flying in from Los Angeles, where she is director of sales for ABC Radio. "It was not a pleasant time: a frenetic family get-together at the end where I was the outsider," says Sue-Ann. "It became quite intense, especially when his elder daughter [Dana] came.

"I just couldn't take this family on my head. I said things that I shouldn't have said. I tried to apologise, but I was getting so frustrated. I had been virtually disinherited."

On January 15 last year, just weeks after the tension-ridden family reunion in Hout Bay, Lazerson wrote another will. Again declaring himself of sound mind, this trimmed Sue-Ann's 20 years use on the Orchards property to: "My wife shall be entitled to live in the Orchard Road property for such period as may be determined by my daughters."

Sue-Ann was "trauma-struck" when she read it. "I said to the typist: 'Did you type this?' She told me: 'I nearly died when I saw it.'

"I thought: that's the end of me. I don't know if the girls put pressure on him."

Hostilities with the Lazerson's daughters were certainly hotting up. Back in Los Angeles, Lindy sent Sue-Ann an email. "Firstly and most importantly, have you decided whether you want and whether you are able to play the wife role?" it read. "I understand it's not easy and my dad's illness does require certain lifestyle changes and therefore no one would judge you if you weren't up to it or felt it was a burden.

"If you choose to do it, then it has to be with genuine love, compassion and care. It is unfortunate that in the 12 years you have been married, you have never established or really tried to establish a relationship with myself or Dana, hence the situation we're in.

"This is not a power play, not a game, not a bitchy irrational whim

we're on, this is our father who is very ill and who we don't know quite frankly how much longer we have with him. You said to me in December that your marriage was your own private business. And I said not any more, not under these circumstances.

"It's time for decisions to be made and for us to see some positive energy flowing through the Lazerson household. You need to stop being paranoid in your feelings of a conspiracy against you."

The weakening Lazerson returned to the Hout Bay flat on his own in April last year, to discover that the previous Christmas, while he was in hospital, Sue-Ann had packed up her valuables and belongings there. "His daughters took great umbrage that I'd packed up my stuff and hadn't told him," she says.

"I was at the Orchards house. He became very menacing on the phone and I knew things were going to be very difficult from then on. He cancelled the butcher's account and then he cut off the greengrocer. This was my punishment. Remember, I didn't have any income."

The lawyers told her she was running out of time. If she was to receive maintenance, she had to file for divorce.

Days later, back in Johannesburg, Lazerson collapsed again and was rushed to hospital. Sue-Ann was still in the Orchards house, taking daily meals to her stricken husband in hospital. Until Dana appeared on the scene. Sue-Ann's cousin, casting agent Gaynor Becker, describes "a theatrical scene" at the hospital. "When Sue-Ann came to visit Ivor, Dana screamed very loud: 'Get out! Get out! I'll call security! You ruined his life!'" Sue-Ann was banned from the bedside.

Last May 15, when Lazerson was briefly back home from hospital, Sue-Ann moved out of the Orchards house, to seek refuge with friends in Sandhurst. Days later a divorce summons was served on Lazerson, with a Rule 43 urgent application for interim relief.

Lazerson responded with a codicil to his last will, dated May 27. "I hereby direct that my wife be disinherited and specifically require to see that she receives no monies from my estate," it read.

Despite this, on the eve of the Rule 43 hearing in Johannesburg high court Lazerson offered Sue-Ann R2m in final settlement. Sue-Ann says she rejected it because it was not in writing. At the Rule 43 hearing the judge ordered Lazerson to pay Sue-Ann R7500 interim relief.

Lazerson, by then drifting in and out of a coma, died on June 24 last year. Dana forbade Sue-Ann from attending the funeral, but the widow managed a last tribute. "I accompanied Sue-Ann to the graveside after everyone had left the cemetery and together we stood there in silence," says her childhood friend Louie Stuart. "She laid one white rose on Ivor's grave and wept."

Sue-Ann says that it was only after Lazerson's death that she became aware of the Maintenance of the Surviving Spouse Act, which provides for destitute widows. She's about to launch an action under this act, suing Dana and Lindy, in their capacity as joint executrixes of their father's estate, in the high court. Sue-Ann claims she needs R30,000 a month to maintain her lifestyle. Monthly interest on the R700,000 bond for her business premises next to the Orchards house, where she now lives, comes to R8600 alone.

Lazerson's wife number 2, Bernice Gewer, had achieved her divorce settlement only after threatening Lazerson with exposure of his offshore millions. Sue-Ann, who says she is destitute, has sought to use the same tactic. She has already informed the Reserve Bank of whatever details of Lazerson's offshore monies she has been able to glean.

These monies include an account with New York brokerage firm Josephthal & Co, which at September 28 2001 had a net equity value of \$296,450. Records show that Lindy received \$35,000 from this account earlier that year.

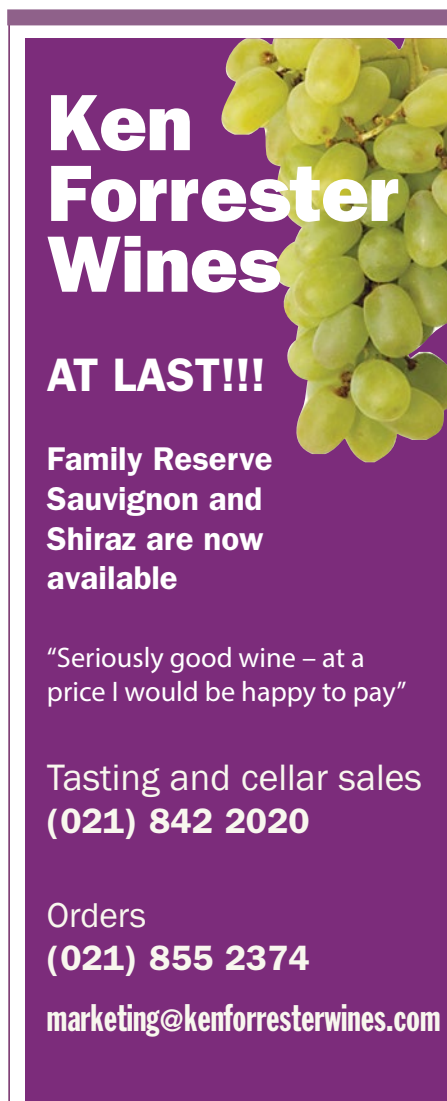
But Sue-Ann left her whistle-blowing too late. The Reserve Bank has told her it does not pursue deceased estates. The policy, it seems, is that the Bank does not visit the sins of fathers on their children.

An advocate who worked with Lazerson in the divorce courts observes: "Ivor was quite an aggressive, difficult sort of fellow – and because of his ill-

ness he became more aggressive than normal. He had terrible mood swings. But he always tried to do a good job for his clients. There are lots of attorneys whose only aim is to draw fees. Ivor wasn't like that, he would try and settle as soon as possible, because that was in the interests of his clients. Very few matrimonial attorneys behave like that.

"Sue-Ann sued him for divorce, literally on his death bed. The divorce summons at the end and the Rule 43 application was something that affected him very badly. Sure, the daughters are difficult, especially Dana, and Sue-Ann felt very vulnerable. But it's a mess and a very sad situation. All over money."

At 51, Sue-Ann has started up her clothing business again. Later this month she's off to Paris and Milan to order stock for next summer. **W**



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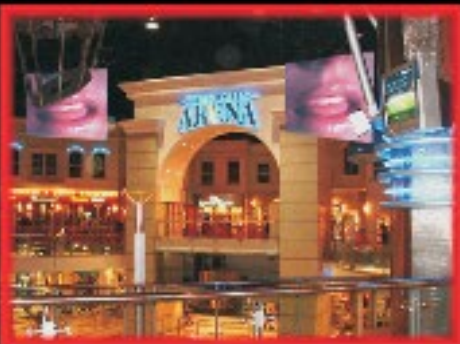


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School scam

◀ PAGE 13 Despite being scammed, Olivier's two schools are not exactly cash-strapped. Rand Tutorial College has 350 pupils up to matric (diplomats' children are enrolled there, and Walter Sisulu's granddaughter was a recent pupil); SA College Private School in Pretoria has 800 on the roll. With fees of R4100 a year for day pupils, that's a fee income of R4.7m a year.

Looking back on it all, Uys says: "It was a con by Hassan and Karsandas, though there's no doubt in my mind that Sheikh Al-Qassimi is genuine. He's got the authority to stop a plane from taking off until he's ready."

So why didn't the "genuine" sheikh deliver the promised \$35m? "First it was wait, wait, wait. We phoned him when we saw something was very wrong. According to the sheikh, Hassan told him that he owned the schools. He gave Hassan \$1m last year in Dubai, but the trust never saw the money. The sheikh said: 'No more money; the deal's off.'"

"The children and staff here know all about the whole thing – they're devastated. Luckily we haven't had to cut staff, but it's been tough. I'm bankrupt, insolvent. I'm not allowed to buy anything on account in my life, ever again."

The police are sceptical that the sheikh is bona fide – and they are sure that Hassan and Karsandas are not. They treated the matter as a 419 fraud, but the prosecuting authority has thus far declined to proceed.

However, police have now renewed their interest in Hassan and Karsandas, concentrating on, of all things, a pawnbroker in Newlands named Jeff Sachs. "I'm also a victim of all this," complains

Sachs. "It's too terrible. Hassan and his supposed father-in-law came and borrowed money from me. They gave me a car and a cheque that was no good. They then took the car back. I'm down about R18,000."

Another possible lead: R30,000 worth of sheep ordered by Hassan and Karsandas from a Westbury butcher on Rand Tutorial College's account.

Just who Dawood Hassan and Karsandas turn out to be is anyone's guess. There's another intriguing line for police to pursue: Uys says that at the time of Sheikh Al-Qassimi's November 2000 visit to his school, he met Soraya Hassim, director of the Islamic Relief Fund, at the Sandton Sun Hotel.

"She was introduced as Karsandas's sister," he recalls. "We met each other on various other occasions when we were making the transaction with Sheikh Al-Qassimi. She also went over to Dubai."

The Johannesburg-based Islamic Relief Fund has been busy raising funds and collecting goods for victims of the Iraq conflict. But director Hassim denies all knowledge of the Rand Tutorial College debacle, Dawood Hassan or her so-called brother Karsandas. "I have no connection with them whatsoever," she says.

Our conclusion: The police and the legion of baying creditors should lay off poor beleaguered André Uys and go after Hassan and Karsandas for a change. Can't find them? We believe the pair is to be found at 11 Kerkhof Street, Kocksoord, just outside Randfontein.

And Abraham Olivier, buck-shifting owner of Rand Tutorial College, should accept his share of the blame and help his principal get a life together again. ▣

Justice

◀ PAGE 19 to me. I said maybe God will help each and every one of us that we must stop these bad things that we are doing. I told them that even when you know you've killed somebody, just pray and maybe God even when you are dead will forgive you. I was telling them stories like that.

They were listening to me, the ones who had been in prison a long time. And the little ones listened to me. We sang the Gospel and me and one of my friends were reading the Bible to them.

In the fourth week I was hungry, there was nothing in my stomach. I was on the way to the toilet and I fainted. When I wake up I was in another place, the prison hospital. There was a nice doctor, it was a lady. I said I felt fine. She gave me something to eat: a porridge with milk and sugar, and even tea with sugar and a loaf of bread. She gave me other food to eat later in my cell, some meat and pap.

After four weeks I was in court again. Jack had found an advocate for me. Matthew [Welz] was very wonderful, he did everything properly.

Matthew spoke to me nicely. He told me he did not want money for being my advocate. But again the prosecutor said I could not have a bail and the magistrate said the police had gone on leave and she was going away and I must stay in prison for three more weeks, until the middle of May. My hands were shaking; I was nearly finished. It was for being worried, thinking they were speaking about me at home; that they were worried and I disappointed them.

Matthew did not accept what the prosecutor said. He went to see someone with my mother [the Control Prosecutor] and this person asked my mother where I lived and she told him with her, and this person said I must have bail.

When Matthew was gone I sat in the cells and sang my Hu down there.

Then, back in court, the magistrate gave me a bail! The prosecutor looked angry. But I'm not running away. I want them to see that I'm attending court again. I want to listen to the police say how I got these things [spark plug pieces].

When Matthew took me out of the court my mother and teacher and Jack were waiting for me. I was very, very, very happy there. I gave all of them a hug.

I was also very hungry.

■ We will inform readers of the outcome of Justice's case (Ed). ▣

**Fine
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◀PAGE 8 trust's 1990 balance sheet, they were still listed at this amount, but notes to the accounts reveal that in the market Phimax's assets – which included 6.5-million Conframe shares then worth R21m – were estimated to be worth R83m.

And when the house in London – reflected in the accounts as “shares in Phillip Frame Properties (London)” – was sold, it realised R4.5 million, making a mockery of the valuation in the estate, where it had been valued at only R327,000.

At each year-end, the trust held huge amounts in cash – in 1989 the trustees had R155 million (R500 million today) in “cash resources”, in 1990 just over R100 million. This would, of course, have been useful for generating an interest income, immediately available to the “income” beneficiaries.

In the report of the Trustees for the year ended 28 February 1990, they reveal that in that year the trust received just under R1 million in dividends, but R30 million in interest.

Which brings us to Phillip Frame's heirs and trust beneficiaries.

Frame's residuary heirs were his five granddaughters. But they were only to inherit as each turned 50. The eldest, Melissa Ulfane, would inherit her share in 2007, while the youngest,

were intent on selling off the Frame Group and on maximising the trust's income as quickly as possible.

Frame had, as clearly, not intended that very large sums of money should immediately start flowing to his young granddaughters – sums that he, in all probability, would not have thought proper, let alone have spent on himself.

The trust accounts for the year ended 28 February 1990 reveal that in that year the trustees distributed nearly R15 million to the five grandchildren. The older Ulfane girls got R6m each, while the three younger Westburys got R2.75m between them.

In 1989 the trustees had distributed R19 million (about R65m today) between the five girls. In 1991 they got R23.8m (R60m today).

Which makes the small matter of clause 16(c) of the will a fitting footnote to the whole sorry saga: in it, Frame determined that the trustees of his trust were to be paid an annual remuneration not exceeding R1000 each “and save for the foregoing, my said trustees shall not be entitled to receive any other remuneration for their

lar payments may have been made in other years.

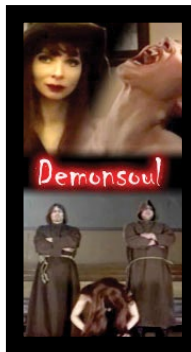
After 1991, when the trust still held assets worth in excess of R320 million, no further trust accounts were filed with the master of the high court – until 1996, when an account was filed recording that the trust had been wound up. There was nothing left in it. Phillip Frame's eldest granddaughter, Melissa, was 39; his youngest, Philippa was only 26.

What did “the Frame family” do with the money? Peimer says he can vaguely remember that Max Ulfane “bought a castle somewhere in England” with money the Ulfanes got from the sale of the company shares.

Mr and Mrs Max Ulfane often host gala supper parties in stately homes in order to help raise funds for their little “causes.” They sit on the Fund Raising Advisory Committee of Britain's oldest public museum, Oxford University's Ashmolean Museum of Art and Architecture.

They are also recorded as being among those folk who donate more than £1500 per year to the British Museum.

Some members of the London social set tell *noseweek*



To add insult, King and his fellow trustees paid themselves a R500,000 ‘fee’ from the proceeds of the sale of the trust's Frame Group shares

Philippa Westbury, would only inherit in 2020.

The trustees were authorised, in the meantime, to use the trust's income – the small Frame group dividends that Frame had anticipated would be declared – to “maintain, educate and provide for the reasonable pleasures” of his granddaughters until they reached the age of 25. (Thereafter they got to spend the income themselves.)

Phillip Frame clearly did not anticipate that his lifelong friends and co-directors would be induced to abandon their trust, and that they would appoint successors who they knew

services”.

The annual accounts of the trust for 1989 reveal that, to add insult to injury, Mr King and his fellow trustees paid themselves a R500,000 “fee” from the proceeds of the sale of the trust's Frame Group shares.

This was in addition to the R285,600 paid in 1990 and the R231,600 paid in 1991 for “administrative costs agreed to by beneficiaries” [but explicitly disallowed by their benefactor]. There is no public record of what simi-



the Ulfanes are seen as rather too “nouveau riche.” They smile as they relate how Max was even suspected of aspiring to a knighthood for his charitable work.

Their daughter Janine became an international socialite and even attempted to get into movies. She managed to secure a starring role in just one film. Called “Demonsoul”, it was produced on video only. The plot centered around a hypnotherapist who frees the trapped soul of a vampire from one of his clients

– not Oscar winning stuff, but Janine does look quite fetching in the video cover. To date it has been movie director Ellisar Kennedy's only offering.

Janine's sister, Melissa Ulfane appears to have been a little more successful than her sister – a little more high-brow.

In 1999 she started a small publishing company called Pushkin Press Ltd. The core business of Melissa Ulfane's company is translating relatively obscure foreign works of fiction into English for the leisured classes.

Like mom and dad she also contributes handsomely to the Ashmolean Museum.

The Westbury's are a lot more discreet. Professor Charles Westbury was a surgeon at London's Royal Marsden Hospital when *Today* newspaper interviewed him about his daughters' inheritance. He was only prepared to confirm that they stood to inherit part of Philip Frame's fortune.

But, he added, "This is not the sort of thing that I would wish to discuss." So much for the Westburys.

King told *noseweek*: "It was a unique will and that is why the trustees tried to – and did – bring commercial reality to the situation."

Friedman who has retired to his wine farm did not wish to share his memories with us

That, dear reader, is the "commercial reality" they brought to the situation.

■ At the conclusion of his answers to our questions, King once again pointed out that he was talking from memory of events that happened up to 23 years ago, and suggested *noseweek* give Charles Friedman a call for more detailed information. King said he understood Friedman was writing a book on his life – including his time

at Frame.

But Friedman, who has retired to his multi-million-rand wine farm near Franschoek, most emphatically did not wish to share his memories with us. He abruptly ended the conversation, declaring: "I was involved profes-

sionally in Frame. I refuse to discuss anything relating to the company or the Frame will. I do not see how this is of interest to the public". But then, being the sort of lawyer he is, he wouldn't.

■ Today the lean rump of the Frame Group prospers as part of the Cape-based Seardel textile group. King and friends are no longer on the board. There is not even a portrait of Phillip Frame to be found in the boardroom. **Z**

Pass the seasick bag, sailor

◀ PAGE 27 the crossing – into the race as the star attraction.

"Platter was seriously bitter and twisted that the trimaran was allowed to compete, saying it should not have been in (a monohull) race – it stole his boat's thunder."

A week after the article, Middleton faced a dressing down at a club committee meeting at which treasurer Lindsey Birch was conspicuously absent.

Certain committee members demanded Birch be put on speakerphone to field questions on the issue which was forced to the top of the agenda after Middleton had tried to dismiss the *noseweek* article as "a trivial matter".

Among the issues Middleton and his committee are likely to be grilled over at the AGM is the practice of declaring sponsorship funds as income in the club's annual accounts.

In the previous financial year Royal Cape was able to declare a R450,000 profit after reflecting R920,000 of sponsorship funds as income on the balance sheet. "To improve the bottom line, profit must be generated by subscriptions, marina fees, the bar, slip

fees and so forth. But to show a profit from sponsorship is living in a fool's paradise," said one senior member of the club.

Birch may also be asked to explain accusations of profligacy dating back to the Governor's Cup race to St Helena in 2000.

Meanwhile relations between SA Sailing, which represents about 38 club and 15,000 amateur sailors, and Royal Cape has hit an all time low.

Frank Silberbauer, president of SA Sailing, has rallied to the defence of Worldsport with an attack on Middleton and his committee who he says are "destroying sailing in South Africa".

"We are cleaning up our mess at SAS and we are getting our house in order. At our AGM in June we will divulge our financials and the press are welcome to come and scrutinise our books. As far as our relationship with Royal Cape is concerned, we will take instruction from our members. The whole fallout from the Rio race has done such damage to sailing that big sponsors who we have been talking to are just closing the door now. I've had calls from the ANC and the Department of Sport wanting to know what 'the hell is going on in sailing,'" said Silberbauer. "If I had the money I'd put lawyers onto Royal Cape." **Z**

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Frame: an alternative view

noseweek's claim that 'unbridled greed' motivated the directors of the Frame Group is audacious, says Bruce Sanders who sat on the company's board.

Your article on the Frame Affair (*nose45*) is so way off the mark – based as it is on a number of incorrect conclusions, assumptions and conspiracy theories – that I cannot rest without presenting the facts.

I am a chartered accountant. I joined the Frame Group in 1976 and was appointed to the board of Consolidated Textiles Investment Corporation Ltd (one of the main listed companies at that time). Although I retired as a full time employee in March 1992, I remained on the Frame board until December 1997. During my time with the group – which includes the time of Stride, Stein, Friedman and King (SSF & K) – I was secretary to the board. I was also secretary to the remuneration committee and chairman of the audit committee.

That you have the audacity to question the integrity of SSF & K and infer that they were motivated by “unbridled greed” is beyond my comprehension. Did it not occur to you that their actions were in the best interests of all parties? Their remuneration was modest.

After the death of Phillip Frame in 1979, the triumvirate of Lurie, Berman and Piemer (LBP) had the unenviable task of trying to run the business – and engage in an almost daily battle with the family over the will and the administration of the estate. The will, written in 1967 (fundamentally unaltered in 1974), indicated Frame's wishes at that time, when circumstances were markedly different. This notwithstanding, his wishes were given serious consideration whenever any major decisions were taken by the board, but, of course, the interests of the company had to prevail.

A group of Frame's size is a dynamic entity and certainly cannot be managed by remote control from the grave when circumstances are changing. As the job of LBP became more and more untenable, they were forced jointly to accept the offer of the family. The amounts paid were not excessive, as LBP had accumulated years of confidential knowledge of the business.

When SSF & K became trustees in 1985 it was soon apparent to them that for a number of reasons (*inter alia* the attempted restrictions placed on the group by the will, and the restructuring of the textile industry) that the profits and the cash resources of the group were being depleted and if something was not done quickly, the group would be wound up. It was decided that LBP with

their old-style management should be removed. A professional textile manager was brought in as chairman and CEO to try and stop the slide. This was in 1986.

You are no doubt aware that the responsibility of directors is to act in the best interests of the company concerned and certainly not in terms of the wishes of a shareholder, however large – particularly in a listed company.

In 1987, SSF & K, as trustees, decided that for the trust to be completely focused in one industry and in one company was not in its best interests. A consortium of investors led by Liberty was put together by Max Borkum, which then bought out the trust's interest in the group, Hazel and Elaine [Frame's daughters] having already sold their shares. The trust was then able to diversify its holdings and by all accounts has done extremely well. Hazel opposed the 1987 decision and consulted counsel to interdict the sale, but eventually agreed it was in the trust's best long-term interests to sell. The shares were sold for about R24 each. (They dropped radically with the restructuring of the textile industry between 1987 and 1991.)

What happened after 1987 had nothing to do with the Frame trust. The group was then Frame in name only.

Market conditions in the textile industry were nothing like those that pertained during most of Phillip Frame's lifetime. Whereas there had been high tariff protection and subsidisation of wages in the “border areas”, the government now decided to phase out subsidies and lower tariffs. This resulted in a flood of cheaper imports from the Far East. Then the blanket market collapsed. As a result the group's profitability dropped and it went into borrowing for the first time. By 1989/90 the borrowings were R240m.

The employment levels, which appear to be the main issue of your article, had been reducing over time. The majority of the reduction that you refer to was done when the group had nothing to do with the Frame trust.

The reasons for the reduction included,

on the one hand, competition from cheaper imports resulted in marginal factories became loss makers, forcing closure and retrenchments. On the other hand, substantial increases in wages and employment benefits forced the group to critically assess the necessity of each and every job.

The blanket market saw the most dramatic change. Despite closing down five factories, the business was still not viable and a major drain on the group's cash resources. We therefore disposed of this business. It was subsequently closed down by the new owners.

The market also demanded a better product, which could not be produced on the old equipment. The old looms required a dedicated operator, so a loom shed of say 100 looms had 100 operators per shift and 20 or so cleaners, stock movers and other ancillary personnel. The replacement for that capacity (which produced a far superior product) was, probably, eight automatic or semi-automatic machines, which would require three operators and five ancillary workers – eight in total. A reduction of 112 workers.

None of the above had anything to do with the sale of the trust's shares in 1987, but the reductions in employees would have happened during those years whoever were the shareholders.

After the departure of LBP there were a number of management changes in the ensuing years none of which was particularly successful. Eventually King was asked by the institutions to resign his position at Kirsh Trading and take an active part in trying to implement a rescue strategy for the group. He was appointed executive chairman.

Apart from Mervyn King's integrity, intellect and management ability, his real forte is negotiation and strategic planning. The group at one stage posted a loss of R226m. This, with the poor performance of the prior years and the loss of R80m in the following year, almost wiped out the group's reserves. The dynamic actions of Mervyn King and his team saved the company and built the foundations for its current success.

We should not be here to bury King but to praise him.

As I am still employed on a part-time basis by the Frame Textile Group, I would like it noted that the above is my personal observation.

■ *We stick by our story: see editorial on page 5.*

YOU buys y'r ticket and you takes the ride, says my daughter, who is wondrous wise. There are those who think she is thus from reading the writings of Vladimir Ilich Lenin as a music student in the years of The Struggle, aka The Movement – a term borrowed from Ireland, where also it turned out to be stationary most of the time.

But then again there are many others including myself who believe she got like this from mixing *insangu* in her chilli bites instead of the traditional chopped spinach, and in her pasta sauce instead of origanum, and playing Scarlatti upon the harpsichord. I believe it because this ticket thing is dangerous thinking, man; she doesn't mean history is rolling along O sweetly on its dialectical materialist tramlines as declared by Uncle Vlad, she means if you look closely at this your nice new ticket, you may perceive there a White Star logo, and you're away on a tempest-toss'd unpredictable ocean, with who knows how many icebergs around maybe.

Susan, dear heart, I say to her, beware the existentialist devil of your youth, arrange your life so that your children will predictably benefit from your wondrous wisdom. I know Einstein said God does not play dice, but if he's not shooting craps I'd like to know what the hell he is doing up there, for he's paying no heed to anybody's complaints down here, and if you want any success in this world you must do your own planning. Plan, plan, plan, dear girl. Plan logically, I say to Susan.

Indeed, father ! she exclaims. We shall have a cup of tea with my home-baked crunchies and and relax awhile for digestion to take place, and afterwards reflect on this my fortuitous wisdom which I can only have gained from you, the alpha male of the family. So we have these crunchies with a nice cup of Earl Grey/Ceylon 50/50, and in the calm of ensuing moments I feel wave after wave of wisdom flowing over me from my daughter as she summons up remembrance of things past.

Grandfather Joseph has described to me the admiration he had for you at first meeting, she says, and your propriety in travelling all the way to Queenstown to present yourself before marriage to his daughter. True, true, say I.

He remembers your impressive prospects, she says: the probability of being Professor of Fine Art in the next three years or so, with of course a good eventual retirement, which you intended to take early, at fifty or so, so you could still embark on the career of exhibition artist full time and be revered in the creative community and give lectures on interpreting art and things. All this I remember, I say. It too is true.

Ja, she says. He also remembers your hous-

YOU BUYS YER TICKET



Harold Strachan speculates on his daughter's wisdom, the tramlines of life and the Almighty, as he dances barefoot to Scarlatti.

ing subsidy and medical aid and sabbaticals to come in Florence with his daughter, and subsidised life and property insurance, and nice little nest eggs from selling paintings done in your five months a year holiday, and no children to care for from your first marriage.

Too fast, I say, and too much! But I remember it!

She reflects awhile. Pity he hasn't spoken to you for 30 years, hey? she says.

Aah, I reply reflectively, this alas is also true.

He remembers in addition there was a warrant out for his daughter's arrest six months later, and both of you were refugees in Swaziland, and you'd been dismissed from your employ for disgraceful conduct, and after another six months his daughter was pregnant and you were in jail and the only income was a handout from a tinpot judge in Switzerland on behalf of the Communist Party of the Soviet Union.

Shame ah shame, all this is too terribly true, I declare. And you hadn't bought any ticket nor taken any ride? she asks. Well there were distortions to the historical process in South Africa just then, I say, as seen in the dialectical materialist view of things.

You're bloody right, she says, you ran into an iceberg. Do you want another crunchie? No, I'll save my appetite for that lovely chicken lunch, say I. So we're off to the kitchen for peeling spuds and shelling peas and chopping up pumpkin and putting on the rice and working on the bird for a traditional Sunday dindins with the neighbours.

We fall upon the fowl and by two it is no more. Folks are giggling and singing.

Anybody for seconds of stuffing? I ask.

We put on a CD and do barefoot dancing on the rug. My daughter is the only person I know wise enough to construe Scarlatti on the harpsichord as dance

Einstein said God does not play dice, but if he's not shooting craps, what the hell is he doing up there?

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