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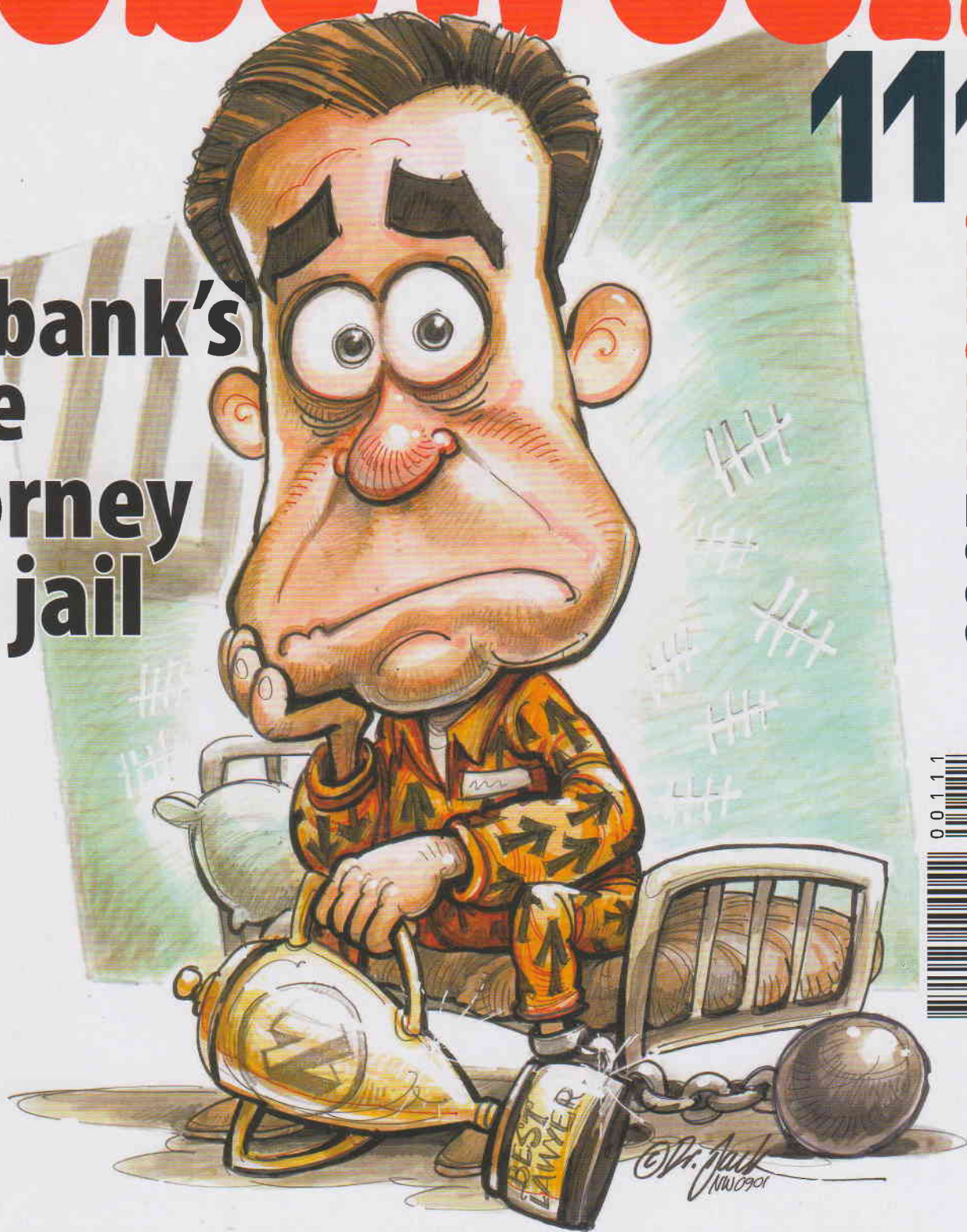
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JANUARY 2009

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Making no bones

About the goings-on at the old Gordon's Bay cemetery (*nose110*): There are so many holier-than-thous who claim to have been working in the interests of the community to "tidy up the place" – but you do not throw away **headstones and human bones** when you do a little tidying up.

The shocking truth is the total lack of respect bestowed

of the graves had wheel tracks over them. In the 1980s, when my husband Danie and I were mayor and mayoress, we made an issue of the cemetery. But the Town Clerk at the time, Mr Charles Steyn, and most of the municipal heads of departments involved with these issues, simply ignored the mayor's instructions.

We were in a difficult position at the time as we

working at embarrassing us – deliberately and with malice.

When you are poor and uneducated and emasculated how do you fight back? You cannot. You just continue to place shells on the mounds that you visit now and then. Silence becomes you as the pain makes you hard and helpless.

Carol Miller
Gordon's Bay

basis for child abuse, yet it continues.

What is clear is that the system failed to ensure the child's rights in terms of Section 28 of the Constitution, which states: "Every child has the right to be protected from maltreatment, neglect, abuse or degradation", and "a child's best interests are of paramount importance in every matter concerning the child".

All the criminal justice system is focused on is finding culprits to punish.

In my opinion the child's best interests would have been served if, upon a charge of assault being laid – and if immediate removal of the child to a place of safety was not considered essential – there were a legal compulsion to place the family under close supervision.

There should have been compulsory medical examination of the child at regular intervals and repeated unannounced home visits by a supervising officer or social worker.

There should be routine forensic audits of such cases in order to identify any system faults which require legislative changes – with reporting to the relevant ministers, whose obligations are spelled out in Section 28.

That airplane crashes are so uncommon is not because human errors don't occur or because those who make them are punished – but because when something does go wrong the system is modified to prevent the same thing from happening again.

Max Klein
By email

The municipal trucks and sewerage lorries drove through the heart of the cemetery, over the graves

on the remains of people who gave their time and energy working in Gordon's Bay for Gordon's Bay people – for people who never even gave them a thought. That particular cemetery even had a municipal road going through it. The municipal trucks and sewerage lorries drove through the heart of the place, over the graves, to park behind it. Some

were not sure how many town councillors were on our side.

We asked that old rusty apartheid signs be left to fall to pieces; that way they would simply "fade away". Sure as hell, the very next day those officials and Mr Steyn were out erecting new apartheid signs, in total violation of the mayor's instructions. Around every corner these people were

Diamond regulator lying

I refer to your article on the SA diamond and precious metals regulator, who appears to be abusing his powers in order to put individual white jewellers out of business (*nose108*). I am a goldsmith and sent in my application for a licence some time ago, but it was declined because of my "lack of BEE status".

The regulator is lying outright to the public: I know of a few jewellers that have closed their workshops after their permits were declined because they could not afford to have BEE partners.

I myself am also not able to comply, so will probably either emigrate or have to find another type of work.

I also sell machines and train jewellers in CAD design, but that part of my business has just about come to a standstill because everyone is waiting to see if they get licences.

Eve Maree
Pretoria

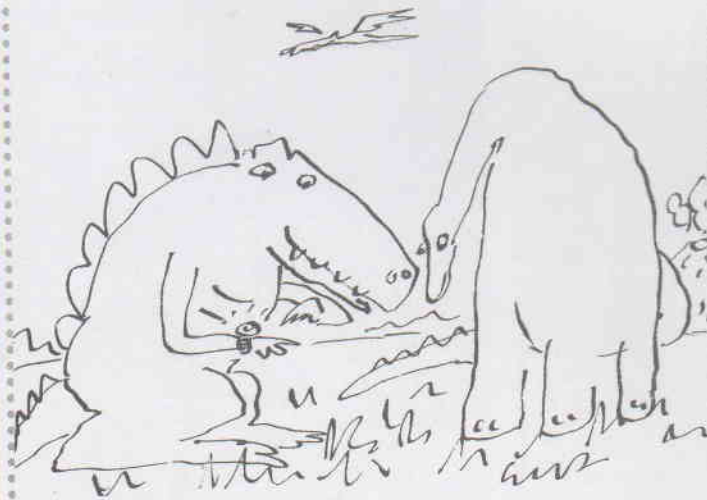
Child abuse: fix system

One's gut response to your report in *nose108* on the case of the abused child is: lock up the parents and throw away the keys! But that isn't going to do anything to stop this sort of thing. People are charged and punished on a regular

Youth pastor cleared

As a follow-up to the rather biased article you published in *nose102* [about discord and schism in the Durbanville Methodist congregation], I would like you to note that, as expected, the youth pastor who had been suspended [by the minister of the

Gus



Not only is it digital, but it's also biodegradable!

congregation, and who was then arrested by the police] after he was accused of sexual misconduct has been found innocent in court.

Your article failed to address the real issue behind the story: Why does a 15-year-old girl accuse someone of such a heinous crime? Was it a cry for help? Is there a problem at home? The child's behaviour has been overtly sexual from a very young age. This is not normal, and perhaps we are failing her by concentrating on the wrong story and by not hearing what she was really trying to tell us.

Rebecca
Durbanville

Thank you for bringing these developments to our attention. We are happy to record them. – Ed.

Should we be tolled?

Can you please tell me where the money goes to that we pay for toll roads?

I have been told that the concessions for the toll roads – built with government/taxpayers' money – have been given to BEE individuals. What is the truth?

We travel a lot to KwaZulu-Natal and the toll roads there are not in a good state of repair and the alternate roads are even worse. It seems that toll roads are cash cows which are given to "friends".

I have decided that whichever of the opposition parties that will take up the issue of toll fees will get my support.

June Fletcher
Sandton

Hemp: put that in your pipe!

I wrote to you previously (nose105) about industrial hemp, so thought you may like an update.

I have written to all the relevant people in government with regard to this subject and they are as rude as they are ignorant: not one department even acknowledged my emails.

At the moment the ANC is so focused on trying to outdo COPE that I suppose queries from tax-payers are really quite irritating! So I really had to laugh out loud and hard when I heard they had not registered for the local by-elections.

How stupid was that? About as stupid as not listening to the people who contribute to the taxes.

Mind you, the person in the street, the hard-working, everyday man or woman has already seen the writing on the wall. They will not be taken in by free T-shirts, a free meal and a bus ride.

Stop the grants and bring back subsistence farming – and get that industrial hemp growing, I say.

How difficult is that? What a load of plonkers!

Well that's me done for another six months.

Sue Barnes
Jukeskei Park

Apologise or else

We refer to an article in nose108 under the headline "Rocky relationship manager" [in which noseweek told how Clarry Odell's "relationship manager" at FNB, Garden Route branch, assisted his

estranged partner, Ruth Bartie, in withdrawing R170,000 from his bank account and then, within minutes of his verbally informing said manager that he was withdrawing any authorisation he might previously have given Ms Bartie to operate his account, and while he was in the bank writing that instruction, the bank manager hurried to assist Ms Bartie in withdrawing a further R30,000 from the account, via the ATM at the bank's front door. – Ed]

We act on behalf of June Bartie. The insinuation in your article that she acted fraudulently and in co-operation with her bank, to steal Mr Odell's money, is devoid of truth. The article has defamed our client's good name and has damaged her reputation.

Our client demands an apology to be published in the next issue of noseweek.

We believe that it would have been fair if our client had been consulted before publication and a balanced version of the events had been published.

If we do not get confirmation by close of business on 23 December 2008 that such an apology will be published, we will take the necessary further steps.

Eckert Brand
Cilliers Odendaal, Attorneys
George

Why is it that lawyers, right off, adopt that "I am master of the universe" tone – to the point of being belligerent – in their letters? While it likely strikes terror

in the hearts of weaker recipients, here it tends to provoke a knee-jerk f.u.2 response – which we will sensibly, on this occasion, contain.

We did not insinuate that Ms Bartie had committed fraud or had stolen Mr Odell's money. In fact our story states that, technically at least, she had Mr Odell's written authority to operate his account. As clear, though, is that she withdrew a substantially larger than usual amount from the account without his prior knowledge or consent, and that the bank manager assisted her in withdrawing a further substantial amount when both she and the bank knew that it was contrary to his wishes and without his consent. This has nothing to do with whether any claim Ms Bartie might have had against Mr Odell had merit or not.

Our readers will have gathered that there was some dispute between Odell and Bartie about money and other issues – which we did not go into; what interested us, and was of wider interest to our readers, was the bank manager's uncooperative attitude and lack of loyalty to her client. In any case, by the time we sought Ms Bartie for her comment she had long departed for Ireland without leaving a forwarding address. We note that you do not offer a "more balanced version of events" – which we would have been happy to publish. – Ed



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Supping with the Devil

THESE GUYS ARE BAD NEWS! Rob Gillespie, chairman of the Lonehill residents' association told *noseweek* when, back in June 2007, we asked him about the Theodosiou brothers, Johannesburg's notoriously lawless shopping mall developers. "You cannot believe anything they say, you cannot work with them. They're a law unto themselves."

In 2005 the Theodosious began building the Bel Air mall in Randburg on land zoned for agricultural use, and with no site approval or building plans. Repeated notices from the council to stop building, and one to demolish what they'd already built, simply speeded up construction work.

The tactic worked. Reneging on its demolition order, the council agreed to rezone the Bel Air land and approve the development retrospectively.

"Their attitude has been to take advantage of the slowness of the process to build furiously, so they have something which looks good, and then, with two fingers in the air, challenge council to come and knock it down if they can", said city councillor John Mendelsson at the time.

The most egregious example of their contempt for the law is the Lonehill mall in Sandton. Originally meant as a low impact neighbourhood convenience centre, the Theodosious turned it into a monstrosity which residents neither wanted (to put it politely) nor needed. The brothers began extending the centre in 1998 but applied for permission only in 2002, which was granted with conditions – that they ignored. In 2003 they began another extension, also with no public consultation, no approvals and in stark contravention of zoning, town planning and building regulations. (The buildings are more than 50% over the permitted bulk ratio.) Residents of an adjacent upmarket housing complex, who have seen the value of their properties drastically eroded, sent objections to the council, which ignored them.

Eventually, the objections were traced by estate agent Angela Wood – who found them in a file under the desk of an assistant to town planning enforcement chief Alan Wheeler.

Wheeler declared that he knew nothing about them, but shortly afterwards was suspended for taking bribes from developers. He resigned before a hearing could be held.

But early last year the Johannesburg council once again did a deal with the Theodosious: the council would approve all their latest misdeeds, and in return the Theodosious would put matters right, *inter alia* by buying neighbouring properties in order to restore bulk ratios and provide the required number of parking bays.

Suddenly Rob Gillespie and councillor Mendelsson – the men who'd told us what incorrigible villains the Theodosious are – changed their tack, and were telling us all about what good neighbours the brothers had become. And ABSA forgave and forgot – and rushed to lend them another billion rand.

Since then a year has passed. The Theodosious have not kept their promises. More than a hundred of their neighbours have filed objections with the city planning department. And ABSA is currently desperately trying to put several of the Theodosiou companies into liquidation, in an attempt to recover its billion rands. (See page 17.)

Why are we telling you all of this? There is a belief, shockingly widely held in South Africa, that respectable people can strike a deal or "compromise" with crime (perhaps even share in the spoils of crime) – and still retain their respectability. In fact, all it demonstrates is just how contagious crime is.

It explains how the arms deal has progressively corrupted the ANC and will ultimately destroy it unless the party leadership acknowledges it for what it is: crime.

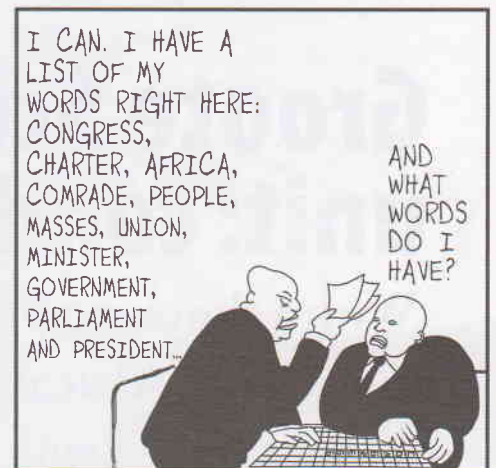
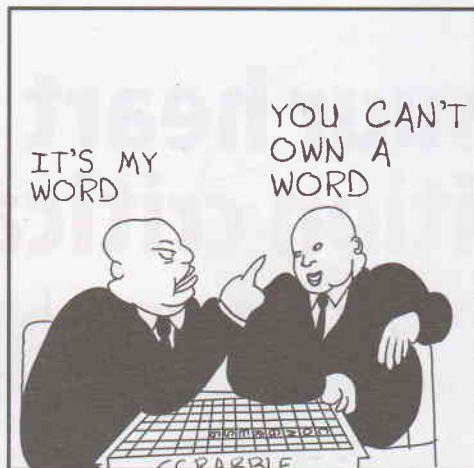
ABSA, by securing its most recent loans to the Theodosious with huge bonds, is, in effect, conspiring with them in fleecing their myriad small, unsecured creditors. The bank deserves no sympathy.

Mr Gillespie, Mr Mendelsson and the city planning department ought to take a disinfectant bath, and then, before the next election, tell us what their position is on crime.

They might benefit from a reminder: what today is called "going soft on crime", in a previous age was called Supping with the Devil. It's fun – while it lasts.

Happy New Year.

The Editor



Mr Nose

Let us contemplate the skietkommando

IT'S NOT EVERY DAY that *noseweek* is used as a battering ram by both sides in a fight. But the pesticide wars (*noses*99,100&109) being fought in the vineyard-enveloped Riebeek Valley have taken just such a turn.

As a result of featuring the complaints of Jurgen Schirmacher, the leading opponent of the Vloks' allegedly careless chemical warfare on agricultural pests, *noseweek* has been accused of bias by several upstanding people in the town; of stirring up a storm in a brandy-glass, of being anti-farming, anti-tourism and anti-dorp.

The apparently endless quest for an interview with the Vloks led one of Mr Nose's lackeys to Riebeek recently, to a

meeting convened for the townsfolk to discuss the pesticide controversy. But "ons praat nie met die media nie" ("we don't talk to the media") remains the family's constant refrain. The town's friendly *gifsmous* ("poison pedlar"), or purveyor of agricultural chemicals, Eric Venter, did, however, approach Mr Nose's underling as the meeting was about to begin, to ask if he could "use" some of *noseweek's* writing. Sure, replied the underling, expecting *noseweek* to be quoted, in yet another round of anti-media invective, for the amusement of the crowd. It's a free country – quote what you will. But no-one read from *noseweek* on that day.

Venter, it transpires, had other plans.

A few days later photocopies of the *nose*109 article on the Riebeek pesticide wars appeared in virtually every PO Box in the dorp, along with an impassioned letter – signed by Ansie Vlok – pleading with the town to stand behind her and her agrochemical-using husband.

The Vloks and their supporters, after "dissing" this un-august magazine, now seem to have decided that *noseweek's* version of events supports their case.

Mr Nose isn't sure how to react. Respectability? Among devout neurotoxin-spraying *boere*? Does that call for a change of hairstyle? A suit? Does he join the local *skietkommando*? Take up flower arranging?

Groote Schuur heart unit: **condition critical**

With a shocking post-operative survival rate, South Africa's pioneering transplant unit is on the brink of collapse

GROOTE SCHUUR HOSPITAL'S heart transplant unit, founded in 1967 by Dr Chris Barnard, is as iconic of South Africa's achievements in the world as Nelson Mandela – but it has been on the verge of closure for the past year.

Until 1995, it was the only unit in the country and was doing between 35 and 45 heart transplants a year, making it one of the world's top 20 transplant units.

But in recent years the number of transplants done annually by the unit has dropped to half a dozen, or less. Most heart transplants done in South Africa are now performed in the country's private hospitals, where no fewer than five heart transplant units have been established.

At Groote Schuur, matters came to a head last year when two of only three patients given heart transplants in the first half of the year died within hours of surgery, and the third teetered on the brink of death for a week, on life support systems, before miraculously pulling through.

All planned further heart transplants by the unit were suspended in mid-June. Horrified that the flagship of South African medicine might be closed down by scandal, an internal investigation was hurriedly launched to identify "the problem".

Such a situation would normally have called for peer review by independent heart surgeons of at least equal status. But Groote Schuur's unit did their own review. There is controversy in professional circles about the hush-hush nature of the enquiry,

but many colleagues are sympathetic, on the basis that public controversy about the unit would have been damaging to all South African doctors, everywhere in the world.

"They phoned me and asked if I thought they should close down. I said no, think of the consequences," said Dr Willie Koen, a private heart surgeon who heads the competing heart transplant unit at the Christiaan Barnard Memorial Hospital in Cape Town. "I suggested they go back to the textbooks and review their own procedures from beginning to end.

"Groote Schuur hospital, and its famous heart transplant unit in particular, has been a symbol of excellence that has ensured our acceptance as equals everywhere. Its failure would immediately have the reverse effect," Dr Koen said.

The clinical director of the Groote

During the first half of last year two of the three patients given heart transplants died



Glory days: Things are not what they used to be at Groote Schuur, where Chris Barnard performed the world's first heart transplant in 1967 and made it onto the cover of Time magazine

Schuur heart unit, Prof Johan Brink, was refreshingly forthright when approached by *noseweek*, and happy to explain what has gone wrong.

"Until ten years ago most heart donors were young victims of road accidents or violent crime, who were admitted to the hospital's trauma unit. Until then, the trauma units in major public hospitals were sufficiently well-manned that doctors had both the time and the facilities to identify the "no-hopers" who might be suitable donors and ensure that they were managed properly. But with the progressive withdrawal of funding from academic and major public hospitals, the trauma units are seriously understaffed and overwhelmed with cases. They do not have the time to identify possible donors, or staff and facilities to care for them. Most of the qualified transplant co-ordinators we used to have in those units have gone, so critical patients are left to die without being considered as organ donors. The prevalence of HIV-Aids has complicated matters further."

Private hospitals, with their better-funded facilities, and trauma patients from a higher socio-economic class – and therefore being in better general health – have a clear advantage.

"The result," continued Professor Brink, "is that in public hospitals there is now a critical shortage of

donor organs. In our desperation to assist heart patients who are critically ill, we have been driven to using sub-optimal donors, and donor organs handled and transported under sub-optimal conditions. Just one simple indicator of what has happened: In the past, the mean age of donors was 24, now it is well into the 30s. Donors that are identified are identified late, and then are not optimally managed.

"While there are other problems, we identified that as our major problem. In the past few months we have changed quite a few things – most focused on how we manage donors and donor organs."

By the first week of December confidence had returned and the unit performed its fourth heart transplant of the year on a young man in his twenties whose heart was seriously damaged by childhood rheumatic fever.

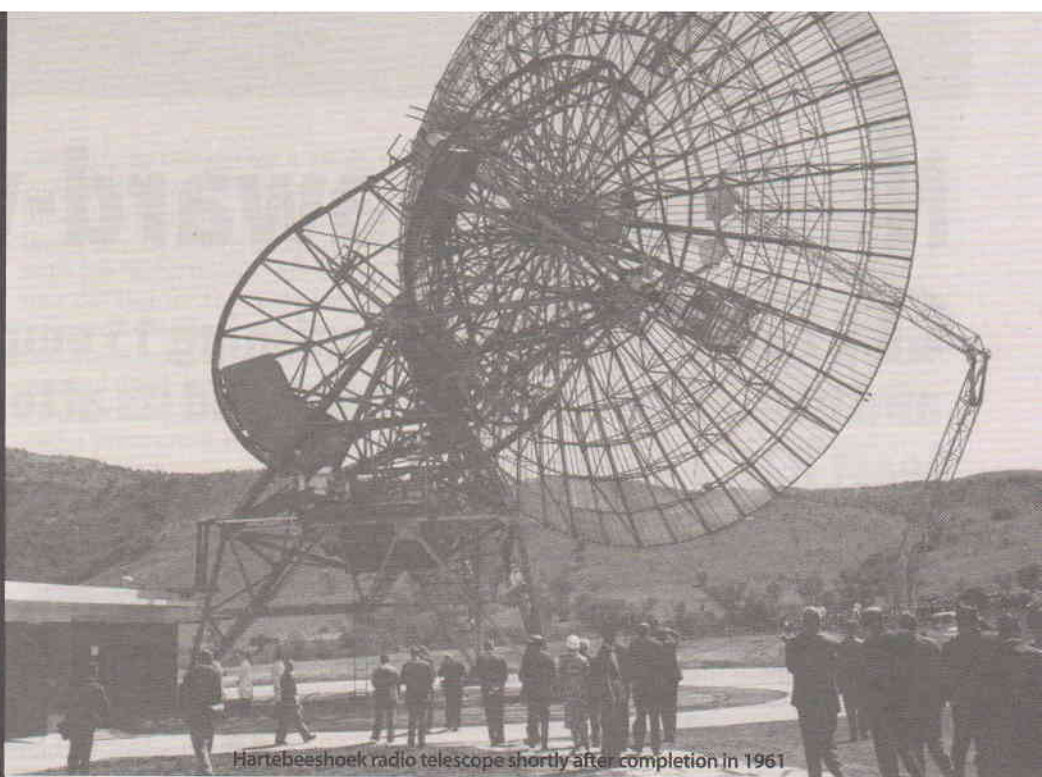
As *noseweek* went to press, the patient was recovering well in ICU and Professor Brink expected him to be going home within a week. The transplant operation was performed by Professor Brink himself, the longest-serving and most experienced surgeon on the team. (The two failed transplant operations were performed by Prof Peter Zilla, who holds the Chris Barnard chair of Cardiothoracic surgery at UCT.)

Another problem – which the heart unit members are less keen to talk about – is the issue of surgical skill, and, possibly, talent. (As another surgeon in private practice observed: "Some have it – and some don't.") To perform optimally, surgeons, like concert pianists, must practise constantly. It is internationally recognised that surgeons cannot perform to the required standard unless they practise for several hours each day, and do a minimum number of procedures each week.

The small number of heart transplants being done at Groote Schuur means that not only are students not getting the required learning opportunities, but their teachers are getting out of practice. This poses a serious threat to the training of future heart specialists and the survival prospects of patients.

"It has been seriously mooted in government circles that nine academic and other major public hospitals will in the near future be refinanced to once again become centres of medical excellence," said Professor Brink.

"That is our only hope." ■



Hartbeeshoek radio telescope shortly after completion in 1961

Did the stars foretell the crunch?

AT ABOUT THE SAME time that Groote Schuur's world-famous heart transplant unit came unstuck in June last year, another of the country's symbols of optimism and scientific progress, the deep space radio telescope at Hartbeeshoek, also – literally – ground to a halt when the bearing on which the massive dish turns collapsed.

No public announcement was made, but *noseweek* can reveal that it has been out of operation ever since. It has yet to be determined whether it will be economically feasible to repair it. If so, it will be many months, if not years, before it will be operational again.

The only observatory with comparable capacity in the Southern hemisphere is in Australia.

Built in 1960/61 as part of NASA's moon landing programme, it was erected by a team of Texas oil riggers brought to South Africa for the purpose. The dish has a diameter of 26m and weighs 200 tons, and the logistics involved in lifting it to replace the central bearing on which it rests will be equivalent to those involved in lifting a 12-storey building. To add to these problems, its shape acts like a sail in the wind, making windload – should an unexpected breeze come up – another serious factor to consider before anyone thinks of detaching it from the central shaft on which it is mounted.

"No," says Dr Mike Gaylard, head of single dish astronomy at the observa-

tory, "we did not forget to grease the joints, or accidentally drop a bolt into the works. It has been carefully nursed to way beyond its normal life expectancy.

"It was given to us by NASA in 1975, by when, as far as the American space agency was concerned, it had already functioned for as long as it was designed to function.

"We have been in contact with NASA and other people around the world for advice. The original design drawings no longer exist, so we do not know what the bearing looks like. We don't even know if we can open it up safely. We have asked various international engineering companies to quote for a feasibility study, but are already fairly certain it will be beyond the scope of our internal budget to repair."

Besides being used by astronomers for deep space research, the dish was also used to fix absolute reference points for Africa's geodetic survey system – required for accurate weather forecasting.

Meanwhile local engineers are frantically trying to design and build a receiver which can be attached to the prototype of the XDN (multiple dish) telescope they built as part of their bid to host one of the world's new generation giant telescopes. (The bid winner is still to be announced.)

They are hoping that the prototype, suitably adapted, might in the interim be able to carry out Hartbeeshoek's geodetic functions. ■

Nedbank's award-winning criminal

An astonishing 15 employees took bribes and helped defraud the bank and its attorneys out of at least R26.7 million

THIS IS THE STORY that Nedbank hoped would never appear. For months the bank has been trying to keep under wraps the identities, number and seniority level of its staff who are under internal investigation for their roles in a R26.7m scam devised by a rogue attorney working for one of Pretoria's oldest law firms.

As the involvement of Nedbank's mainly managerial employees emerges, it's small wonder the bank signed with such alacrity its consent to a plea bargain that let attorney André Croucamp off the hook with a minimum sentence of 15 years. This ensured that no embarrassing evidence was led in open court.

The case was called, and the agreement with regard to conviction and sentence made an order of court – all within 20 minutes – in the Pretoria Commercial Crimes Court on 25 September last year. No witnesses were called to testify.

The plea bargain agreed to by the state infuriated John Price, Croucamp's senior partner at attorneys Findlay & Niemeyer. The day before the matter was set down for hearing in court, he wrote an angry letter of protest to the control prosecutor, and demanded that it be placed before the magistrate who was to consider the plea bargain agreement. (It was, in fact, not mentioned at the brief court hearing.)

In his letter Price wrote: "Regarding the agreed sentence, I have read a recent report concerning two employees of SARS who were convicted of defrauding the Receiver of Revenue of just over R500,000 and who were sentenced to 15 years' imprisonment. In the present case, Croucamp has defrauded the firm for which he

worked of [...] more than 50 times as much. Added to that, Croucamp's actions have brought tragedy to more than a dozen people and threatened many with financial ruin. [Yet] it is suggested that [in this case too] a 15-year term of imprisonment is suitable [but] the two cases simply do not bear comparison.

"I wish to register my strenuous objection. If 15 years is the maximum that a regional court can impose, then the matter should be referred to the high court."

To no avail. On 25 September, the 42-year-old attorney pleaded guilty at Pretoria's Commercial Crimes Court to 935 charges of fraud, theft, money laundering and corruption and was sentenced to a total of

47 years imprisonment. However, his controversial plea bargain with the state allowed for the prison sentences on batches of charges to run concurrently, resulting in an effective sentence of just 15 years.

As *noseweek* went to press, all that Willem Kruger, Nedbank's head of legal services, would say was: "Croucamp is in jail and the investigation against everybody else is ongoing." Most of those in the "everybody else" category have recently left the bank's employ, confirms Kruger. Will criminal charges be laid? "Against some of them, yes."

Noseweek can now reveal the identities of the 15 present or former members of Nedbank staff, some at senior management level, whose activities have come under belated scrutiny. In several cases their assets have been seized (see *Nedbank's List of Shame* on pg10) by curator Michael Stewart, who is attempting to recover the proceeds of attorney Croucamp's seven-year crime spree. Three employees of Findlay & Niemeyer, plus Croucamp's two ex-wives and half a dozen of the thieving attorney's friends and girlfriends have also had assets seized.



The attorney pleaded guilty to 935 charges of fraud, theft, money laundering and corruption

Croucamp's first wife, Tania Marais, who is the mother of their three-year-old son, has worked for years at Findlay & Niemeyer as a conveyancer and is still a partner with the firm. In August Croucamp was divorced from his second wife, Marilyn Kaufman, 31, who, until the scandal broke, also worked for the firm, as a secretary.

One of several questions that remain to be answered is: what did the crooked attorney do with the missing millions? After he resigned his job he sold his house at Pretoria's Silver Lakes for R3.6m, most of which went on settling the R3.3m outstanding mortgage bond (with Nedbank). His two BMWs – a Z4 and an X3 – had no surplus value and the curator simply returned them to Stannic. There was nothing else to be found.

Croucamp claims he spent all his ill-gotten millions, but to date there's not much evidence to be found of that. He did once hire a private jet to fly from

Lanseria to George for a weekend at a golf estate; he was also a frequent visitor to the Beverley Hills hotel at Umhlanga Rocks, where he spent weekends with his "good friend" Adora Salim, now 32. But for the rest? Former colleagues at Findlay & Niemeyer suspect there's a very substantial fortune stashed away somewhere, doubling up nicely with interest to await his parole and a prosperous early retirement in a decade or so.

It was 19 years ago, in 1989, that André Croucamp joined the old-established Pretoria law firm of Findlay & Niemeyer (founded in 1892 by the grandfather of the present senior partner, 78-year-old John Price). "We happened to be looking for a clerk [candidate attorney] so we took him," recalls Price. "He was the best clerk we'd ever had; he had a good work ethic and got on with the job."

Croucamp qualified as an attorney in 1996 and his diligent "work ethic"

soon saw him elevated to an equity partner at Findlay & Niemeyer, with responsibility for handling foreclosures against those who defaulted on their Nedbank bond repayments. Nedbank was, and still is, virtually Findlay & Niemeyer's only major client and in 1995 the firm had faced ruin when it lost its work with Nedbank after the bank's head office shifted from Pretoria to Johannesburg. It used a R350,000 bank overdraft to the maximum and John Price and another partner had to mortgage their homes to inject cash into the practice.

However, with Croucamp in charge of foreclosures, business with Nedbank was restored and by October 2007 its portfolio with the bank had soared to an impressive 7000 files. So crucial was Croucamp's contribution to his law firm's fortunes that it took out a R15m "keyman" insurance policy on his life.

What his partners did not know was that, in fact, he had won Nedbank's favour by cooking the books.

When sheriffs sold houses in execution after their owners defaulted on bond payments, he failed to hand over the proceeds of the sales to Nedbank for the credit of its clients' bond accounts. Instead, he distributed millions of it from Findlay & Niemeyer's trust account to his friends and cronies.

Croucamp would tell Nedbank that there had been no sale in execution; he had made arrangements for the debtor to pay arrears by instalments. He dutifully paid these instalments to Nedbank – from money that the bank had advanced to Findlay & Niemeyer for the payment of rates and taxes on attached properties. (He obviously did not pay the rates and taxes.)

On Croucamp's orders, Findlay & Niemeyer staff falsified details of work done on Nedbank's Debt Manager, an interactive electronic case management system to which the law firm had access. False progress dates were entered, enabling the firm to claim fees earlier than they were entitled to do.

Nedbank hands out its bond foreclosures work to a panel of attorneys, and law firms who meet their deadlines get more work than those who don't. Croucamp found that by entering false information



Out and About with Nedbank Attorney lunch at Browns Rest

June Tudhope, Managing Director, Home Loans, and Diana Musara, Divisional General Manager, Home Loans: Collections and Recoveries hosted an attorney lunch at Brown's of Rivonia on Wednesday, 28 November to recognise top-performing attorneys in the Foreclosures, After-sales and Cancellations categories.

All winning attorney firms received a trophy, certificate and gift in recognition of their excellent performance in 2007. The announcement of the winners in the 'Overall Collections and Recoveries' category was the highlight, with Findlay and Niemeyer Inc receiving the first prize. Congratulations to all winners. We look forward to a great year in 2008!



First place: Findlay & Niemeyer Inc (from left to right, back: Marilyn Croucamp, André Croucamp, Adri Viviers, Leticia Lombard, Chantal Aucamp, June Tudhope, Nedbank; Thozil Maneli, Nedbank; front: Diana Musara, Nedbank; Lushaan Cassim, Dalene Stroebel)



Second place Attorney Kobus Vervaeke



Third place attorneys (Diana Musara, Henning, Mchale)

MAKE THINGS HAPPEN

NEDBANK

on Debt Manager he was able to create an impression of such efficiency that new work poured in from Nedbank. Within a year or two Findlay & Niemeyer were getting more of Nedbank's work than any other firm. In November 2007 Findlay & Niemeyer won a trophy, a certificate and a cash prize from Nedbank when they were rated the bank's top-performing foreclosures attorneys for 2007. Today, the report on the event that appeared in Nedbank's in-house magazine (*see picture*) reads like satire: the bank had rewarded its top-performing fraudster with a trophy, a certificate and lunch at one of the city's smartest restaurants.

So far, forensic investigators have identified scores of payments made

by Croucamp to selected Nedbank staff members. They total more than R19m, and were either bribes or part of a money laundering operation designed to disguise his own thefts from Nedbank funds held in his firm's trust account.

Nedbank's then legal recoveries head, Gerrie Maas, got R7m in 122 payments. In his confession statement Croucamp says Maas was the first person to whom he made an illegal payment from his firm's trust account. "It was then that I realised I could design a procedure to do this," said Croucamp. He did and it became a regular occurrence. Maas's deputy, Daniel Campos, also received such payments: 95 of them, totalling R6.5m. Both men got to keep a percentage of the money, paying the larger part

of it on to Croucamp's personal bank accounts.

In July 2005 Rico Hayden took over from Maas as Nedbank's head of legal recoveries. He also took over Maas's role as one of Croucamp's money launderers, receiving R3.2m in 38 payments from Findlay & Niemeyer's trust account.

Diana Musara, general manager of home loans, received R276,700. Musara was number 2 in the foreclosures division, reporting to home loans managing director June Tudhope, who resigned in June. Both Tudhope and Musara are pictured attending the now notorious award luncheon.

A smaller amount (R126,507 in four payments) went to Nedbank's Sonia Fifield, a senior internal auditor at Nedbank Group Risk, who works for chief risk officer Philip Wessels. In his confession, Croucamp says Fifield was his mistress during his first marriage and he made the payments to her as gifts.

Veteran Nedbank employee Valery van der Westhuizen, working in new loans, business banking, got R58,300. Croucamp describes her as "a good friend who was in financial difficulty."

Desiree Capiteux (in legal recoveries) received R68,700 over two and a half years, in 23 payments. In return, said Croucamp, Capiteux provided him with "inside" information, mostly about the work done for Nedbank by rival law firms, enabling him to "assess the competition".

To ensure swift payment of fees to Findlay & Niemeyer, Croucamp gave 25-year-old Olwethu Poswa in the bank's accounts office regular monthly "gifts" – either cash (these payments totalled R10,000) or Woolworths gift vouchers (worth R12,000 in all).

Apart from those at Nedbank, Croucamp was equally generous with his firm's trust account money to his friends and associates. Eight beneficiaries have been identified, the jackpot of R4.9m in 68 payments going to his already mentioned close friend Adora Salim, whom he met on a business trip to Durban. In his confession, Croucamp said he took 75% of Salim's payments back in his money-laundering operation.

The attorney's friend Clive Broughton received R861,714 in 12 payments, but got to keep only R60,000. The R800,000 balance was wafted back to Croucamp's personal bank account.

Within Findlay & Niemeyer itself,

NEDBANK'S LIST OF SHAME

(most of the 15 have left the bank)

Gerrie Maas, 57. Position: was head, legal recoveries division. **Curator's claim:** R7,064,388. **Status:** 4 properties, furniture and effects, 1 motor vehicle seized. Old Mutual pension to be seized.

Daniel Campos, 56. Position: was deputy head, legal recoveries division. **Curator's claim:** R6,553,445. **Status:** 2 properties, furniture and effects, motor vehicles, bank accounts and pension seized. Future income attached.

Rico Hayden, 44. Position: was subsequent head, legal recoveries division. **Curator's claim:** R3,218,897. **Status:** Has 2 fixed properties and 2 businesses. Curator discussing Hayden's assets and liabilities with his attorneys.

Sharifa David, 34. Position: unknown. **Curator's claim:** R1,436,150. **Status:** 2 properties seized. Bank account frozen.

Diana Musara, 41. Position: general manager, home loans. **Curator's claim:** R276,700. **Status:** Properties in Bryanston and Dainfern Ext 10 seized. After discussions Musara repaid sum in full.

Francois Vermeulen, 27. Position: unknown. **Curator's claim:** R235,474. **Status:** Sonneveld Ext 12 property with forced sale value of R1.1m seized. Bondholder due R594,000. Curator will recover debt from balance.

Sonia Fifield, 42. Position: business banking. **Curator's claim:** R126,507. **Status:** Tuscarora property attached. After discussions Fifield repaid sum in full.

Desiree Capiteux, 51. Position: legal recover-

ies. **Curator's claim:** R68,700. **Status:** Rosetenville property seized. Has sufficient equity to cover the amount.

Valery van der Westhuizen, 50. Position: new loans, business banking. **Curator's claim:** R58,303. **Status:** 2 properties seized, plus pension. 1 property has sufficient equity to secure the claim. All other assets released.

Dalene Deale, 29. Position: unknown. **Curator's claim:** R48,500. **Status:** Curator will hold her Nedbank pension until claim recovered.

Mohammed Kara, 32. Position: a manager in legal recoveries. **Curator's claim:** R35,000. **Status:** Klipspruit West property seized. After discussions Kara repaid sum in full.

Vincent Pienaar, 34. Position: unknown. **Curator's claim:** R20,000. **Status:** Melville property seized. After discussions Pienaar repaid sum in full.

Susanna Wewege, 42. Now lives in New Zealand. Position: business banking. **Curator's claim:** R13,500. **Status:** Margate property valued R480,000 attached. Bondholder due R300,000. Curator will recover debt from balance.

Mervin Smith, 47. Position: unknown. **Curator's claim:** R13,000. **Status:** Property Fleurhof Villas seized. After discussions Smith repaid sum in full.

Olwethu Poswa, 25. Position: unknown. **Curator's claim:** R10,000, plus R12,000 Woolworths gift vouchers. **Status:** Unable to trace Poswa. Her Nedbank pension has been attached.

False progress dates were entered, enabling the firm to claim fees earlier than they were entitled to do

Croucamp drew money from the firm's business account by cash cheque, debited it to Nedbank for revenue stamps and distributed the loot to staff members in his foreclosures section:

■ Bookkeeper Tania Meiring, 32, received monthly payments starting at R3000 in 2006 and advancing to R10,000 in March last year – when she got an extra R15,000. She received R112,000 in all;

■ Bookkeeper Elize Maree, 33, received R127,000;

■ Elize Maree's sister, assistant bookkeeper Rina Swanepoel, 42, received R1500/month in 2006 rising to R2000 last March. Total: R30,000.

■ Croucamp's PA Chantel Aucamp, 27, (also pictured at the Nedbank prizegiving lunch) received monthly payments starting at R2500 in 2006 to R5000 last March. Total R59,000.

In March last year the whole racket came to light after Findlay & Niemeyer discovered bookkeeping irregularities in relation to foreclosure matters it handled for Nedbank. The law firm's bookkeeper Tania Meiring came clean and helped investigators uncover the extent of Croucamp's wrongdoing. She has turned state's witness, repaid the R112,000 she received and remains at Findlay & Niemeyer today. "She's confessed all and helped us enormously," says senior partner John Price. "Without her it would have been a double disaster." Elize Maree, Rina Swanepoel and Chantel Aucamp have been dismissed, and Price says all three now face criminal charges of receiving unauthorised gratuities.

On 18 April last year senior partner

John Price wrote to Nedbank: "Our investigations are not yet complete, but the picture they reveal so far is that Croucamp has been rolling funds received for the benefit of Nedbank."

Price told the bank that Croucamp had been suspended (his resignation was effective end April 2008). "He was a plausible person, and deceived us," wrote Price. "Several of our staff, wittingly or unwittingly, played a part in Croucamp's rash promises and manipulations. It is quite possible that some Nedbank officials were involved as well."

Nedbank brought in PricewaterhouseCoopers to conduct an investigation, assisted by its own forensic auditors. Croucamp admitted to PwC that he had begun making irregular payments in 2001 from Nedbank funds held in his firm's trust account. By way of explanation the attorney told PwC: "Last year [2007] was the first year that we earned a semi-decent amount of money for the work that we put in. Before that we were earning virtually nothing. I don't want to sound arrogant or bombastic, but I was the one doing the work. I was the one debiting the fees; I was the one that took the place from a R350,000 overdraft – they were about to be liquidated then – [into profit]. I just thought, well, you know, nobody else cared, there was absolutely no control. It sounds stupid; I just started, well fine, I am entitled to it and let me start doing it."

In his separate confession statement that secured his controversial plea bargain, Croucamp says: "I was the only partner in this firm who was generating truly substantial fees. Every time I thought about it I was annoyed, since I was only earning a meagre salary.

"My senior partners were very conservative in their attitude to the amount of compensation they needed to pay. I developed an aversion to having to work an average of 14 hours per day, debiting massively high fees that totalled close on R38m in the last three years, for which I did not receive enough financial recognition.

"Once I got into the spiral of criminality there was no turning back. Eventually it was actually a relief when the business was uncovered."

■ Findlay & Niemeyer's application for André Croucamp's name to be removed from the roll of attorneys will be heard in the Pretoria High Court on 27 February. □

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Steyn takes court by farce

Was the flamboyant billionaire's display the raving of a lush, or did he calculatedly render his evidence invalid?



THE PLUMP, RAZZLED-LOOKING billionaire arrives at the rundown courthouse in the backstreets of Joburg's Alexandra in convoy, with no less than eight bodyguards, all black-suited and looking as mean as they can muster. The man himself, 55-year-old insurance mogul Douw Steyn, is also in black, but his is an expensive designer

suit – which isn't destined to remain intact for very long.

He had ducked out of giving evidence in the attempted murder trial of his former fiancée, Donné Botha (noses106,109) twice before – first by leading the court to believe that he and Donné were married (a spouse cannot be compelled to give evidence against a spouse), then by announcing that he had to be in London for Nelson Mandela's 90th birthday bash in Hyde Park. Now, finally, a formal subpoena has been served on the reluctant witness, ensuring his arrival at Wynberg regional court this sunny Thursday morning

in the last days of November, a bit unsteady on his feet but nonetheless present.

Before heading for the courtroom, and accompanied by one of his bodyguards, Steyn pays a visit to the modest court toilet. When they exit there are four empty miniature vodka bottles in the trash. On entering Magistrate Renier Boshoff's courtroom, the outrageous billionaire plants himself in the front row of the public benches. The alcohol fumes wafting from him are strong enough to numb his neighbours.

Donné Botha, a willowy blonde of 40, in white trouser suit and shiny black high heels, exchanges a few words with her ex before her advocate, Barry Roux SC, motions her to her place in the dock.

Next, Steyn is summoned to the witness stand. "Do you have any objection to taking the prescribed oath?" asks Magistrate Boshoff. "Yes, Your Worship, My Lord, Your Honour, but it's too late now," replies Steyn, the sole witness to Donné Botha's alleged assault on her rival for Steyn's affections, Sicilian beauty Bianca Ferrante. (Donné allegedly slashed at Bianca with a broken champagne bottle as the latter slumbered with Steyn in his suite at Joburg's The Saxon boutique hotel in April 2006.)

Why might it be "too late" for him to object to taking the prescribed oath? And what might his objection be? Nobody bothers to ask.

Any appeal judge might later have some difficulty establishing whether Steyn's evidence was properly given under oath or not.

Prosecutor Adele Barnard, addressed variously by Steyn as "my dear" and "my darling", has a tough time trying to produce answers to her questions. "Were you engaged to the accused [Donné] on 11 April 2006?" "Well, in her mind she thought we were still partners and I did not think so".

"Where were you staying?" – "I stay all over the world, but if you can call my home The Saxon then that would be The Saxon." South African-born Steyn explains that he is no longer a South African, having emigrated to the UK 14 years ago. (The founder of Auto & General in South Africa, Steyn went on to launch Budget Insurance in the UK, where his BGL Group reported a 43% profit growth to £43m (R645m) in fiscal 2008.)



Steyn is a long-standing friend of Nelson Mandela and Madiba has his own lodge, complete with private clinic, on the tycoon's enormous game farm in the Waterberg.

Asked repeatedly what happened on the fateful night, Steyn launches into repetitious tirades against the assault victim's friend Brad Wood (Bad Brad of *Big Brother* TV fame) and her attorney Ian Levitt, both of whom are in court, calling them thugs and criminals. Magistrate Boshoff: "Mr Steyn, let us keep the focus on the ball."

Of Donn e's alleged champagne bottle assault on Bianca, Steyn tells the prosecutor: "Listen my dear, this was definitely not an attempted murder. To me this was less than a cat fight; it was a kitten fight. If you want to come to a good fight, come to one of my parties. If you want to come to the Northern Transvaal, if you go into the wrong side of the bar your head will be taken off – they broke almost every bone in my body."

Magistrate Boshoff, who up to now has tolerated Steyn's courtroom antics with smiling amusement, warns: "Mr Steyn, I am not going to tolerate this much longer. Listen to the question, then answer it."

Prosecutor Barnard: "What happened?" Steyn: "I do not know."
Prosecutor: "Did you see the fight?" Steyn: "No. By the time I turned the light on, Donn e was already out of the room."
Prosecutor: "Did you feel somebody jumping on your bed?" Steyn: "No. The fact is I was woken up with a great turmoil and within seconds it was over. When I became *compos mentis* the fight was over, whatever fight there was."
Prosecutor: "Was anything broken in the suite?" Steyn: "Nothing whatsoever."

The prosecutor has a copy of a statement Steyn made soon after the incident. In it the billionaire said: "Some time during the course of the night, or early morning, I felt someone jumping on my bed. I felt a sharp pain in my ribs. Donn e must have landed on my ribs when she jumped onto the bed. I heard Donn e screaming and glass breaking. When I came to my senses, Donn e dragged Bianca by her hair on the floor. I shouted to Donn e to stop but she was hysterical and as if she had lost her mind. I tried to restrain her. She let go of Bianca and started to break ornaments in my suite. I realised that I needed



The alcohol fumes wafting from him are strong enough to numb those around him

help to stop her. Donn e was absolutely frantic, hysterical and behaved in a way as if she had gone mad."

Faced now with Steyn's apparent amnesia, prosecutor Barnard has had enough. She tells the magistrate that she intends to have Steyn declared a hostile witness in terms of Section 190 of the Criminal Procedure Act. This allows the state to cross-examine its own witnesses and if necessary bring criminal charges for perjury. (Assuming his contradictory evidence was given under oath.)

Instead, Magistrate Boshoff lets Steyn off the hook and calls the warring parties – Steyn and Bianca Ferrante's lawyers – to his chambers. There he urges them to try and reach a settlement that could bring not only Donn e's trial to a

conclusion, but a clutch of other pending associated criminal and civil cases as well.

The magistrate leaves the court and immediately there's drama as Steyn shuffles up to attorney Levitt and tosses a couple of punches at him, snarling: "I'm going to take you down." Three bodyguards hustle the billionaire from the courtroom, leaving Levitt appealing to everyone: "Did you see that?"

There is more drama inside the conference room where Steyn and the two legal teams gather to seek peace. At one stage Steyn empties a bottle of Evian water over his own head. Then he takes a lockblade knife from one of his bodyguards and hacks the sleeves off his shirt. He saws off the legs of his expensive trousers at the knee. Along the way, his socks and smart slip-on shoes are abandoned.

During the settlement talks, according to a statement handed to Alexandra police the following day by attorney Levitt, Steyn "threatened to kill me, my family and my pets. He said he would burn my house down. He also threatened that he has an army around the world ready to take me out". (Levitt has opened a docket against Steyn for assault and intimidation.)

Despite this, after an hour or so, a settlement has been reached. In exchange for Bianca receiving a few hundred thousand rands for her current and future medical expenses, all the pending cases will be dropped and Donn e Botha will walk free. All that's needed is the nod from the director of public prosecutions for the attempted murder charge against her to be stayed.

At one moment he is an impish Puck taunting the magistrate from the witness box; the next, a looming Caliban as he threatens Ian Levitt; but now a bedraggled Steyn cuts a pathetic figure as he emerges from the conference room into the court corridor – barefoot, clothes in shreds, hair plastered over his face.

Is he drunk? Insane? Or simply simulating one or the other of these conditions? The court's failure to establish which it was, and then deal appropriately with the situation, is as outrageous as the billionaire's shocking performance in court.

If he has come to court drunk he is clearly in contempt of court. If his behaviour sug-

gests mental instability, he should be referred to an institution for observation and a report.

The man's an enigma, but, it seems, it is his wealth that makes him dangerous.

Magistrate Boshoff and prosecutor Barnard appear in the corridor. Steyn breaks from his bodyguards, who are trying to get him to change into a fresh black suit rushed from The Saxon, and engulfs both magistrate and prosecutor in a bear hug. "Can I give you some money?" he asks.

Embarrassed, the court officials break from his grasp. Steyn disappears and minutes later a lone bodyguard thunders down the court corridor juggling, like Manuel in *Fawlty Towers*, an armful of pink champagne bottles. Steyn has called for a party.

Later the assembled press photographers all miss the scoop picture of the dishevelled and clothes-ripped billionaire leaving the court, although *The Star's* Zipho Lushaba manages to catch him being driven off in his Bentley convertible (registration: DOUW 1).

2pm sees Bianca Ferrante's legal team at the Johannesburg high court, waiting to announce the settlement to deputy director of public prosecutions Herman Broodryk. But at the last minute there's a call from Steyn's attorney Sharon Wapnick: Steyn has changed his mind – the settlement is off.

The following day sees a tense-looking Donn  Botha back in the dock.

"This has cost me two years of my life," she mutters to a friend. Steyn is, once again, not with us; it transpires he's planning to spend the morning bidding for the fabulous mansion of the late Rwandan cellphone magnate Miko Rwayitare, which stands close to The Saxon in Sandhurst.

"What happened to the settlement?" asks magistrate Boshoff. "No settlement as yet," says Steyn's advocate Barry Roux. "Where's Mr Steyn? I need him here," says Boshoff. Steyn arrives in



A bodyguard thunders down the court corridor juggling an armful of pink champagne bottles

a rush and the magistrate says he is postponing the case to 26 and 27 February. "Your Worship, My Lord, I'm telling you, I will not be there," declares Steyn.

"Good, Mr Steyn, good. Then I'll just have you arrested," says Boshoff. Having avoided the witness box for so long Steyn now refuses to leave it, and only does so after the magistrate orders a constable to remove him forcibly.

A Wynberg court official says later: "I've never seen anything like Mr Steyn's performance in court in my life. Never. It was really bizarre."

Why was the billionaire treated with kid gloves by the magistrate and prosecutor? "Well, it's not that we're afraid, but he is one of the VIPs."

The official tells *noseweek* that prosecutor Barnard is determined to have Steyn declared a hostile

witness when he's back in the box in February.

Meanwhile, Steyn, bodyguards and attorney Wapnick are driving back to Sandhurst, and the sale in execution, yet again, of Miko Rwayitare's mansion, valued at R100m, which architect Greg Pietersen picked up (*nose101*) for R400,000 at a sheriff's sale in August 2007. However, Miko's widow Conso is claiming (*nose102*) that she owns half of Propro, Miko's company that listed the mansion among its assets. That dispute is ongoing, but in the meantime Investec won a court order allowing it to sell the mansion in execution to recover its R36m loan to Propro.

And at today's sheriff's sale, Douw Steyn is unlucky. Earlier, Patience Mlengana, wife of Telkom group executive for business development Mike Mlengana, had bid R63m. This was accepted and she was told to pay R6.3m – 10% of the purchase price – plus sheriff's fee of R700 plus VAT. But by 11.30am there was no confirmation that the deposit had been paid and the mansion was put up for re-auction.

By then Steyn and his entourage have arrived from the Wynberg court. Slopping whisky in a tall glass over rival bidders, Steyn offers R60m. Patience Mlengana counters with R65m and Steyn declines to up the ante. Although Patience can come up with a deposit of only R4.5m, her bid is accepted by the sheriff and the luckless Steyn storms out of the auction in high dudgeon.

Little is known of the Mlenganas, and when Patience was seen in a serious tête-a-tête at the auction with Rwayitare's executors and attorney John Oosthuizen, there was speculation that she was secretly buying back the mansion for Miko's estate, or for Conso. But *noseweek* now hears that Patience, who has bought the mansion in her own name, has secured finance from Absa, and is a bona fide buyer.

Patience Mlengana sits on the boards of some 12 companies, and has told friends she bought the mansion as an investment, with plans to sell it when the property market rebounds.

In Miko's day, the multi-columned pad required monthly running expenses of R200,000 for security, rates and taxes, gardening services, insurance – plus an army of chefs, butlers, drivers and domestics. ■



HARD TO BELIEVE – but early last year ABSA Commercial Property Finance rushed to lend Joburg's notorious Theodosiou brothers close on R900m, secured by bonds registered on their various illegally-built shopping malls! (see *nose93*) Absolutely predictably, the bank hasn't received a bean in interest or monthly repayments since. With interest accruing at R11m per month the debt totalled R937m by the end of September, by which date it should have been settled in full. By the time you read this it will be R970m.

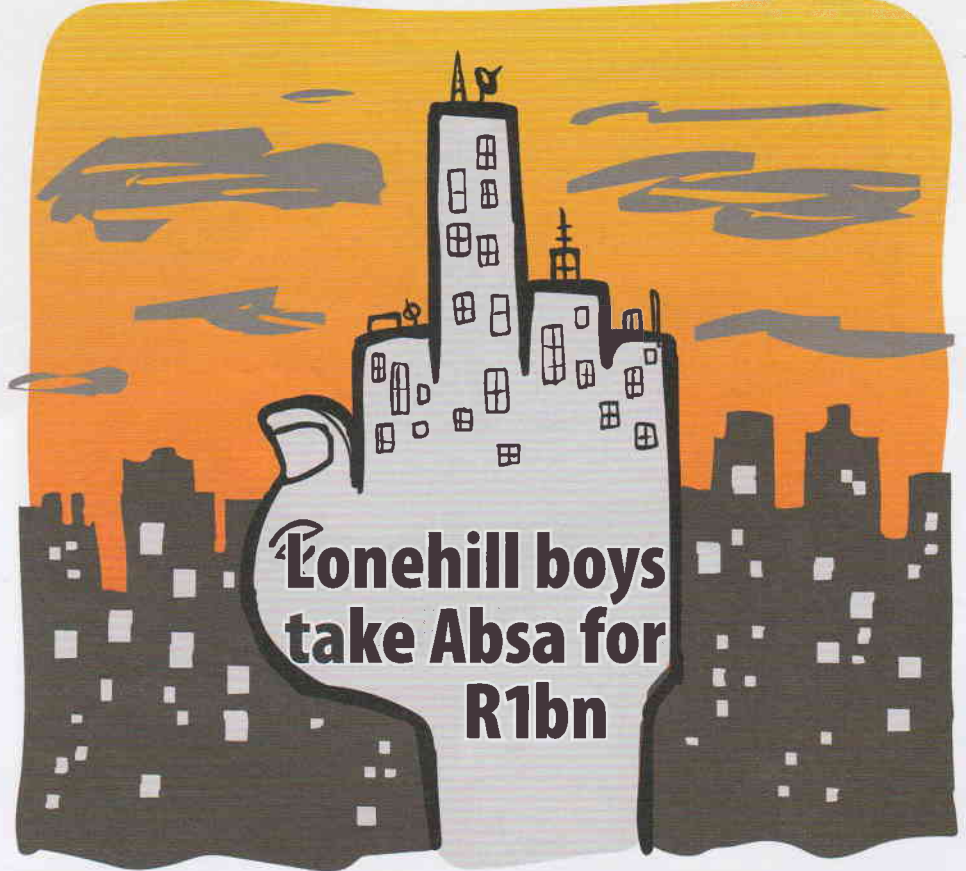
Not surprisingly the bank is now in a panic, and in October brought an urgent application in the Pretoria High Court to have five of the Theodosious' mall-owning companies put into liquidation. Or, more accurately, the two big ones, which own the Lonehill and Bel Air Malls – the smaller companies, said ABSA, could wait.

Judge Sapire, before whom the hearing began in November, commented that he had never seen such a voluminous founding affidavit (it runs to over 4000 pages). ABSA responded that this was testament to the Theodosious' elaborate and dishonest tactics, aimed at avoiding honouring their debts – and at driving costs as high as possible.

On Wednesday 26 November the Theodosious told the bank – and the judge – to relax: they had just been offered R800m for their two flagship malls. It would take only another week or three to finalise. That was the story they'd been flogging to ABSA from the beginning, replied the bank's lawyers – and nothing had ever materialised. The latest offer to purchase came from Every Knee Shall Bow cc, whose sole member is Jabulani Hope Tshaka.

The judge let the case stand down for a few days to enable them to prove the offer had substance – and produce the promised R220m deposit. Which was enough time to establish that the cc owns no property, but Mr Tshaka owns a modest flat and two small plots in Pretoria, all bonded. And First Rand Bank have attached his property for non-payment of a bond. Mr Tshaka also has various judgments for debt recorded against his name, including one for R819 owed to Telkom, and another for R4395 owed to his body corporate.

All of which might explain why, when everyone reassembled at court on the appointed date, the Theodosious' lawyers did not mention the



offer to purchase. Instead, they took an entirely new, disconcerting, tack: They brought an urgent application of their own, to have ABSA's liquidation applications set aside. ABSA, they said, had made a fatal error: it had failed to serve the liquidation applications on the Theodosious' employees. By law, a copy should have been pinned to the company notice boards. But the companies don't have any notice boards, wailed ABSA. Well, said the Theodosious' lawyers, then a copy should have been pinned to the front door. Which front door? At the mall?

A bit late to raise the point, observed the judge, and there were clearly all sorts of technical problems with where to pin the papers, but maybe, somehow, the employees did need to have been given notice. He'd have to consider the matter. Which is where proceedings were adjourned to the new year. ABSA could end up having to start again from scratch.

Some interesting points emerge from the papers and curious arguments tendered in court:

ABSA knew from the start that the Theodosious were not collecting enough in rents to pay even the interest on their ABSA loans – everything depended on their finding buyers for their malls. So, early on, when it seemed they were having difficulty clinching a sale, ABSA gave them

another R21m in bridging finance – to pay the first two months' interest!

There had also been some delay in finalising the ABSA loan – because the bank wanted to do a due diligence check on the Theodosious and their companies. Fair, considering the size of the loan. But who did the due diligence? Whoever it was clearly did not even do an elementary internet search. Or understand the meaning of "diligence".

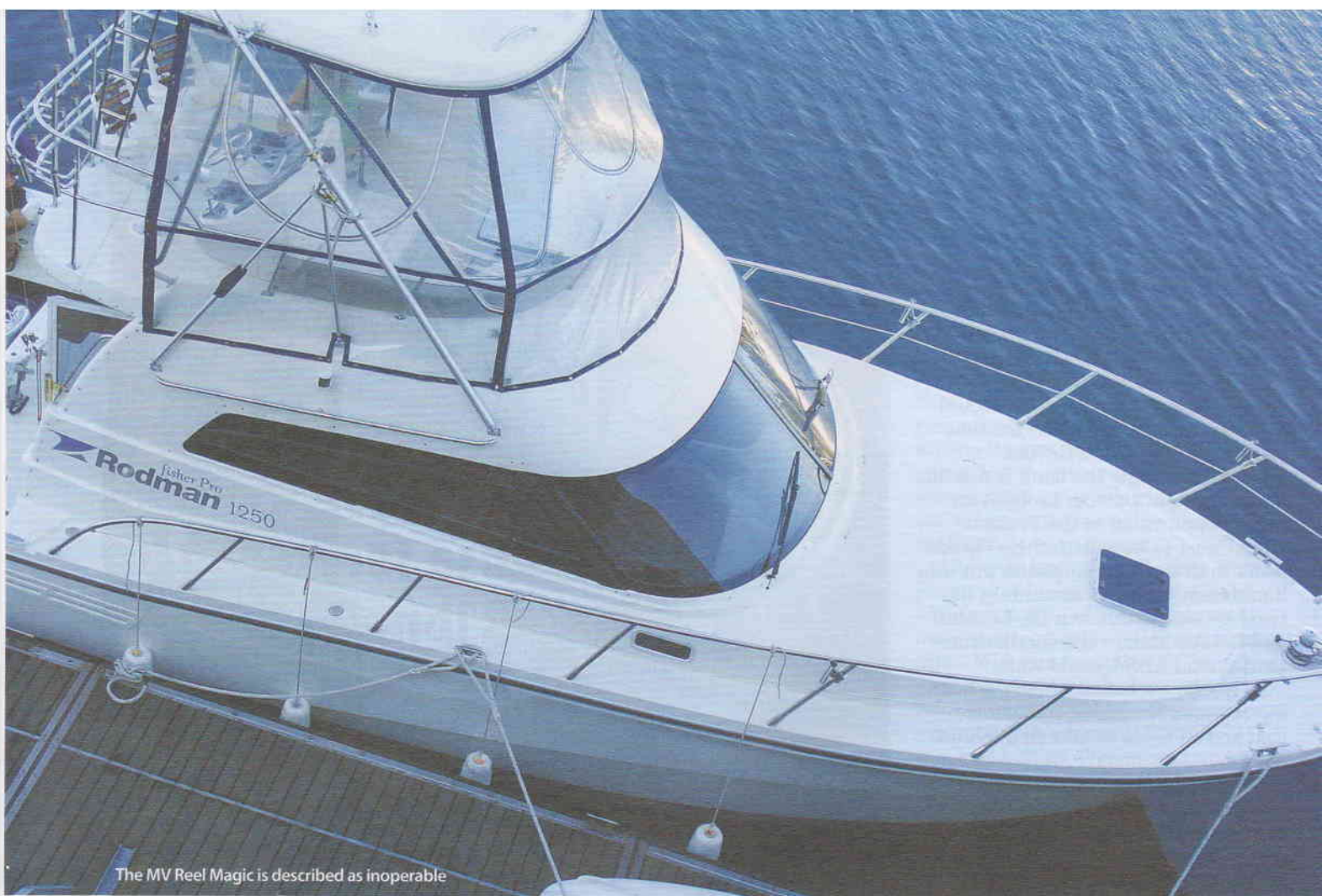
But, said the Theodosious' lawyers cheekily, if the bank was happy after a due diligence, why had ABSA got a bee in its bonnet in October?

Simple. ABSA management had – finally – got to read the profile of the Theodosious which appeared in *nose93* in July 2007.

All most curious, as ABSA has itself been having trouble with the Theodosious for quite a while. Since 1992, in fact, when they first took judgment against Dimitri Theodosiou for a debt of R536,000. In 1994 ABSA took a judgment against all three brothers and their various companies for R800,000. In 2001 the bank applied for Dimitri's sequestration. And so it went from bad to worse for another year or two.

And this is not to speak of the many sad stories told by other Theodosiou creditors, that are strewn across credit bureau records around the country.

What's up at ABSA, doc? ▀



The MV Reel Magic is described as inoperable

Slow boat to nowhere

R4.1-million-worth of luxury yacht turned out to be an unseaworthy dud

A LUXURY YACHT LIES idle at the Port Elizabeth Deep Sea Angling Club after being declared “unseaworthy” by marine experts, while its owner pursues reparation from its Spanish builders, Rodman Polyships, and their local Durban agent, Laurence Steytler of Bigfoot Trading Trust. The yacht, declares a marine expert, has “unacceptable boatbuilding flaws that are potentially life-threatening”.

In his court papers, PE transport mogul Dawie van der Westhuizen is demanding rectification of the flaws, or a refund of the R4.1m (plus interest) he paid for the vessel.

With a sizeable marketing budget provided by Rodman Spain, Steytler trawls the country’s ports and harbours in a demo-vessel, making trade-in offers to unsuspecting luxury boat owners. In 2005, impressed by what he saw, Van der Westhuizen traded his yacht in for a new Rodman.

The alarm bells, Van der Westhuizen now admits, should have first tinkled when Steytler was unable to raise a R1m letter of credit for the boat. Says Van der Westhuizen: “Laurence requested that I arrange the letter of credit with my bank, since the agency was short of funds, and I did just that. I called Standard

Bank, who arranged for completion of the sale.”

After the letter of credit was provided, a Rodman 1250 was promptly delivered to Port Elizabeth – but it quickly proved unseaworthy.

Eager to appease their new client, the Spaniards offered to fly Van der Westhuizen to Spain to pick out a replacement. He accepted the offer, and, accompanied by Steytler, chose a R4.1m custom-built replacement vessel, for which he was promised a builder’s certificate and plans for the vessel from Rodman Polyships’ factory, a European Community certificate of conformity, a Lloyd’s certificate of stability and buoyancy. In other words, whatever Dawie wanted he was to get – as long as he stopped talking about the flaws in his first Rodman vessel.

Despite the extra cost (around R3m more), Van der Westhuizen was happy, as the vessel would be well suited

for family weekends, and a new Rodman 1250 Fisher Pro (now named *MV Reel Magic*) was duly delivered. The vessel had been redesigned and custom built to incorporate what Steytler says “were desires of the client”: instead of the standard twin Volvo Penta 480hp engines, it was fitted with more powerful Caterpillar C9 510hps motors.

However, though Van der Westhuizen was handed the required certification, it later turned out that the vessel had actually been constructed without design approval from marine engineers, and so had not been certified by European Union maritime bodies, nor by Lloyd’s.

Rodman Polyships hadn’t bothered to clear the new design, basically, it seems, because the vessel was on its way to Africa. So the plans, manuals and certificates presented to Van der Westhuizen for his beautiful new yacht were all actually for another Rodman design. A marine expert who went through the boat’s plans with *noseweek* says that Rodman had clearly not subjected the redesign to proper testing, and that avoiding this, as well as Lloyd’s certification testing, must have saved Rodman a pile of cash.

In May 2007, when Van der Westhuizen reported to Steytler that the *Reel Magic* was showing flaws, Steytler emailed Rodman Spain as follows: “With great disappointment I must report that sea water is getting into the engine room of Dawie’s boat and being deposited directly on top of the engines and batteries.

“I inspected the boat and found litres of sea water trapped in the inlet vent pipes in the engine room. The engine room heat-extractor vents also had sea water in them, which was being dried by the hot air extractor fans and being converted to actual salt grains.”

Steytler spent almost four pages describing the flaws that had rendered the boat inoperable. He concluded: “[We] cannot understand why this boat was not more thoroughly inspected and quality checked at the factory before being delivered to a client who had major problems with his first Fisher-Pro. [So] one year later, on delivery, of his second Fisher-Pro, he is again experiencing major problems.

“Dawie has resigned himself to being non-confrontational and to work with the factory in trying to solve these new problems, but he has made

Steytler spent almost four pages describing the flaws that had rendered the boat inoperable

the decision to engage the services of a Lloyd’s of London marine surveyor to provide a report on both Fisher-Pro’s.

“I would have preferred it if a marine surveyor was not involved, as this [...] could have a negative outcome for the Rodman brand in South Africa if the report finds design problems.”

Rodman, however, instead of taking action, strung Van der Westhuizen along for months with promise after promise. And the first bunch of technicians retained by Rodman declared the boat unseaworthy – and it was they who discovered that Rodman had supplied false certification.

Van der Westhuizen has since learned that while he was patiently waiting for Rodman to take action, the Spaniards were on a mission to avoid liability for their faulty design. In an email to their local agent, Steytler, dated 15 July 2008, Pedro Ramos of Rodman Spain made it clear they had no intention of rectifying the flaws: “Rodman [...] are not going to take part in any repair on this boat, included or not in the warranty. If there is a trip to South Africa, Dawie’s boat will not be part of the plan, not even to look at it. You should prepare your proofs of use of the boat, misuse of the boat and charter use of the boat.”

Van der Westhuizen, of course, was at that point still under the impression that the Spaniards were acting in good faith. He finally did lose his cool on learning from Steytler’s Dur-

ban attorneys, Shepstone Wylie, that the agent was planning to repudiate the claims against Rodman as Van der Westhuizen had himself arranged for the letter of credit.

Van der Westhuizen tells *noseweek*: “It appears that they had planned to defraud me from day one. That is why I’m taking the matter to court.”

He insists that he’ll pursue justice, even if it means taking the matter to a European court – though he may be spared the effort and expense, as the relevant EU authority is taking issue with the fraudulent use of their certification. This could see the Spaniards faced with huge penalties. There’s also a good chance that Lloyd’s will also soon be demanding answers.

Pedro Ramos’s office in Spain told *noseweek* that he was on his way to the Paris Boat Show, but that he would anyway be unable to address media queries, due to his limited understanding of English. (Ramos’s emails to Steytler are all perfectly understandable.)

Steytler tells *noseweek*: “We shall try to fix his boat, but the problem with Dawie is that he is a multi-millionaire with Afrikaner forcefulness, and Rodman Spain is afraid that he may charge for his time. He’s too demanding – he drives us mad and always gets things done his way.”

Can you blame him after spending over R4m on a boat he can’t use?, *noseweek* asks. Says Steytler: “He should be going after Rodman Spain, not me. I’m just an agent.”

Asked to explain the email from Ramos that says Rodman won’t even look at the boat, Steytler replies: “That email [...] should not have reached Dawie. He is a very important client and whatever he says is regarded very highly in the marine industry in this country.”

Steytler showed *noseweek* copies of warranties issued to other clients, including the National Sea Rescue Institute (NSRI). It appeared from these, however, that not a single Rodman vessel has arrived free of flaws. Steytler explained that, because Rodman vessels are mass-produced, this is normal, and declares that the problems with the vessel supplied to the NSRI have been sorted out and the right certificates have been supplied.

He also says that Spanish technicians are scheduled to arrive in January to attend to several cases, including Van der Westhuizen’s. ▀



Everyone's a winner!

The timeshare industry makes suckers of the public. Now one company is taking a blogger to court for pointing this out

"CONGRATULATIONS, YOU'VE WON a free holiday – all you have to do to claim your prize is come to our offices on Wednesday at 6pm."

No catch? Any chance that this is a timeshare presentation? "No, certainly not. It's a competition and you've won a prize."

So you go along – and it's exactly what you thought. A scam. A timeshare presentation.

If this has happened to you, you might know the name Quality Vacation Club (QVC), a company which is allegedly flouting the Timeshare Institute of Southern Africa's (TISA) code of conduct.

The TISA code requires its members to ensure, *inter alia*, that when phone canvassing they give the company's name, explain its business, and don't refer to anyone as a "winner" unless they've actually won a prize. Gifts on offer must also be on display at presentations.

Computer programmer Donn Edwards claims to have been a victim of QVC's dodgy marketing, and has a blog devoted to QVC (www.donnedwards.openaccess.co.za). He received a phone call, says Edwards, in which he was told he was one of 15 members

of the public who had won a car in a competition held at shopping centres around Gauteng. When Donn and his wife went to the "prize giving", there were no cars to be seen. No cars won. Instead, they found themselves being bombarded by a timeshare presentation, which quickly became a presentation about QVC itself. Very annoying. Especially when enquiries revealed that there was no competition, and that Donn had been phoned by a call centre paid to do so by QVC.

When Edwards instructed the call centre and QVC to make sure they never phoned him again, they agreed to do so. But just six weeks later he got another call, once more promising him prize. And when he asked if it had anything to do with timeshare, the operator said no. And she also said it had nothing to do with QVC – which it did.

Donn's blog has attracted so much attention on the internet that QVC recently decided he had to be shut up. So last October it sought an order from the Johannesburg High Court, interdicting Edwards from publishing "defamatory material of or concerning the Quality Vacation Club", pending the determination of a full court action.

In support of the application, there's an affidavit from one John Meyer of

QVC, which carries a big pile of irrelevant detail about how timeshare works, and makes the interesting statement that the company has 40,000 members and some 35,000 timeshare weeks. Then there's a rather brief outline of the complaint. Edwards, says Meyer, "has embarked on a campaign to defame the Quality Vacation Club" and his "*modus operandi* is [...] a weblog or blog on the Internet, which he uses as a platform to defame the Quality Vacation Club, and on which he incites readers to add similar defamatory comments".

Meyer is particularly vexed by the fact that more than 30,000 people appear to have visited Edwards's blog: "[...] the number of people accessing the respondent's website, and thus the scale of publication of the defamatory statements, is huge [and] it is not possible for the applicants to address the alleged complaints contained on the blog as the persons responding to the respondent's incitements are never identifiable. I have tried to reason with the Respondent to desist from the defamatory statements [but] this has all been to no avail."

Meyer doesn't bother to address the complaints laid against his company: "I have been advised that it is unnecessary for me to answer the respondent's allegations in any detail at this stage. However, I do say that they are untrue and are denied."

But what so offends Meyer about the blog? Here are a few of Edwards' comments:

"Quality Vacation Club completely ignores the timeshare industry code of conduct [which] applies to both QVC and the companies they employ to do the dirty work. QVC has deliberately and knowingly set up a business venture with Market Mix in order to flout or bypass the letter and spirit of the code of conduct, and they clearly think they can do so with impunity. Their marketing is clearly misleading and full of lies. They claim that you entered a competition, that you are now the winner of a prize, usually a car. Actually they get numbers from a phone book and marketing lists, and there was never a competition in the first place."

Meyer claims that he tried to reason with Edwards, but Edwards says that when he tried to set up an appointment to meet, Meyer was never available.

And it certainly looks like QVC has no intention of reaching agreement

A former timeshare salesman says salespeople are taught to ensure that everyone who goes to a presentation buys something

with Edwards. On the day the application was served on him, Edwards phoned QVC's attorney, David Feldman of Feldman Nance-Kiveli, but Feldman refused to take his call. So on 23 October 2008, Edwards sent Feldman an undertaking, submitting to the order requested, and asking QVC to identify which statements on the blog it regarded as defamatory.

On 28 October Feldman replied that Edwards should get legal advice, and that QVC did not accept his undertaking because it wasn't "unqualified" (*noseweek* doesn't understand this either...). Edwards then sent Feldman an affidavit, effectively throwing in the towel: "I hereby submit to the relief requested ... namely I will not in any manner publish defamatory material of or concerning the Quality Vacation Club."

But QVC simply ignored this and went ahead with the application for an interim interdict.

Edwards asked Feldman for a meeting, saying he couldn't afford a lawyer of his own, to which Feldman replied that there was no reason to meet and that QVC would be issuing summons for a final interdict, and damages of over R400,000. QVC, he said, would forego this if Edwards signed a consent to judgment and to legal costs of R55,000. Edwards wrote back that the legal fees were outrageous, and that he still didn't know which comments were regarded as defamatory, and he didn't understand why they couldn't meet to discuss things. On the same day Feldman issued summons claiming a final interdict and damages.

Edwards has filed a notice of intention to defend. He also wants to institute a counter-claim, and he's been asking for members of the public who've had similar experiences of QVC to supply him with affidavits.

Perhaps the most telling aspect of the situation is Meyer's failure to address the actual allegations. Hundreds of people have added comments and complaints to Edwards' blog, but all Meyer can say is that he won't deal with them because many are posted anonymously, or appear under pseudonyms, like "Ice".

The blog certainly carries interesting charges against QVC. One blogger says he was falsely told that he was one of three people who had won cars. Another claims to have bought timeshare points for R70,000 that are now worth less than R15,000. Another says that QVC preys on the vulnerable, persuading

them to buy points and tying them into contracts they can't afford. "Ice" says he was conned into buying points and that TISA is sweeping the matter under the carpet. Another blogger says he was unable to cancel the contract during the "waiting period", and a former timeshare salesman says salespeople are taught to ensure that everyone who goes to a presentation buys something. He adds that TISA will do nothing about the situation because it is run by timeshare companies.

Edwards says: "All attempts to settle the matter have been rebuffed by the lawyers. If big companies are allowed

to get away with harassment and intimidation, then bloggers are at risk every time they express any form of criticism that a trigger-happy corporate doesn't like."

Meyer didn't respond to *noseweek's* request for comment, opting instead for a *sub judice* cop-out.

■ Edwards' blogsite now contains the following notice:

Please note that all references to the "Win-A-Car Competition", "Quality Vacation Club", "EcoWorld", "Global Communications", "Link World", "Marketmagix", "Media Magic", "Mega Communications", "New Horizons", "Prestigious Communications", "Quality International", "Real Communications", "RealComm Electronics", "Unique Connections", "World Connect", "28 Guildford Road", "Monateng Safari Lodge", "Holiday Club", "QVC", "Carlswald Mall", "Carlsworld Shopping Mall", "Eden Gardens", "Eden Gardens Hotel", "Eden Gardens Restaurant", "VIP Building", "VIP Lounge", and "VIP Offices" have been taken down from this site, because I am being sued by Quality Vacation Club for R 461,500. [Pending a high court hearing.] I have undertaken not to publish any defamatory material about QVC and its associated companies.

Cautious *noseweek* readers might like to note that all the names Edwards cites are regularly used by Quality Vacation Club in the marketing of its timeshare business. ■

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Reinventing intellectual property

It won't be easy to claim rights to ancient knowledge of natural medicines like geranium extract

FOR A JUDGE WHO now specialises in the arcane business of intellectual property, Louis Harms "enjoys" a rather higher profile than he might care for – as he discovered recently on applying for the position of deputy judge president of the Supreme Court of Appeal.

Harms was no doubt perturbed to discover that it hadn't been forgotten that during the 1990 Harms Commission of Enquiry he'd allegedly told ex-security cop Dirk Coetzee he was talking "crap", and concluded that state-sponsored death squads didn't exist. (When the TRC confirmed a few years later that such squads had indeed existed, Harms claimed the police had lied to him.)

It was also recalled that in 1996 Harms had denied a charge made by anti-apartheid activist David Webster's partner Maggie Friedman that he'd been part of the cover-up of responsibility for Webster's assassination. The judge also brushed off his membership of the Broederbond, claiming that he didn't "play a role" in the organisation (a bit like saying you "didn't inhale").

Nevertheless, it may be that certain guardians of the old order have a place in the new – Harms recently delivered a paper at the University of the Free State which showed that (for once) he might have something to say that's worth taking seriously. It's a pity the event didn't get much public attention, but that might be attributed to the paper's less than gripping title of *"A few negative trends in the field of intellectual property rights"*.

The gist of what Harms has to say on the matter is that intellectual property law – aimed at protecting such creations of the intellect as inventions, product designs and literature – has lost its way and become all things to all men. Which also means that, as Harms goes on to explain, the "new deal" regarding rights to traditional indigenous knowledge is flawed.

In support of his main thesis, the

good judge cites cases like that of singer Cher's relatively unsuccessful ex-husband Sonny Bono, who, when his US music copyright was running out, and realising his congressman's salary wouldn't exactly keep him in style, used his connections to get the copyright extended. Or the dreadful political bargaining which precedes those absurd agreements to protect geographical names like champagne and feta; or the Egyptian government plan to claim copyright on all ancient Egyptian art works and designs.

It's certainly true that in this Milton Friedman-inspired "everything-can-be-owned" world, the scope of intellectual property protection has grown enormously, with everything from gene sequences to databases,

business methods and computer programs up for grabs. This rapacious appropriation of knowledge is sometimes referred to as the Second Enclosure Movement – the first having occurred a few hundred years back when England's public land ("the commons") was enclosed and made the subject of private ownership.

The drive to privatise knowledge may initially have been driven by factors that included the demands of the industrial revolution, the "survival of the fittest" theories of Darwin, and the puritanical notion that "you shan't reap where you haven't sown" – but today the general justification for granting intellectual property rights is that if you don't reward people they'll stop creating.

However, that's a piece of "reasoning" totally at odds with the commonly held, and philosophically acceptable, idea that humans have a natural impulse to create. It fails miserably to explain why artists (heard of Vincent van Gogh?) continue to slog away when no one is



The 'new deal' regarding intellectual property rights is that developing countries may now seek to protect their indigenous knowledge

buying their work, or why anyone contributes to Wikipedia, or even why open source software continues to proliferate.

Harms himself played a local role in the rampant expansion of intellectual property rights when he found against Justin Nurse on the issue of his spoof Black Label shirt, effectively giving brand owners total control over their brands (Harms was subsequently overruled by the Constitutional Court which held that humour is in fact legal).

It's a tonic, then, to see that what particularly vexes Harms is the ongoing First World/Developing World divide in intellectual property – the vast body of intellectual property belongs to Westerners. Apparently Microsoft alone files some 3000 patents annually, while IBM earns some £1bn annually in patent royalties, and more than 50% of the foreign earnings of the US is related to IP.

South Africa is now engaged in its own attempts to address the imbalance but, while a far-sighted approach might address the country's appalling low standards of literacy and numeracy, in the hope that future generations produce rich new knowledge and products, we've so far simply opted for the "it's not fair, we also want some" tactic. And while Western countries are pretty good at shows of generosity to their former colonies, they're even better at holding onto

anything of (financial) consequence.

The "new deal" regarding intellectual property rights is that developing countries may now seek to protect their indigenous knowledge and biological resources. And this is where our own intellectual property law is presently focused – any patent registration must now state whether the product was derived from traditional knowledge or indigenous biological or genetic resources, and, if so, explain what rights the applicant claims.

Furthermore, provision is being prepared for specific registration of traditional intellectual property in the names of the appropriate communities, so they might benefit from modern exploitation of their ancient knowledge.

While Harms accepts that protecting culture and traditional knowledge is a good thing, he scoffs at the idea of it being done through intellectual property law. He emphasises that the proposals on the table do nothing "to foster the use of imagination, innovation and creativity", and says they "will not lead to any material benefit to any community in South Africa; they will not make the country technologically rich, and they will protect little (if any) indigenous knowledge".

Take the *kankerbos* plant, used for centuries by many Southern African peoples to treat all manner of ailments – which communities should be entitled to share in patents for new therapeutic uses?

Then there's the fabled appetite suppressant *hoodia gordonii* – not only can anyone sell or use the plant freely, but even if someone were to discover a new therapeutic use for the plant, such use would not have been derived from traditional knowledge.

And what of the geranium, which has been a key ingredient in cold remedies for more than 50 years? A community in the Eastern Cape has apparently been persuaded to oppose US and other patents filed by a drugs company for an AIDS treatment derived from the plant, but, according to Harms, the challenge stands almost no chance of success.

Everyone in intellectual property knows these "changes" to the law are a load of crap, but they're not likely to tell their new masters. So perhaps the old school do have new uses. At least one of them has the balls to tell it like it is. ▣

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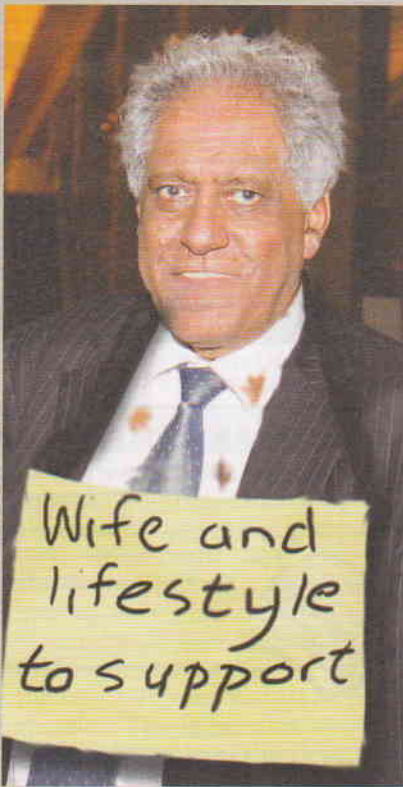
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What's an out-of-work minister-in-the-presidency to do?

A WHILE BACK *nose105* reported that local political leverage enjoyed by the Gupta brothers and their Sahara computer group had failed to secure them a lucrative oil concession in Angola. The Guptas had slipped up by falsely claiming to the Angolan oil concession committee that they had ties with internationally prominent Indian oil exploration company Reliance Industries Limited – though their front man probably told the truth about notabilities they regularly meet for breakfast.

One name that might have been on Sahara's lips in their Angolan bid, but not in any written communications, is that of (now ex-) minister-in-the-presidency Essop Pahad. Pahad has recently found his way onto the Sahara



Himself

board – having resigned from his political job in the wake of his boss, Thabo Mbeki, being turfed out of his.

An anonymous online comment after *noseweek's* Sahara report claimed: "We all know that the likes of Essop Pahad and his Durban [friend] Nirode Bramdaw are the jockeys in the Guptas becoming the leading BEE computer supplier in SA – true BEE for the selected few. Zuma better dispose of these leeches." All that *noseweek* can confirm at this stage is that Sahara Computers did indeed secure various government contracts for the supply of computer software and hardware. Apparently, the Guptas also once claimed that they were responsible for developing the IT tender specifications for the Department of Labour's Sector Skills Training Authorities.

The *Sunday Times* quoted Pahad as saying: "The salary doesn't compare to my ministerial salary for sure but it's enough to live on," and reported that "his duties include providing strategic advice to the company and being involved in communications and marketing". The ex-minister in the presidency will also be joining the Guptas in launching a new political magazine early this year, aimed at "stimulating debate on socioeconomic and political issues in South Africa, Africa and Asia".

Meanwhile, *noseweek* has learned that Angolan police are keen to contact Atul Gupta, as they believe he may be able to assist them with their investigation into a murder that took place in a room of the President Hotel in Luanda – which had been occupied by Atul only hours before. The murder victim, who happens to have been an Indian citizen, is believed to have been a diamond smuggler.

SARS strippers take on Teazers

JOHANNESBURG NEWSPAPER *The Star* last month reported that various of Lolly Jackson's Teazers strip joints had been raided and assets removed by revenue inspectors. In response Jackson told the newspaper that SARS must have its figures "screwed up" as he regularly pays taxes.

Jackson said that, after a tax audit in 2005, SARS claimed he owed them R400m in outstanding tax, which, he said, was absurd, since that would indicate an annual turnover of R4bn.

The issue has been unresolved since then and an Alternative Dispute Resolution hearing is set for this month. SARS spokesman Adrian Lackey told *The Star* that the rev-



Why SARS won't talk to Noseweek

enue service would never have seized Teazers' assets if a date for an ADR hearing was already set, suggesting that the assets were seized in relation to "another type of tax".

Which suggests that the raids might relate to the report in *nose110*, in which a former employee claims that Jackson deducted PAYE from his dancers' pay, but pocketed the money instead of paying it over to SARS.

Lackey refused to speak to *noseweek* – on the grounds that "all" at the SARS head office were outraged at *noseweek's* claims

Olympic Committee honours 'outstanding contribution'



ARE ANY MEMBERS OF THE International Olympic Committee (IOC) embarrassed?

In November, astonishingly, they honoured Belarus dictator Alexander Lukashenko for his "outstanding contribution to the Olympic movement".

Not a month later his KGB thugs were beating up human rights demonstrators in Minsk.

At about the same time Lukashenko's doped athletes were told to hand back their Beijing medals.

It's not that long ago that the IOC showered honours on the butcher of Bucharest, Nicolae Ceaucescu, Bulgarian dictator Todor Zhivkov, East German

ruler Erich Honecker and Manfred Ewald who devised a doping programme for East German athletes.

The latter awards were presented by IOC president Juan Antonio Samaranch who, the world now knows, was for 37 years a uniform-wearing fascist. (See *nose18* and picture above of Juan Antonio, circled, at a Fascist ceremony in Barcelona in 1974 – some 30 years after Nazism was supposedly defeated in Europe)

But, it seems, nothing has changed at the IOC. Will new IOC President Rogge speak out?

■ For more visit www.transparencyin-sport.org

concerning the alleged SARS indulgence of Brett Keble's failure to pay tax (see, *inter alia*, *noses63,69&73*).

Mr Jackson is also upset with *noseweek*, but at least he's prepared to talk. He was shocked, he says, to read *noseweek's* account of life at his Teazers establishments. (*Noseweek's* story was gleaned from 15 sworn affidavits made by former dancers and staff, who are now busy amplifying their claims into detailed police statements.) The affidavits are a pack of lies, he insists, and the allegations against him were made by ex-staff who "were either fired or left on bad terms due to not abiding by my rules (mainly no prostitution and no drugs)".

Jackson's response to allegations that he sends "girls" back to their home countries against their will, is that "if a girl wants to be a hooker instead of

a stripper, or has come to me in order to find a husband, then of course I am going to send her back to Russia and request Home Affairs to relieve her of her Teazers permit".

Jackson adds: "I believe that Mr Andrew Phillips is behind all the crap that you are hearing about me. You can drive past The Grande [Phillips's rival strip joint in Rivonia] at any time and see the police cars parked outside. Inside you find the policemen receiving a free buffet meal. This also goes for reporters from other media houses as well as radio presenters.

"I strongly suggest that you go and do your homework thoroughly and get to the truth."

Noseweek hopes Mr Jackson's book-keepers have been doing their homework on his tax records.

Who nose and 'ears
everything on
the Garden Route?

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Where was the auditor-general when the R400m went missing?

WHERE ON EARTH were the auditors and accountants? When large sums go missing it's a question that's all too often not even asked, never mind answered.



Tough-talking auditor-general Terence Nombembe

It certainly wasn't addressed when it was discovered that, for years, the victims of Wall Street trader Bernard Madoff's R500bn pyramid scheme had been some of the world's leading financial institutions.

And it hasn't been answered in respect of some R400m reportedly stolen from various government departments, including the South African Presidency, by an internet fraud syndicate.

According to police spokesperson Senior Superintendent Tummi Golding, information received from undercover operatives showed that, since 2006, the arrested suspects had allegedly stolen more than R5m alone from the budget of the Office of the President.

So where were the auditors? Where was tough-talking auditor-general Terence Nombembe? Why didn't anyone notice that millions were disappearing?

Should we be adding "auditors" to our list of untrustworthy professions, beneath "lawyers", "bankers" and "insurers"?

Inseta: Let's not talk about guilt

THE SHIT IS STEADILY hitting the fan at Insurance Sector Training Authority (Inseta) – CEO Mike Abel and his sidekick, Shirley Steenekamp, senior manager learnership, have both been suspended (*noses*108&110). The Inseta council, however, is claiming that this in "no way implies guilt on [the part of] the suspended parties".

A December media statement, signed by council chair Tetiwe Jawuna (of Standard Bank) and her deputy, Ivan Mzimela (of Hollard Insurance), announced:

"Following allegations in the media of improprieties at the Insurance Sector Education and Training Authority, the council of Inseta appointed Dr Len Konar of ORCA to conduct a forensic investigation into the allegations. Council has received interim feedback from the investigators, following which a decision was taken to suspend Mike Abel and Shirley Steenekamp with immediate effect. This is to allow the investigators space to finalise the investigation."

The statement did not disclose that the forensic audit was in fact ordered by Sam Marotoba, deputy director-general of Labour, who is also in charge of Setas. Jawuna insists that Abel has supplied all documentation to *noseweek*, as requested via to the Open Democracy Advisory Centre. This is of course what Abel has for months been falsely declaring to the Inseta council and to Open Democracy's Melvis Petersen. For the record: *noseweek* has not received the requested documents. Apparently Abel and Steenekamp haven't exactly greeted the forensic investigation with open arms. It's said the auditors haven't had an easy time

gaining access to records, and had to insist, against strong resistance, on their right to take possession of the pair's laptops – which allegedly revealed improper communications with some contractors.

Noseweek is keen to know what the forensic team will discover concerning alleged legal bills and payout to Charles Wells (former acting council chair) and Reone Kerr (council member). One story doing the rounds is that Steenekamp had started a rumour that Wells and Kerr

had got more than friendly during a study trip to Australasia, and they'd then sued Inseta and Steenekamp, and that Inseta paid out close to R4m in an out-of-court settlement.

Inseta council minutes recording discussion of the payments were not opened to *noseweek*. Ms Kerr has resigned from the council while

Wells was replaced at the council by

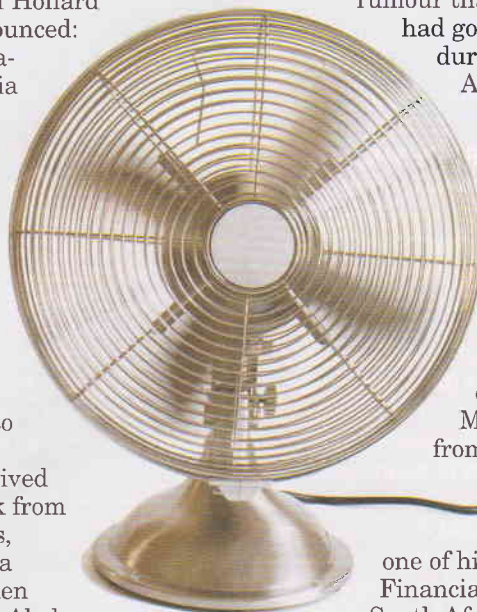
one of his colleagues at the Financial Union (formerly South African Society of Bank Officials).

Inseta members who have been celebrating the suspension of the two powerful executives are quietly calling for them to be compelled to reimburse funds that have been paid out due to their lack of judgement.

Noseweek also wonders whether Dr Konar's forensic investigation brief includes examining whether Abel billed Inseta for expenses incurred for airfares to attend University of Western Cape's council meetings.

As *noseweek* was going to press, it was learnt that the suspended executives were demanding that the council provide them with legal representation – which a majority of council members rejected.

One council member told *noseweek*: "Are they mad? They expect us to pay attorneys to fight us?"



A fan, similar to the one which was hit

Of Southern Africa, its characters and their tales

Mark Thomas goes on a magical mystery tour of our region – without once leaving his couch

"SHARE THE MAGIC OF OUR region." These were the words Max du Preez scribbled for me when autographing his *Of Warriors, lovers and prophets*, his first book of "old tales".

I had just finished reading his autobiographical *Pale Native*, and wondered which "region" he was referring to – home ground, country, sub-continent? It was only on finishing his latest offering that I knew what he meant.

Reading the most recent of Du Preez's two collections of tales

Of warriors, lovers and prophets: unusual stories from South Africa's past and **Of tricksters, tyrants and turncoats: more unusual stories from South Africa's past** by Max du Preez (Zebra Press)

brought to mind what in my school-days in Kenya was claimed to be a Swahili proverb: "You can take a villager out of the village, but you cannot take the village out of the villager." Or, as applied to Max: however far from the newsroom you chase a journalist, he remains a journalist. Why then the wordy titles, from an editor who constantly asks his writers (I have personal experience of this): "Why use five words where you can use one?"

Max's response: "Because I love long titles, but if you want to, just call the books *Warriors* and *Tricksters*." That's the newsman cutting to the essence, which is what the books themselves do: they're great eye-openers into the history of South Africa, and, in fact, of what you might call "post-explorers' Africa". It's made available in Max's incisive and entertaining investigations of the tricks and tales of indigene and settler alike – the lives of curious kings and folk heroes, the betrayals and murders, the hungers and invasions, the fortitude and enterprise of great characters from so many different peoples.

Tricksters covers nearly five centuries, right up to the present, and is filled with striking characters: the "height-disadvantaged" Scottish doctor, Leander Starr Jameson, one-eyed Chief Mantatisi, Sara the Khoikhoi-turned-European, founder of the Republic of Upington Willem Jordaan, Nonnie de la Rey, Jose Alberto Cuna, Bheki Jacobs...

As a Kenyan, I was struck by how these tales, as retold by a man with Du Preez's experience of contemporary Africa – besides chronicling the last three decades of his own country, he's travelled widely on the continent as journalist and filmmaker – throw up so many images common to most of Africa. And when he explained that what interested him most was tracking down characters who could stand as "ancestors" for everyone living in the region, I realised why I was so deeply drawn into the weave of his historical tapestry.

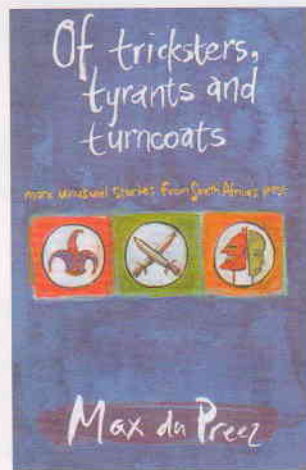
Max's account of the infamous Dr Jameson, for example, brings out the existence of corruption, arms dealing and mercenaries even in those early days. Here was a man who was everything that Simon Mann would have wished to be. Cecil John Rhodes used him to help create

Rhodesia (Zimbabwe), and again in the later abortive attempt to take over Paul Kruger's Transvaal Republic. A story of compelling revelations indeed. And after Jameson's "raid" failed, President Kruger deported him back to Britain – shades of Mark Thatcher pleading guilty a century later to having similarly provided resources to mercenaries intent on toppling a government (in Equatorial Guinea).

So many echoes of the past in today's world – caretaker leaders for example. In 1813, after the death of her husband, Chief Mokotjo, Mantatisi (1781-1835) took over as care-taker ruler of the Batlokoa, until her son, Sekonyela, was old enough to be crowned. Shades of Kgalema Motlanthe – except that Mantatisi led her people in successful invasions of their neighbours, while sending her warriors foraging for food for the children.



Contemporary illustration of Sara Baartman – Sara the Khoikhoi



Du Preez writes that he still doesn't understand his fascination with the entrepreneurial character of Willem Jordaan, a man determined to do all could to stay in the game of power, and who used his wealth to acquire land that he later proclaimed a republic. "In April 1881, Jordaan bought a huge tract of land, about fifty thousand square kilometers in extent, between present-day Grootfontein, Otavi and Etosha, from the Ovambo chief Kambonde, for a horse, a cask of brandy and twenty-five rifles. The sale was witnessed by Finnish missionaries stationed at Ondangwa, Kambonde's kraal."

It's the terms and mode of this sale that made him admire Jordaan (a kind of "negative admiration"), who basically conned Chief Kambonde. As for the witnesses – purporting to be spreading the gospel of Christianity, they would not aid Jordaan when his sale agreement was nullified, due, it seems, to the machinations of another Cecil Rhodes agent, Robert Lewis. *Tricksters* deals with a couple of cases of men, who, basically outlaws, furnished themselves with bibles in order to get what they wanted. Much of Africa is familiar with such characters.

There are also those with whom one readily identifies – like Nonnie de la Rey, wife and partner of General Koos de la Rey, of Angle-Boer War fame, whose most recent reincarnation as a hero was with the 2006 song *De la Rey*, that drew some controversy. Personally I found Nonnie, as drawn by Max Du Preez, more admirable as a character than her husband. He writes: "[It] became clear to the British generals that [the fugitive] Koos de la Rey was going to be a real thorn in their side. They knew that he occasionally sneaked back to his farm to be with his wife and children. The British decided to harass Nonnie and launch a campaign to capture Koos alive.

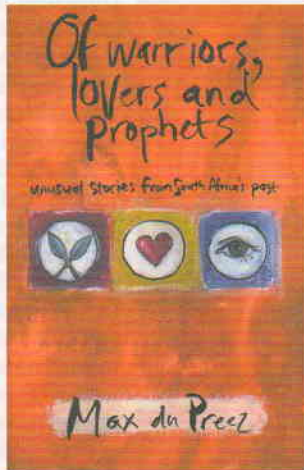
"But if they thought Nonnie de la Rey was just another docile Boer woman, they had made a serious mistake. Whenever she saw British soldiers on her farm misbehaving

or attempting to take her horses or cattle, she marched right up to the commanding officer and had a verbal showdown. She did this with Generals Archibald Hunter, CWH Douglas and Lord Methuen, and in each case the generals ordered their men to back down."

Du Preez's account of Bheki Jacobs – who gave the inside story of the arms deal to the world – is essential reading. Jacobs' story was dismissed by the *Sunday Times*, which chose

to believe the counter-claims of the ANC's Essop Pahad. The story of The Man with Many Names should be a lesson to journalists across the land to stand by assurances of protection they give to their sources. This was a case where the *Sunday Times* seriously slipped up in that regard.

Historically instructed and entertained simultaneously, by the time I reached the final page of *Tricksters* I had found a real appreciation for those words Max had scribbled for me – I now know more about "the region" than most people around me, and certainly more than I could have learned from any other single source. ■




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The spy who came in from the gold

Has a leading water policy expert been suspended for being a former spook – or for treading on the mining industry's toes?

THE WELL-PUBLICISED DEPARTURE of water policy expert Dr Anthony Turton from the Council for Scientific and Industrial Research (CSIR) late last year brought the subject of water pollution into the media – albeit briefly and superficially.

CSIR head Dr Sibusiso Sibisi's clumsy cancellation of an allegedly offensive presentation Turton was due to give at a conference (one of those dull events journalists usually avoid or sleep through) had the unintended effect of turning Turton into a minor freedom-of-speech celebrity, and gave his alarming take on water shortages and pollution far wider circulation than might have been expected.

News coverage being what it is,

most hacks are already charging off to find the next controversy, but Nose-Ark won't be joining them just yet; after the flood of spirited but generally simplistic defences of Dr Turton, and the unconvincing "explanations" for his suspension emanating from the CSIR, bits of jetsam left on the riverbank deserve some examination.

There is, for instance, the small matter of Gonste Belinna Kelebetso. Gonste is now "with the ancestors", but she used to live near a river contaminated with radioactive uranium sulphate, a component of the acid mine drainage (AMD) leaking from gold mines and tailings dumps in Gauteng. Many rivers and underground aquifers in the province are polluted with radioactive AMD, and

plumes of contaminated water are spreading on and below the surface.

Turton included pictures of a three-year-old Gonste in the presentation he was prevented from giving. An animated PowerPoint slide, titled "Water Quality as a Driver of Anger", shows little Gonste's grotesquely malformed face, foot and belly (with protruding grapefruit-like growth), while the text tells us she had no eyelids, and that by age three had already experienced a heart attack, had kidney dysfunction, and had been abandoned. The slide also emphasises that the community who had been looking after Gonste believed that her deformities were ultimately caused by mine-contaminated water.

Turton then asks whether the child's awful handicaps were indeed caused by exposure to radioactive mine waste – and answers the question thus: "We do not know, so until we have a high confidence study that tells us one way or another, such human tragedies are going to occur. But we are unable to secure funding for this work so it remains unfinished."

This slide was singled out by the CSIR and its president, Sibusiso Sibisi, and cited as one of the reasons for suspending Turton. The CSIR took issue with the "depiction of a child with birth defects, with the statement that she lived in an area affected by mining waste, and making strong inference from a single data point".

Sibisi is quoted in *Engineering News* as saying that "to show a single image of a disabled person and link that to water would be irresponsible", and stressing that the CSIR was in the "business of science" – insinuating that Turton had lost his place at the CSIR for making unscientific generalisations.

Yet, as demonstrated by Turton's words quoted above, he had in fact stated that "we do not know" if her deformities were a result of exposure to mine waste – because funding was unavailable for the requisite research. And rather than making the unwarranted generalisations the CSIR accuses him of, Turton was actually pointing out that Gonste's own community were making connections between the child's condition and the nearby mine-polluted river. The scientist was warning that poor water quality could be a driver of (possibly unreasonable) anger – hence the title of the slide.



If a connection were found between gold mining and illness among the local populace, mining houses might be liable for massive damages

CSIR chief Sibisi is no scientifically-illiterate political appointee. He has a PhD in applied mathematics and theoretical physics from Cambridge, and a CV full of relevant job experience in the USA, UK and South Africa. In 2007 he was awarded the Order of Mapungubwe in Silver by then President Thabo Mbeki for his contribution to science and technology. Why make inaccurate assertions about the slide? We'd have to speculate on this of course, but a quick look at Sibisi's business connections raises a couple of red flags. Besides being on the boards of defence contractor Denel and engineering and construction giant Murray & Roberts, Sibisi has had strong connections to African Rainbow Minerals (ARM), Patrice Motsepe's large mining concern, which has a 16% interest in Harmony Gold Mining Co Ltd. Sibisi served on Harmony's board from 2003 to 2004, and then on ARM's board from 2004 to late 2006.

Sibisi also serves on the board of posh Joburg school Roedean with Patrice's sister Tshepo Motsepe, who happens to be married to that other BEE mining heavyweight, Cyril Ramaphosa. Although Sibisi's office and ARM could not confirm if he has shares in ARM or ARM-linked companies, he's clearly pretty much at home among the new mine-owning elite.

Harmony Gold has operations in areas known to be generating toxic AMD that is moving through underground and surface water systems on the West Rand. If a strong enough connection were found between AMD from gold mining and illness among the local populace, Harmony, and other mining houses, might be liable for massive damages. Damages that could be large enough to sink the industry.

There are already plenty of anecdotal reports of human illness in AMD-affected areas; crop farmers there have been barred from using various streams for irrigation, and stock farmers are reporting unusual spontaneous abortions in their cattle. What we don't have, but need, as Turton pointed out, is a "high confidence" study on the possible links between radioactive AMD and human illnesses. (Some scientists, particularly at Potchefstroom University, have been futzing about with little studies of radioactive AMD for about 15 years – their projects are often

funded by the mines, and their results have been mostly inconclusive. Other studies commissioned by government are contradictory, or have been kept under wraps.)

Turton has been looking at the dangers of AMD for some time. Believing that it would be, in his words, "criminally irresponsible" for society to ignore the problem, he helped to devise and then promote a "tooth fairy project", a study which involves collecting naturally-shed baby teeth and analysing them for radioactive substances. Carried out in mining areas, such research would help to establish the levels of human exposure to radioactive AMD – and how much of a problem this might be.

Significantly, Turton maintains that a tooth fairy project would not be aimed at exposing the mines to liability claims. Instead, he makes the point that if there is a problem the economically crucial mining industry needs to be part of the solution. "We're not going to have faith in the mining industry until a high confidence study is done", he tells *noseweek*.

(On the other hand, cover-your-arse-at-all-costs is a default position for many businesses, and the shadow of Erin Brockovich looms large.)

Was Turton kicked out of his research position at the CSIR because of his well-known support for conducting a tooth fairy project? Is Sibisi protecting the interests of his mine-owning friends – and possibly his own as well?

So much for Turton the "good guy". Now here's a little flotsam on Turton the "bad guy": Following his departure from the CSIR, a not very subtle whispering campaign, avoided by much of the media, started up around Turton's alleged past as an apartheid-era spy.

Noseweek loves spy stories, and checked it out. It's true – he was.

Turton's abbreviated CV, still on the CSIR website, says that from 1987 to 1995 he was a "strategic analyst and operations manager at the National Intelligence Service responsible for various strategic initiatives that were relevant at the time".

That's interesting work history for a water scientist – so *noseweek* asked Turton to explain himself.

The way he tells it, he has nothing to hide, except some stuff that is "covered by the Official Secrets Act" (!). He was a high-level strategic analyst back then, he says, and sometimes also an on-the-ground operator. "I fought a dishonourable war in the most honourable way I could," he told *noseweek*. "I was one of the analysts that made the case to the apartheid government, after Cuito Cuanevale, that the struggle to maintain the system was unsustainable and unwinnable and that they had to negotiate peace in the region."



Anthony Turton

He says he also infiltrated Renamo to help bring negotiations to Mozambique, and was involved in Codesa talks to meld together the various factions' intelligence services. Turton: "I am a highly-decorated operative. I am not a Eugene de Kock. I am not a Dirk Coetzee. I have a proud record of making peace."

Whether or not his detractors accept this version of his role as an "operative" remains to be seen.

Turton's career at the CSIR may be over. The toxic AMD story, however, has a long way to go. ▣

Made to be broken

ONE IS NEVER TOO OLD for self-improvement, and that's why, most years, I make a New Year's resolution. I have made resolutions to give up meat, to use less sugar in my tea, get more exercise and stop being short-tempered with sales people. Yet I've broken every resolution I have ever made – and received more pleasure and peace of mind from breaking than making them. For me, New Year's resolutions have always been a win-win situation.

This year I have resolved that, with all the weird bad stuff going on in this little world of ours, I will stop my obsessive Internet surfing for the day's news.

The news is more than disconcerting – it's downright depressing – and that's not good for one's mental health. Lately, keeping up with the news of the day can only be compared to being stuck in a time machine that's jammed in reverse. So I concede that I've chosen a resolution that's difficult to keep, but living in an HG Wells novel is not my idea of a good time.

It was the recent horrific events in Mumbai that hardened my resolve. I'd been getting accustomed to reading about the 1930s-like economic depression the world is facing, with millions losing their jobs and more facing food shortages. I was getting used to seeing more and more reports of piracy on the high seas (www.icc-ccs.org/index.php?option=com_fabrik&view=visualization&controller=visualization.googlemap&Itemid=89), piracy being something I had only associated with the 18th century, Johnny Depp movies and the Flying Spaghetti Monster (www.venganza.org). I was even coming to grips with the cholera outbreak in Zimbabwe – cholera being another malady I had associated only with the past.

But when that band of murderous zealots landed in Mumbai from the sea, armed with a fervent desire to kill innocent people, I was whisked all the way back to the eighth century and certain deadly practices of the ancient Norsemen. Did you know the Vikings gave the word “berserk” to the English language?

Or is my comparison a little too hard on the Norsemen (www.valhs.org/history/

**We are stuck
in a time
machine
that's
apparently
programmed
to revisit
the horrible
travesties of
history**



Illustration: Meg Jordi

articles/society/text/raids.htm)?

The Vikings, I have learned, began raiding seaside settlements over 1200 years ago. Their intent was to rob, plunder and enrich themselves – hardly a civilizing endeavour, but perhaps a little more understandable than the actions of the terrorists who arrived in Mumbai simply to “kill until the last breath” (www.timesonline.co.uk/tol/news/world/asia/article5262244.ece). The Mumbai attack seemed designed to achieve nothing more than political instability between India and Pakistan – as if there isn't already enough instability in the world. Or perhaps the indiscriminate slaughter was meant to endear us to their cause?

Anyway, given that the Vikings raided their neighbours for around 200 years, and since there seems no end to the supply of fanatics willing to die for a chance to kill innocents, are we to imagine that more raids like that on Mumbai won't follow? Already there are calls in the US for increased security in coastal towns and cities.

Yes, we are stuck in a time machine that's apparently programmed to revisit the horrible travesties of history. What's next? The black plague? The sack of Troy?

Call me naive, but I'm calling a “time out” for the time being. Hence my New Year's resolution: I will do my best to avoid any temptation to keep up with the “news” while surfing. I will, instead, search out fun things, good things to eat, entertaining things.

Having so resolved, I googled one of my favourite Internet discoveries – Katherine Hepburn's famous brownies. This site will give you the recipe for the richest, fudgiest, chocolatey treat you have ever tasted (www.kitchengifts.com/brownies.html).

With world events already reflecting dreadful horrors of the past, who knows what repetitions of human folly await?

However, my resolution means I will only experience economic depression, piracy or Viking raids if and when they happen to me – and with one difference: I'll be munching on a damned good brownie. As the wonderful Ms Hepburn once declared: “I never lose sight of the fact that just being is fun.”

But did I mention that I always break my New Year's resolution? ☐



Cold concrete

DOWN AT THE ROYAL SHOW GROUNDS by the Dorp Spruit at the bottom end of Pietermaritzburg there stands a certain exhibition hall with a big smooth floor, and this hall an enterprising local would rent for one month each year as a roller-skating rink. We didn't have plastics in those days, bless you no, but there was a certain black stuff something like thick liquorice which people used on factory floors, tough, tough, and you could lay it without bumps, a dead right skating surface. A vast weekend swarm of teenagers would descend upon this surface, you couldn't move faster than walking pace the crowd was so dense, but that was okay, hardly anybody knew how to skate anyway, we spent most of the time on our backsides. Well, every now and then they'd clear the rink for ten minutes of speed skating so those of experience could have a bash, and there to our amazed gaze would appear Ezmay Barton, Joburg ice skater, blonde bombshell.

Ezmay Barton could not only skate, she could skate backwards. She could also turn corners by crossing her feet instead of freewheeling, so there was no loss of speed, and what's more she could waltz. They would play *Vienna City of My Dreams* over the speakers, only there was no gentleman around who knew figure skating so she'd waltz all alone. No matter, and anyway we all liked it best when she was just skating backwards, because then you would get a good view of her bum as the slipstream wafted up her skirt. You could see bums aplenty at the swimming baths, of course, but never as athletic and just plain perfect as this one. I mean beautiful. Ezmay was the first blonde bombshell of my experience, bright 24ct gold and not too tall, with many nice curves and strong musculature from all the skating. And sometimes when standing still she would look straight through you with pale grey eyes and slowly smile and you would have to sit down lest you should fall down. Ezmay Barton was sixteen. I was fourteen. I wished she would change my life somehow, but she didn't. She was there for next year's skating all right, with another year's worth of enchantment, and I



You will give
birth to freak
children all
twisted up
with great
long arms like
chimpanzees

hoped for just one next next year of distant worship, but by that next year she was gone. Like many a blonde bombshell before and since, Ezmay Barton had been blasted into maternity by a misguided muscle.

My Auntie Aggie would droop her eyelids and purse up her lips as when drinking vinegar through a straw. Always remember, my dear, she would murmur to my sisters, never to sit on bare concrete, the cold will strike up your Parts and when your time comes you will give birth to freak children all twisted up with great long arms like chimpanzees and tiny little legs like dwarves and mongoloid eyes like Chinamen. And here you can see what will happen to you if you don't go to church. Well by sixteen I'd been around the block a couple of times as they say and I knew it was something more than concrete-temperature which had struck up Ezmay Barton's Parts, and anyway see what happened to the virgin Mary from too much going to church. I was very argumentative at that age, you will understand, but not with Auntie Aggie, thanks, I'd learned the futility of arguing with bigots, boys' schools being full of the buggers. I held my peace.

I continued to hold my peace for a couple of decades, though Ezmay always had a small precious place in my heart. And it so came to pass that I was in Seednee Oz at the time of certain Commonwealth Games, and my host who was a huge big weightlifting man invited me along one morning to this his favourite event, and as we took our seats he produced a programme and said See here's a bloke from your part of the world, name of Barton, immigrated as a kid, now he's the Australian heavyweight champion, care to meet him? Oh yes please! said I, wondering if he might be of Ezmay's Pietermaritzburg family. So we met, and he was. Indeed he was her very own son. THE son. Nice friendly fellow. With great long arms and tiny little legs and slanty eyes. Short legs are of great advantage in weightlifting, he explained, because the leverage on them is less, also you don't have to lift the weights so high above the floor. Long arms are too, because you don't have to bend the legs so much when grasping the bar. They say I am of ideal build. Even my eyes are of optimal conformation, with strong lids, so there is no chance of bursting small blood vessels in the strain of lifting. My mother is an accomplished skater, said he. She has always told me I am of this desirable build because of her sitting so often on ice in the years spent learning the skills of figure skating. ▣

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Further info Adrienne 021 686 0570.

PERSONAL

Noseweek Please stop I&J from developing a fish farm at Little Brak, Mossel Bay – G Naudé.

Hi Thabo, 21-Gun (salute) fired to honour you at Simon's Town. Later I fired you! Regards Jayzee. – JA Macdonald.

Any old friends can phone Peter Ziady at 083 735 1933 to renew contact.

Government has become the wholesale looter of the taxpayer, aided by luvvy companies like banks – DJ Hislop.

Platt, Lawrence Charles Anthony Welcome to the world 26-11-2008. Thanks to St George's Staff in Port Elizabeth. – PA Platt.

HOLIDAY ACCOMMODATION

Arniston Stunning seafront home perched on cliff top overlooking beach. Breathtaking position and panoramic sea views. 5 bedrooms, 3 en-suite, serviced. 082 706 5902.

Clarens Near Golden Gate in the beautiful eastern Free State: Rosewood Corner B&B offers all you want for a break from it all. 058 256 1252.

Marina Da Gama, Cape Town Self-catering apartment on water's edge. 021 788 8129; 083 461 3463; www.cootslanding.co.za.

Friston Lodge Guest House B&B Centrally situated, Upper Newlands, near Kirstenbosch Gardens, UCT and the Waterfront. Comfortable affordable accommodation, in garden setting. Solar-heated pool, DSTV. Sabine 076 156 2381; Sabine@capestay.com.

Plettenberg Bay Anlin Beach House B&B/Self-Catering. Four-star luxury 100m from Robberg Beach. 044 533 3694; www.anlinbeachhouse.co.za; stay@anlinbeachhouse.co.za.

Newlands, Cape Town Very convenient for Claremont CBD and sporting venues. www.lavenderhousebnb.co.za.

Surfers' Corner, Muizenberg Overlooking

beach. Brand new luxury self-catering apartments, 1bed & 2bed with sea views. Sleeps 10. www.surferscorner.com; Wolfgang 082 5671600.

Umhlanga 2 bed/2 bath stunning, serviced sea-facing apartment with DSTV. putz@icon.co.za; 082 900 1202.

Margate Upmarket holiday house. Sleeps six. Walking distance from beach (if ten years). Marie 013 931 2345.

Stellenbosch Guesthouse. Rolands Uitspan. Near university. 021 883 2897. info@rolands.co.za.

Hermanus Luxury home sleeps 10, ideal for two families, walking distance to village/cliff path 083 564 8162.

Nelspruit, Shandon Lodge Luxury guest lodge, four-star. 013 744 9934; www.shandon.co.za.

Hout Bay Luxury apartment on the beach, secure, sleeps 6. From R1000 p/d. 021 790 1586

Yzerfontein Lovely beach cottage overlooking the ocean and Dassen Island. Contact Magda 082 873 2414

Lakeside, Cape Town Spacious self-catering apartment overlooking Westlake golf course. Sleeps 2-3. info@greenkeeper.co.za.

PROPERTY TO BUY, SELL OR RENT

Amazintoti, Dbn Stunning beachfront properties for sale with breathtaking seaviews!! From R490K–R3m+. Call Nikki 083 764 8622.

Properties for sale Next to Kruger National Park. Contact Manie Kriel 083 627 2563.

Houghton/Oaklands Cottage to let. Lovely five-star fully furnished & equipped D/S cottage with DSTV excellent security and guard. R5,950 per month. 082 604 5219.

For property in Durbanville area. Moira Senekal Properties. 021 976 6035 or 083 261 1063

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Mike Levy The Voice Of Experience – handles all enquiries. Specialises in cruising and senior travel insurance 011 882 8107 or 082 679 0706; mike.gulliversbruma@galileosa.co.za.

Paris Beautiful sunny apartment 5 mins from Champs Elysees, fully equipped, sleeps 2. putz@icon.co.za; +33 617 045 290.

LEGAL, INSURANCE & FINANCIAL

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FOR SALE

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Black & White Trucks cc Samil, Deutz, Samag, Magirus, Sakom, Iveco, ZF, Unimog and Actros; Trucks, Spares & Vehicle Servicing. Tel 0877 544 544; fax 086 657 5132; samil@mweb.co.za; www.samiltrucks.co.za.

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Paddy Rice Bran Oil Cholesterol, preservative free. Heart Stroke Foundation approved. Kosher, halaal. Enquiries info@ricetec.co.za.

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For office chairs, restaurant, pub, home, office requirements. Contact ISA. 021 797 8986 or 021 854 5778. locket@iafrica.com.

Breasts 2009 calendar showing the beauty and individuality of real women's breasts. www.sweetart.co.za.

Countdown Carrier Bags Specialist paper carrier bag manufacturers. Visit us at www.cdcarrierbags.co.za.

Urbanite Design Manufacturers of aluminium and stainless steel furniture legs. Standard range or manufactured to spec. 011 474 1119

COURSES

Art Classes, Muizenberg General art & drawing skills. Meg 021 788 5974 or 082 926 7666. jordi@telkomsa.net.

MISCELLANEOUS SERVICES

Flying Dutchman For all your graphic design work – logos, adverts, print, packaging, corporate ID. Mich 072 141 8854.

Silver Spoon Function Hire Hiring of cutlery, crockery, linen, glasses, marquees, heaters etc. For all your hiring requirements 011 262 2227; www.silverspoonhire.co.za.

Translations English to Afrikaans. Ina 082 978 9846.

Outsource your professional writing requirements. prowrite@mweb.co.za; 082 491 0699 www.prowrite.co.za.

For superb, swift service in all your visa requirements, deal with Jan and Anton and the team at Visa Express. 021 425 8527.

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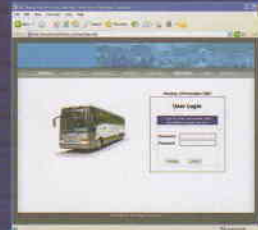


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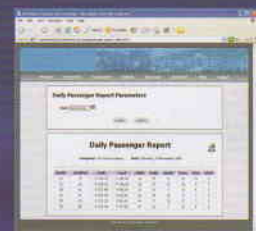
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