

NEWS YOU'RE NOT SUPPOSED TO KNOW

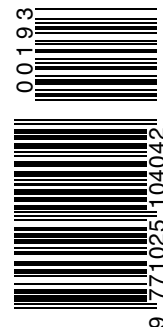
R39⁶⁰
(including VAT)

noseweek

- **The secrets of Cecil John Rhodes**
- **Mercury fire: Still no answers**
- **Randgold judgment: Investec spins it, lawyers cream it**

193 NOVEMBER 2015

Reared for slaughter



CELEBRATING CONSUMMATE CRAFTSMANSHIP.



GRAHAM BECK
WINE

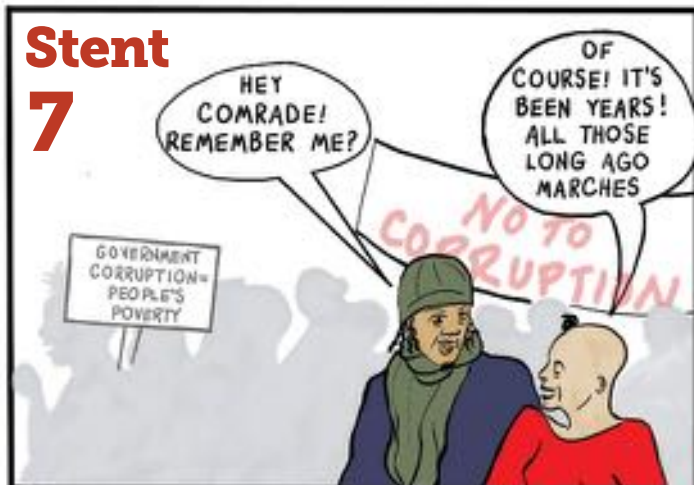
www.grahambeckwines.com

noseweek

ISSUE 193 • NOVEMBER 2015

Stent

7



FEATURES

8 Still time for action

Randgold judgment: Investec claims a victory but it ain't so

11 Cecil John Rhodes

The role of secret sex and secret schemes in the expansion of the British Empire

17 Absa keeps widow waiting

Bank takes years to settle claim

20 Lions to the slaughter

King of the beasts factory farmed to satisfy vanity of trophy hunters

24 The poisoned land

Mercury contamination haunts neighbours

29 For whom the e-toll tolls

Sanral chief faces fierce new opposition

32 Books, Books, Books

Season's reading

35 Save the sharks

And imprison your kitty

4 Letters

6 Editorial

38 Smalls

COLUMNS

35 Down and Out

36 Letter from Umjindi

37 Last Word

Your favourite magazine is now available on your **iPad** and **PC**



AVAILABLE ON YOUR TABLET

Download your digital edition today

both single issues and subscriptions available

PLUS never miss a copy – with back issues available to download and store

DOWNLOAD YOUR DIGITAL EDITION AT
www.noseweek.co.za
or ☎ 021 686 0570

Letters

Corobrik: a family affair

IN RESPONSE TO THE LETTER (*NOSE192*) BY C Roberts, “Listen up ye execs”, and your article in *nose190*, I as a Corobrik insider can confirm that although Allin Dangers did not get his desired promotion, Corobrik has employed two of his sons, probably as a reward for being the trigger man in getting rid of loyal colleagues the way he did. These two pale males were appointed against Corobrik’s affirmative action policies.

Meanwhile, Corobrik ex-CEO and now part-time chairman – though more often to be found playing golf at Mount Edgcombe – Peter du Trevou, has allowed his son Christopher to be unilaterally appointed as the company’s Management Accountant – and a junior executive board member, without advertising the position either internally or externally.

The Department of Labour and/or the Minister of Mineral Resources [*they mine clay*] need to look into the dubious employment practices at Corobrik, as do major shareholders Investec (Board members P Amm, G Hirschowitz and R Baker are

Investec’s men) and – of moral compass fame – Reuel Khoza of AKA Capital.

The moral compass certainly needs to be re-calibrated at Horobrik... err... Corobrik.

Insider
Durban

Disappointed aliens

DESIREE ERASMUS’S REPORT ON HOW THE blurring of secular conspiracy and the Christian Fringe’s interpretations of biblical prophecy has led to an increase in the internet orgy of predileptophiles from religious and secular sources (*nose192*, “Holy Father phone home”) would explain why we haven’t been contacted by aliens. Clearly, there’s not enough intelligence on Earth (*Noseweek* readers excepted, of course) to make the effort worthwhile.

Elio Boezio
Port Elizabeth

Is Capitec the only one?

“CAPITEC JUST ANOTHER BIG BROTHER bank?” Your article cautioning readers to read the small print before signing up for a Capitec account was most interesting. It would be nice to have the same magnifying-glass look at all the other big banks’ fine print!

Don Pearce
Noordhoek

Back-biting boys’ clubs

YOU OMITTED TO MENTION Kelvin Grove amongst the still-surviving old gentlemen’s clubs (“The long goodbye”, *nose192*). I have been a member there for 45 years. It seems to be a very successful club; young keep coming in and the old stay on... Surely all could see that “boys only” gentlemen’s clubs couldn’t last; those days are long gone.

Considering the costs that you mentioned and the debts

they have, surely gentlemen of that era (for whom I have great respect) can go to very nice five-star hotels and have exclusivity there?

All said, it is sad to see them go...

Chris White
East London

■ WHY ON EARTH WOULD ANYONE WANT to belong to such a back-biting low-life outfit as the Cape Town Club (“Breaking the rules”, *nose192*)? Suzanne should consider herself lucky to be out of it!

Mike Turner
Johannesburg

■ I’M KINDA GLAD TO HEAR THAT THESE private elite clubs (CT Club, Rand Club, etc) are moving on and being forced to become part of the real SA!

I was told to organise an event at the Rand Club in Johannesburg in about 1987 when I was a manager at the JHB Chamber of Commerce (the first woman manager of the Chamber movement – imagine that!) and was told I’d have to use the side door to gain entry to the club. Well, suffice it to say between my (woman) colleague and me a different venue – where we were treated as people – got the business.

Perhaps those old boys can see where their policies led – to insolvency and downsizing.

Pam Herr
Sun Valley

PO another colonial invention

THE COLLAPSE OF THE SOUTH AFRICAN Post Office (Post-mortem for the Post Office, *nose192*): It’s a case of a government ship full of idiots steered by a captain who hasn’t the faintest clue as to why the ship is sinking. But who cares anyway? It’s just another one of those dumb colonial inventions that nobody needs.

We’ll take the money though, until it dries up and then we all can be promoted to other positions to see off further irrelevant colonial inventions.

A Dryburgh
Durban North





Post mortem... PO another colonial invention

Old story: new outrage

IT IS WITH UTTER DISGUST THAT MY husband, former Superintendent Kruger of the Commercial Branch, and I have just discovered that completely fallacious information had been published about him in *nose91* (“Why the Israeli mafia hit Winnie’s friend”, May 2007).

Your journalist’s skills and sources are seriously questionable. The fact that a paper could be allowed to run an article without proper investigation of the facts, boils down to an act that is, in itself, unconstitutional. This article boils down to slander of a public servant’s integrity and is not taken lightly.

You are hereby requested to immediately retract the slanderous statement, by way of an apology, to be published by no later than close of business on 7 October 2015, as your incorrect facts have harmed the reputation of an individual who duly served his country.

In the absence of my husband being allowed to rectify the situation by way of an interview, you will be summoned to compensate this violation of my [sic] his rights. We await your call regarding the interview, and confirm that he is available for such, during the course of the next week.

I trust that we shall hear from your offices, in order to set the record straight, once and for all.

Lucinda Kruger
Lucinda Kruger Attorneys,
Benoni

We hope to be setting up an interview with the superintendent in the near future and are positively itching to hear the veteran crime-buster’s memories of Joburg’s colourful gangland past.

While researching this story back in 2007 we were unsuccessful in contacting Supt Hans Kruger, but a reliable source involved in the police investigation into the fake R5 coin scam told us how the superintendent managed to persuade Hazel Crane’s lover, Voitec, (real name Wosiewich Pierun) to turn State witness against the scam’s mastermind, Israeli mafia thug Zion Malka.

It was widely believed that it was this “selling out” of Malka, who eventually got eight years for minting and issuing the fake coins, that cost Hazel Crane her life (she was gunned down by a mystery assassin in November 2003).

Far from our story defaming the good Super, surely persuading Voitec to take a Section 204 was and is accepted police procedure to assist the securing of a conviction?

Letting Hazel Crane off the hook in exchange for Voitec’s cooperation to snare the big fish was no big deal and in no way reflects adversely on Supt Kruger.

Crane’s role in the scam had been peripheral at best.

But, eight years for issue 91 to reach the Krugers in Gauteng? The circulation department is slipping again.

What better proof that the story did him / her no damage. – Ed.

Passports

*My fingers have lost hold
on their identity.*

*Their grip has loosened
and their patterns have become less
clear.*

*Ridges once firm – loops, arches, whorls
are undermined, worn out
and smoothed with toil.*

*Their individuality has blurred
and now no longer corresponds
to what was stored on file.*

*And as I scabble among exhumed
memories,*

*I lift impressions from
the things I’ve touched and try
to find what I can recognize*

*as saying –
This is me.*

By Margaret Clough

from *The Last to Leave*, Modjaji Books

WHY ARE LEADING LAW FIRMS SWITCHING TO LEGALSUITE?

LegalSuite is a leading supplier of software to the legal industry. We have been developing legal software for over 20 years and 6000 legal practitioners use our program on a daily basis.

If you have never considered LegalSuite as an alternative to your current software, we encourage you to invest some time in getting to know the program better. We strongly believe it will not only save you money, but could also provide a far better solution than your existing system.

Some of the leading law firms are changing over to LegalSuite, we would like to show you why. So give us a call.



“MAKING COMPUTERS WORK FOR YOU”

+0861 711150

FOR A FREE DEMONSTRATION.
www.legalsuite.co.za

Editor

Martin Welz
editor@noseweek.co.za

Contributing Editor

Donwald Pressly

Special Correspondent

Jack Lundin

Designer

Tony Pinchuck

Consultant

Len Ashton

Sub-editor

Fiona Harrison

Contributors

Len Ashton, Elisabeth Hamilton,
Bheki Mashile, Ciaran Ryan, Barry Sergeant,
Harold Strachan, Anne Susskind

Cartoons

Gus Ferguson, Stacey Stent

Accounts

Nicci van Doesburgh
accounts@noseweek.co.za

Subscriptions

Maud Petersen
subs@noseweek.co.za

Advertising sales executive

Godfrey Lancellas
godfrey@madhattermedia.co.za

Advertising

021 686 0570
ads@noseweek.co.za

All material in this issue is copyright, and belongs to Chaucer Publications (Pty) Ltd, unless otherwise indicated. No part of the material may be quoted, photocopied, reproduced or be stored by any electronic system without prior written permission. **Disclaimer:** While every reasonable effort is taken to ensure the accuracy and soundness of the contents of this publication, neither the authors nor the publisher will bear any responsibility for the consequences of any actions based on information contained. Printed and Published by Chaucer Publications (Pty) Ltd.



SUBSCRIPTION RATES

Print

SA only	R374
Neighbouring states (airmail)	R546
Europe, Americas and Australasia	R673

Internet edition

1 year	R298
--------	------

Combined

Print+Internet (SA only)	R474
--------------------------	------

To subscribe

By post: Send cheque with name, address and phone no. to: noseweek, PO Box 44538, Claremont 7735.

Via Internet (pay by credit card):
www.noseweek.co.za

Email subs@noseweek.co.za

Further information

Call (021) 686 0570; **fax** 021 686 0573 or **email** info@noseweek.co.za

Fighting talk

AS I DO FROM TIME TO TIME, I RECENTLY went online to catch up on what gives at Public Citizen, the Washington-based consumer-rights advocacy group established by Ralph Nader in 1971. It is currently headed by Robert Weissman, a star Harvard Law School graduate, member of the Ohio bar, public interest attorney at the Centre for Study of Responsive Law and also the editor of *Multinational Monitor*, a magazine that tracks corporate actions around the world. This is Weissman's latest report which, I reckon, probably echoes worldwide. – **The Editor**

“FROM 2002 TO 2008, THE FIVE BIGGEST US banks – Bank of America, Citigroup, Goldman Sachs, JP Morgan and Morgan Stanley – collectively raked in profits at an average rate of over \$25 billion a year. But then they nearly destroyed the global economy. And we all learned about banks being ‘too big to fail’ – a scam if ever there was one. And we fought hard to win landmark Wall Street reform laws. And we worked with Elizabeth Warren to get the Consumer Financial Protection Bureau up and running.

Meanwhile, those same Big Banks resisted every step of the way. And they spent millions upon millions on an army of lobbyists. And they spent millions upon mil-

lions more – fully exploiting the Supreme Court's Citizens United abominable judgment – backing political candidates who would do their bidding. And they haven't gone a single day without whining about commonsense safeguards intended to keep their clearly dangerous greed in check. So you may be just the slightest bit surprised and/or irked by this: From 2009 to 2014, the collective profits of those same Wall Street titans averaged almost \$42bn a year – 66% more than before the crash they caused.

I am sick of these gargantuan corporations – along with their entitled, grotesquely wealthy CEOs and their bought-and-sold political puppets – fighting even modest attempts by We the People to protect ourselves as they just take more and more and more from us. What follows are some of the ways Public Citizen is working to reduce Wall Street's power and to protect everyday consumers from rip-offs big and small.

Breaking up the Big Banks: If a corporation is ‘too big to fail,’ it is too big, full stop. Public Citizen worked on a bill recently introduced that would break up banks deemed systemically important by global authorities. We are also among the leading voices for shareholder resolutions to break up the largest banks – including a widely reported resolution initiated by our finan-



“I, too, hate being a greedy bastard, but we have a responsibility to our shareholders.”

cial policy expert, Bartlett Naylor, to explore breaking up Bank of America.

Public Citizen will continue working with champions in Congress, including Senator Elizabeth Warren, to restore rules originally put in place after the Great Depression that require federally insured banks to separate their high-risk financial gambling from ordinary banking services used by everyday folks like you and me.

Ending the charade of ‘too big to jail’: The Big Banks have essentially been granted immunity despite widespread, repeated and devastating criminal behaviour. Thanks to Public Citizen’s work, during congressional confirmation hearings for Attorney General Loretta Lynch, she was questioned about the ‘deferred’ prosecution agreement Lynch provided to mega-bank HSBC for money laundering. The Department of Justice may at last be stepping away from deals

that let Big Banks escape criminal prosecution in exchange for promises not to break the law in the future.

Controlling executive pay: Astronomical Wall Street salaries have driven up CEO pay across the economy, establishing a culture where outlandish executive compensation is the norm. This contributes to the staggering wealth inequality that plagues our nation. And it incentivises risky, shortsighted behaviour. Public Citizen led the charge for the Securities and Exchange Commission to issue rules requiring corporations to disclose CEO pay relative to that of median employees – which the agency finally did in August.

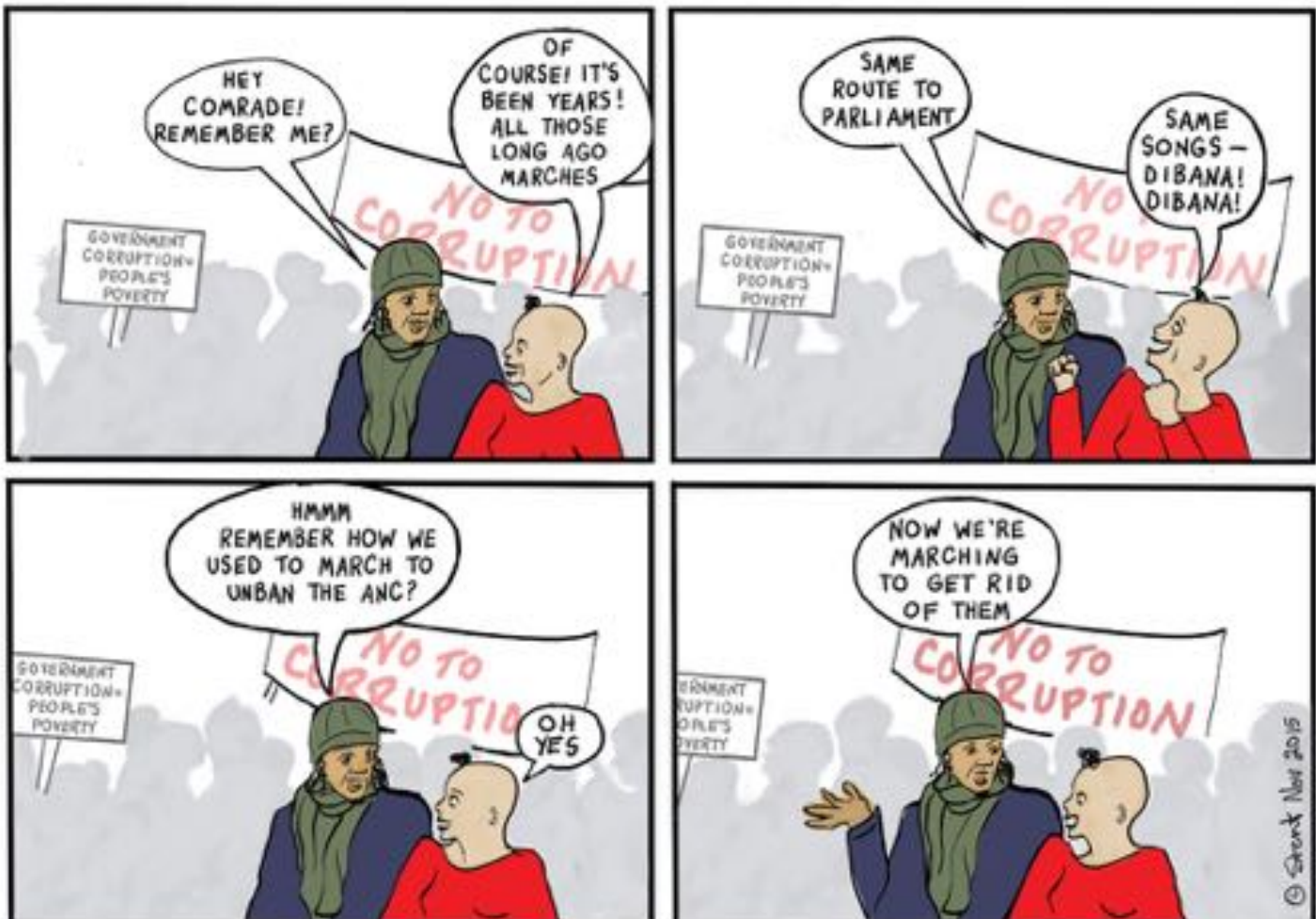
Jamming the revolving door: It’s epidemic: Wall Street executives get bonuses for moving to low-paid jobs in government agencies that are supposed to oversee the Big Banks, while federal regulators are wooed by lucrative job offers to leave public

service and go to work on Wall Street.

Public Citizen is promoting the recently introduced Financial Services Conflict of Interest Act that would prevent new agency officials from taking official actions that directly benefit former employers and prohibit Wall Street firms from offering ‘golden parachutes’ to executives who take government positions.

Implementing consumer protections: The banks have tried to kill or cripple the Consumer Financial Protection Bureau from Day One. One particularly critical fight is over insidious provisions in contracts for numerous financial products that prevent consumers from joining together in class actions – in effect giving banks a licence to steal by making it virtually impossible for consumers to obtain compensation for small-dollar rip-offs.

We are proud to be pushing back against Wall Street’s greed.” ■



Stent

Investec takes a beating

Barry Sergeant reports on the recent high court ruling on the rights of Randgold minority shareholders whose shares are registered in the names of nominee companies

ON 15 SEPTEMBER, NORTH GAUTENG High Court Judge Pierre Rabie finally, after 10 months of deliberation, handed down his judgment on a technical side-issue raised by Investec in a case now known as the Randgold minorities vs. Investec.

The “main” case was introduced into court in 2011. While Investec has categorically stated ad nauseam that the main case bought by the minorities has “no merit whatsoever”, Investec appears set on avoiding a court being given the opportunity to make such a determination.

The minorities are suing Investec, a fellow shareholder in Randgold & Exploration, for oppressive conduct and are demanding that Investec pay them R1,3 billion in damages. In this side-case, which many believe was raised as a stalling tactic, Investec’s lawyers argued that the minorities had no *locus standi* (right or legal standing) to bring the action because their names do not appear on Randgold’s official share register.

Nowadays, in an estimated 90% of

cases, beneficial shareholders are in the background; only the names of the nominee companies who manage most investors’ shareholdings generally appear on the share registers of the companies they are invested in.

In its announcement of the latest judgment, Investec reported that “Judge Rabie ruled in favour of Investec that only registered shareholders have the *locus standi* to launch an oppression of minority claim under the Companies Act.” Yes and no. Yes, that is what he said – and no, that is not the full story. Read the whole judgment and you quickly realise that, for technical reasons, it only lets 4% of the claims against Investec off the hook: 96% of the claims against it still stand for adjudication.

In South Africa, as in many other countries, beneficial shareholders (who invest hard-earned cash in shares) typically appoint nominee companies to handle all the hassle of administering stock ownership. These nominees, while only agents, become the registered shareholders. This is the case for an estimated 90%-plus of

South African-owned stock listed on the JSE. The same situation by now applies in most countries.

In a case such as this, where minority shareholders feel the majority have used their majority control “oppressively” for their own benefit, at the expense of the minority, all the disadvantaged minority shareholders need do is join their nominees, whose names appear on the company’s share register, in the court action. The nominees, who are, in fact, just their agents, are normally happy to comply. All did in the current case – bar one.

After the latest ruling, the main case, “the merits” – the heavy-duty stuff – is now free to be heard in the High Court. Had Investec put its reaction in context, it would have added information along the lines that Investec is seemingly prepared to do anything legal to keep this case out of court.

So far, this case has accumulated more than 15,000 pages of evidence. What’s it really all about? Unchallenged forensic reports, of which summarised versions were published by

How to avoid would-be spoilers such as Investec

MONICA SINGER, CEO OF STRATE, South Africa's central securities depository (CSD), said in reaction to the *locus standi* judgment: "Current South African account holding structures have many tiers of holdings where beneficial holders of shares may not be indicated on the registers as the true owner of the shares. This is due to the practice of holding shares through nominees."

This means that beneficial holders are dependent on the nominee to exercise their rights vis-à-vis an entity, or to seek any other form of redress, as is the case throughout common

law countries such as the UK, Australia, and Canada, says Singer. She warned that, as in this court case, "beneficial holders can often get caught up in complex and costly litigation to enforce their rights".

Strate encourages all shareholders to preferably open their accounts in their own names with their chosen CSD participants (typically, nominees), or in a so-called Segregated Depository Account, which is held directly with Strate.

In this way, says Singer, "the end-investor will be entitled to full participation in the company, without the intervention of the nominee". ■

Randgold and have for years been in the public domain, show that among the entities involved in the plundering of Randgold were listed names JCI, Western Areas and Investec itself.

Investec CEO Stephen Koseff was a director of the JSE until mid-2008, at the point when Randgold (itself) started suing various entities – including Investec – that had been the beneficiaries of a massive theft of its assets perpetrated by Brett Kebble. That case was conducted largely for appearances sake.

It came as no surprise when it was settled with the main beneficiaries of

the thefts – JCI, Western Areas and Investec – effectively ending up having to pay Randgold little or nothing. No surprise, because by then Investec had contrived to get control of both the victim (Randgold) and the beneficiaries (mainly JCI and its associated, Western Areas) of the thefts.

Why? Because Investec had collaborated in laundering some of the proceeds of the thefts and had itself walked off with a large chunk of the stolen loot. It clearly has no intention of paying it back.

Legal costs on both sides of the Randgold minorities case already run to more than R30 million, excluding the fees Investec is now paying on behalf of Randgold for Randgold to fight its own shareholders.

The JSE has remained remarkably silent on the background to the case, namely the involvement of several JSE-listed companies in the looting by the late Brett Kebble of assets from Randgold that were converted to cash-at-the-time of R1,9 billion.

From all this, it is apparent that in order to launch a minorities case in South Africa, the aggrieved party, even if acting on sound and extensive legal advice, will require a kitty running into tens of millions of rand. Target entities, such as Investec (one of the most-sued listed names), have long learned how to exhaust complainants, no matter how well-based and authentic the nature of the case.

In terms of The Global Competi-

**IF YOU RENT PROPERTY
KEEP THIS NUMBER**

**I CAN HELP YOU WITH
PROBLEM TENANTS**

**I CAN ASSIST YOU WITH THE
RENTAL HOUSING TRIBUNAL**

**IF YOU DON'T NEED ME NOW,
YOU WILL LATER**

JOHN: 082 901 0824

Property Developer?

Being screwed over by your
(investment) Bank?

**We've got the rod to prod AND
push them back!!**

Call Johan at **082-669-0623** or drop
him a line at johan@jvproks.co.za

**JOHAN VICTOR ATTORNEYS
CAPE TOWN**

**Investec had contrived
to get control of both
the victim (Randgold)
and the beneficiaries
(mainly JCI and its
associated, Western
Areas) of the thefts**

ZZ Z ZZ Z ZZZZ
ZZ ZZ ZZ ZZ Z Z

GET A ROOM

Ascot
h o t e l

☆☆☆☆

A unique 4 star boutique
hotel for the business
traveller in the heart of
Norwood

To make a reservation call:

011 483 3371

info@ascototel.co.za • www.ascototel.co.za

tiveness Report 2014–2015, published by the World Economic Forum (WEF), South Africa ranks first in the world (of 144 countries) in terms of “regulation of securities exchanges”. South Africa ranks second in the world in the field of protection of minority shareholders’ interests.

But better-informed *Noseweek* readers would take those ratings with more than a pinch of salt: South African contributors to the report are organised by Business Leadership South Africa (BLSA) and Business Unity South Africa (BUSA). Investec is a leading member of both.

The following were asked to comment on the Randgold minorities case (which has been in the public domain since 2011), and either did not, would not or could not:

- Dube Tshidi, CEO of the Financial Services Board, which oversees the JSE
- Nicky Newton-King, CEO of the JSE
- Thero Setiloane, CEO of BLSA
- BUSA CEO Khanyisile Kweyama
- Friede Dowie, General Manager of BLSA
- Michael Katz of law firm ENS
- Carel Smit of KPMG
- David Hertz of Werksmans
- Brian Gibson, who sometimes speaks for Randgold
- Judy Davies, who sometimes speaks for Corruption Watch
- Ursula Nobrega (Munitich) and Margaret Cerff (Arnold), who sometimes speak for Investec
- Kotie Basson, at Investec Asset Management, and
- Rita Yang at the WEF.

Itumeleng Mahabane of Brunswick, a high-priced formation of spin doctors, which sometimes speaks for Business Leadership SA, tried desperately to say something that made sense, but flipped out.

Hired guns happy to serve Investec – at fees running into many millions – in its battle to hang on to the ill-gotten Kebble loot, include Tony Rubens SC; Jonny Blou SC; and their junior, Shanee Stein, instructed by attorney Harold Jacobs of Werksmans. Randgold’s lawyers (also paid by Investec) include Gerald Farber SC and Nicholas Konstantinides, instructed by attorney Andrew Legg of Van Hulsteyns. ■

The case showed Investec up as mean and petty

IT COULD BE SAID THAT INVESTEC’S blinkered view of Judge Pierre Rabie’s recent ruling on just one of the issues in the Randgold minorities case comes across as peculiarly mean and opportunistic.

In a statement issued after the judgment, Investec trumpeted victory, in that the court had ruled “in favour of Investec, that only registered shareholders have the *locus standi* to launch an oppression of minority claim under the Companies Act.”

What Investec did not mention in its statement is that the court ruling only disqualified a small number – just 4.3% – of the oppressed shareholders that have brought claims against the company. Investec’s real victory did not lie in the judgment, but in the extent to which it was able to delay the hearing of the main case (by a year) and drive up its opponents’ legal costs (by several millions of rands). [See *editorial*. – Ed]

As opposed to Investec’s highly technical and time-wasting side-case, the fundamental, “merit” issues raised in the case were fully described in *nose178* (“Randgold: explosive as the Arms Deal”).

While Judge Rabie’s preference for long and convoluted abstract legalistic logic was, in this day and age, a disappointment, his judgment did not go all Investec’s way. What Investec did not say in its statement is that the judge ruled that if the shareholders named in a company’s share register are nominees, and these are instructed by the true, “beneficial” shareholders to join a court case, then they can join and pursue the case.

This is, in fact what has happened in the Randgold case. Despite Investec’s best efforts, the main case will proceed to trial because all the nominee companies that are the registered holders of Randgold shares on behalf of their clients (termed the “beneficial” shareholders) have

in fact joined in the case demanding more than R1 billion from Randgold. Due to paperwork and other related issues, only 4% of the minorities in the case cannot proceed. This reduces the aggregate claim of the minorities from R1.36bn to R1.3bn.

The case also showed Investec up as mean and petty. Those beneficial Randgold shareholders who had left their shares in the care and name of Ferbros Nominees (Pty) Ltd, a nominee entity owned by Investec, were almost ruled out of the case – because Ferbros/Investec simply refused to enter the case on their behalf – even if it would clearly be in their clients’ interest. Such beneficial shareholders had to transfer their shares to “friendly” nominees to remain in the case.

In the main case, at the relevant times, Investec was, of course, a big shareholder in Randgold, along with Allan Gray, those redoubtable Cape Town money managers. (Allan Gray backed everything Brett Kebble did, and went on to back his successor, Investec, for similar self-serving reasons.)

Thus, for Investec to state that “only registered shareholders have... *locus standi*” is not quite the truth, the whole truth and nothing but the truth. It would have been fairer and more honest for Investec to have stated that: “Only shareholders whom we at Investec lack the power to summarily terminate have *locus standi*”.

Investec also failed – of course – to mention that at one stage in court, its legal team, which is being paid in the tens of millions of rand – desperately argued that nominees also have no *locus standi*. That argument was, understandably, eventually withdrawn.

The big nominee entities that did join the case on behalf of their robbed clients are Standard Bank Nominees, Shap-Aron Nominees (owned by AngloRand, a stockbroker), and BNS Nominees (owned by Nedbank). ■



The secret Rhodes

Rhodes with his 'secretary' /lover Johnny Grimmer and their steward in attendance

'I leave all my worldly goods in trust for the establishment, promotion and development of a Secret Society, the true aim and object thereof shall be the extension of British rule throughout the world, the perfecting of a system of immigration from the United Kingdom, and of colonisation by British subjects of all lands where the means of livelihood are attainable by energy, labour and enterprise, and especially the occupation by British settlers of the entire Continent of Africa, the Holy Land, the Valley of the Euphrates, the islands of Cyprus and Candia, the whole of South America, the Islands of the Pacific not heretofore possessed by Great Britain, the whole of the Malay Archipelago, the seaboard

of China and Japan, the ultimate recovery of the United States of America as an integral part of the British Empire...'

This surely numbers among the most deranged sets of objectives ever compiled, declares Robin Brown of this first will drafted by Cecil John Rhodes in his just-published biography of the 'Colossus': *The Secret Society – Cecil John Rhodes's Plan for a New World Order*.

But, despite the grandiosity of the secret plan, Rhodes and his successors managed to achieve many of its objectives.

Noseweek reproduces the following extract by arrangement with the publisher, Penguin Random House. **See next page** ➡

CECIL RHODES'S BIOGRAPHERS have generally been bewildered by his time at Oxford, straining to resurrect the boy obsessed with Gibbon's *Decline and Fall of the Roman Empire*, the youth captivated by obscure classics, the admirer of Marcus Aurelius who thrived on intellectual debate. What adds to the confusion is the fact that, at this point of his life, there was not the slightest hint that, buried deep inside Cecil John Rhodes, was a playboy-dandy straining to get out.

The 20-year-old Rhodes arrived at Oxford, wearing what would become his trademark "bags" [trousers], with a chamois pouch of uncut diamonds in his pocket, and that he sat a Latin entrance examination for University College – which he failed. [*He spent just one term at Oxford in 1873, then quit to return to Kimberley, and only resumed his Oxford career in 1876.*]

Oxford was not the end for this fashionably attired Rhodes. It was the starting point in a saga of epic proportions, which Rhodes set in motion: the hoard of diamonds, the piles of gold, the mysticism and secret societies, King Solomon's mines and biblical Ophir, and political and sexual intrigues involving princes, presidents and prime ministers. There were huge successes and spectacular failures. And above all, there was the growing influence of his Secret Society and its eventual role – under Milner – in rescuing England from defeat in the Great War.

A significant factor in these developments is Rhodes's homosexuality. Within the space of a few years he would be mingling with a powerful coterie of allegedly gay, lesbian and bisexual men and women, all of whom would become members of, or be politically associated with, his Secret Society. Prominent in this group were two prime ministers, Lord Balfour and Lord Rosebery, a royal mistress, Daisy Greville, a prime minister's wife, Margot Asquith, and Reginald Baliol Brett, who had the ear of three generations of royalty, from Queen Victoria to King George. Brett himself was a self-confessed pederast.

After Rhodes moved out of the brick-and-tin "mess" he had occupied with

his "brothers" in Kimberley, he shared lodgings with his siblings Herbert and Frank, and his friend Scully. But now Rhodes, already a successful young businessman – who occasionally met his academic obligations in Oxford – went a significant step further: he set up house with his secretary, Neville Pickering. The two men lived together, apparently very happily, for years, until Pickering's fatal horse accident sometime later.

The debates and arguments that Rhodes enjoyed with his band of brothers filled many long hours in the intellectual desert of the diggings. The mundane business of grubbing for diamonds was set aside for weightier talk, particularly with Sidney Shippard and Caesar Hawkins, about how to put the world to rights and "the Game" as Rhodes always referred to it.

For the Victorians, the phrase came to have a particular meaning, and it was later immortalised in the novels of Rudyard Kipling and John Buchan, both of whom were close friends of Rhodes. Essentially, the Game – or "the Great Game" – was English imperialism, facilitated by upper-class "secret agents" who were generally members of secret societies and who usually had three things in common: a public-school education, a token university degree, and private wealth. These agents operated on the frontiers of the Empire, were experts at passing themselves off as natives, and all belonged to prestigious London clubs.

In Kimberley the festering political disputes were, if anything, even worse than the digging conditions. The two neighbouring Boer republics still laid claim to the diamond fields, though the British intervention had forced them to sit back and watch as 50,000 foreigners, whom the puritanical Boers perceived as drunks and whore-mongers, settled in as their neighbours.

These Uitlanders – mostly foreigners like Rhodes – held the Boers in contempt; their scorn embraced the illiterate old president, Oom (Uncle) Paul Kruger, as well as what they perceived as a scattering of peasant farmers occupying vast stretches of unfenced veld. For men like Rhodes, this was all simply to be brushed aside, and the



land incorporated into a proper English-speaking colony as soon as troops could be diverted from the Kaffir Wars to do the job.

The Boers had no idea that a strippling Uitlander, Cecil John Rhodes, had already begun to dream of an Africa in which they would play no part whatsoever – unless, of course, they agreed to play a passive role. In Rhodes's scheme of things, if the republics remained in Boer hands they would be nothing but roadblocks on the British highway he was planning from the Cape to Cairo.

However, Rhodes did occasionally let his guard drop in the presence of strangers. Captain Charles Warren



Lord Esher, royal whisperer and well-known pederast

observes upon meeting up with Rhodes en route to the diamond fields: "It was impossible not to recognise that he [Rhodes] had every prospect of a brilliant career." Had the captain been a closer observer, he might have reported that the pretentious young man was a religious bigot spouting jingoistic nonsense (typical of many British who were abroad at the time). Instead, we have the following: "He relieved the tedium of the post-cart journey by intent study of the *Book of Common Prayer*... and mastering the Thirty-Nine Articles of the Anglican Church." Rhodes had also tucked away in his bags the draft of his Confession of Faith. With-

out realising it, Captain Warren was also presented with a broad outline of the aims and principles of the planned Secret Society, as Rhodes pronounced on man's place in the universe, and predestination.

It should be pointed out that the Confession of Faith provides significant evidence of Rhodes's latent homosexuality. Psychologists claim that, given Rhodes's deep devotion to his mother, his Oedipal desire to be part of a band of brothers indicates repressed sexual impulses. He never outgrew his boyhood either, as Rotberg points out:

"That Rhodes remained a pre-adolescent in so many significant respects and these pre-adolescent characteristics shaped his striving for greatness, is clear. During Cecil's school years the band of brothers substituted in important ways for the absent masculine influence of his father... Lacking it, Rhodes repeatedly sought the support of a gang or band. Subsequently in his personal relationships he always gravitated to friends or lovers with whom he could stay young."

Anthony Sampson's recent insights remain cogent: "the character of Rhodes – with his combination of shrewdness and adolescence, romanticism and ruthlessness, imagination and vulgarity, has eluded all his biographers".

The actual birth of the Secret Society – in Rhodes's so-called lost years of 1873 to 1876 – occurred in very humble surroundings in Kimberley, which were fortunately recorded by Lewis Michell, who attended with at least four other young men. Rhodes confessed to huge imperial ambitions, adding that the accumulation of wealth was no longer his prime objective:

"Gentlemen I have asked you to dine because I want to tell you what I want to do with the remainder of my life. I think that if a man when he is young determines to devote his life to one worthy object and persists in that, he can do a great deal during that life even if it is to be a short one as I know my life will be. The object to which I intend to devote my life is the defence and the extension of the British Empire. The British Empire stands for the protection of all the inhabitants of a country in life, liberty, fair play and happiness and is the greatest platform the world has ever seen for these purposes... It is mainly the extension of the Empire

Vineyard Estates
SOUTHERN SUBURBS PROPERTY
021 674 4444
anton@vineyardestates.co.za

TurnAround Solutions

SURFACE MINING
EARTHMOVING EQUIPMENT
APPLICATION ADVISERS

KENN SMART & CO
FLEET AND SITE ASSESSMENT

Cell: +27 (83) 263 8918
Email: smart.turnaround@gmail.com
Johannesburg based, South Africa

Lyprinol[®]
PCSO-524[®]

A breakthrough treatment for osteoarthritis, rheumatoid arthritis and asthma

CALL NOW 011 803 5445 FOR A SPECIAL SUMMER OFFER

- Safe, natural alternative to non-steroidal anti-inflammatories (NSAIDs) without the side-effects
- Shown to reduce swelling and Inflammation-induced pain by 89%
- Acts as an inflammatory antagonist in asthma (References available on request)

For more info & to buy, visit www.mylyprinol.co.za

Lyprinol – improving the quality of your life

Available at Alpha Pharmacies and selected health shops

Trade enquiries tel: 011 803 5445
Email: info@masterhealthproducts.co.za

northwards that we have to watch and work for in South Africa.”

His audience, which included bankers and a civil servant, applauded. One of the group, Joseph Orpen, would go into politics, and he agreed that the British government was “fundamentally the best”. They decided to form a secret society and to exchange ideas on Rhodes’s “principals and points”. Joseph Orpen suggested members should be required to include a secret sign in all written correspondence – “the symbol of a five on the dice” – which would identify “The Pyramid of Brothers”. No further records of meetings exist.

The members maintained close ties. Michell remained Rhodes’s banker and became his first biographer. Some years later, together with Rhodes, Joseph Orpen entered the Cape Parliament. In time, and with Orpen at his side, Rhodes would become prime minister.

Alfred Milner, the man who would inherit these dreams as well as the task of implementing them, was more of an aesthete than a frontiersman. Milner’s first posting was as undersecretary for finance in Egypt in 1887-92, where he was introduced to Horatio Herbert Kitchener, at the time an intelligence officer in Egypt. For five years, Milner and Kitchener worked together on the same imperial team that, two years previously, included General Gordon in Khartoum.

Gordon and Kitchener were good friends, part of a group that by now included Reginald Baliol Brett [*Lord Esher*], who, during the Great War, would run a clandestine intelligence service for Kitchener. To this list we can now add Milner. Many of these men were homosexual, and there is no denying that they strongly influenced British politics from late Victorian times through the Edwardian period. Brett kept a journal in which he recorded his affairs with men and boys, while Rhodes, as we have seen, had his band of brothers, his angels and lambs, as well as Neville Pickering, with whom he lived. Gordon had his brandy and his boys, while Kitchener had “a constant and inseparable companion” in his aide-de-camp, Captain Oswald FitzGerald, with whom he perished in 1916 in a torpedoed ship. Kitchener,

like Gordon and Rhodes, avoided contact with women, took a great deal of interest in the Boy Scout movement, and decorated his rose garden with four pairs of bronze sculptures of boys. There have been similar speculations about Milner, whose sexual interests were, however, fairly conventional.

More than merely close friends and allies, they also shared an intimacy and trust. What is certain is that these four giants – Rhodes, Gordon, Kitchener and Milner – shared a similar imperial dream.

Rhodes was now convinced by, if not obsessed with, the idea that Mashonaland held the biblical temple built by the Queen of Sheba for Solomon. A number of Rhodes’s followers shared these weird and wonderful beliefs, including Arthur Conan Doyle and WT Stead, the newspaperman who was also a famous medium. There was, at the time, broad interest in the occult, and one of Rhodes’s close associates, Arthur Balfour, was the son of the family that founded the Society for Psychical Research. Another such associate was Rudyard Kipling, who spent many winters with Rhodes at Groote Schuur.

The interior of Groote Schuur is dark and gloomy, even in the daytime, and heavy Victorian drapes are kept drawn as protection from sunlight and heat. It was in Rhodes’s bedroom that Alta Kriel had shown me the stone bird which Willie Posselt had stolen for him from the fabled “lost” city in Mashonaland. Rhodes had, she informed me, been fixated on the Ra bird as well as other artefacts from Mashonaland, many of them made of gold. “Rhodes told his visitors that there were ghosts in Groote Schuur, and he virtually worshipped the stone bird we have here. It was always kept in his bedroom, on top of a wardrobe, and it was said he never took a major decision without it being present.” When Sir Herbert Baker rebuilt Groote Schuur after the fire, Rhodes had all the newel posts on the main staircase carved in the image of the stone bird.

For a brief period at Oxford, Rhodes was a Freemason, and his Groote Schuur library shelves held many books on topics such as the Rosicrucians and Annie Besant’s Theosophical Society.



One such book dealt with the Hermetic Order of the Golden Dawn, a closed society similar to Rhodes’s own Secret Society.

Rhodes knew from Willie Posselt that the “lost city” was just a week’s march north of Lobengula’s kraal in Bulawayo. There was even a “Saba” (Sheba) river winding its way through “Ophir”. Rhodes had secretly arranged for this river, as well as the Mazoe, a tributary of the Zambezi, to be “panned”, and both had produced workable quantities of alluvial gold.

Rhodes’s belief that he had stumbled upon ancient Ophir became his best-kept secret. It is no exaggeration to say that without what Rudd called the “Ophir promise” and the stone bird Willie Posselt had stolen from the site, Rhodes might never have bothered to raise the money he needed to invade Mashonaland and eventually establish Rhodesia.

That same year [1891], Nathan Rothschild arrived at Rhodes’s hotel, the Westminster Palace, for the first of several confidential meetings with Rhodes. They undoubtedly discussed the Secret Society, for in the very next will that Rhodes drew up he added a codicil entrusting the Society and its future protection to Rothschild. At Rho-



Clockwise from facing page: newspaper magnate WT Stead, Countess Radziwil, Neville Pickering who lived with Rhodes for four years, and Olive Schreiner

“Brett was a well-connected, ingratiating, homosexual and pederast.”

Brett habitually had affairs with Eton boys who had been groomed by his old tutor, the details of which are graphically described in his Journals. [He] was part of a ring of influential politicians with similar predilections. Best known among these was Lewis (“Loulou”) Vernon Harcourt – son of the home secretary Sir William Harcourt – who committed suicide when his escapades with an Eton student went public.

The documented accounts of Brett’s sexual inclinations are significant because they represent rare hard evidence of the shared interests of three highly influential men at the height of Empire: Cecil Rhodes, “Chinese” Gordon, and Brett himself. In the pages that follow, the list will grow, supporting recent suggestions that a homosexual hegemony – which was already operative in the Secret Society – went on to influence, if not control, British politics at the beginning of the twentieth century.

By now Rhodes is 38 years old. He has been lurking in the relative darkness of the closet for 20 years – when suddenly he discovers that he is not alone in this. Rhodes discov-

ered in England that homosexuals survived only if they formed a society that remained secret, ring-fenced by wealth and political influence. When this class of moralistic Victorians encountered practices they deemed repugnant, they simply looked the other way.

[He also] discovered that this band of brothers was not only large but composed of extremely powerful people. They met at private dinner parties like Verschoyle’s but they also attended the grand entertainments of society hostesses.

It was at such functions that Rhodes learnt the rules of Victorian homosexuality: charm the women, perhaps an easy undertaking if one were an aesthete or avant garde, though Rhodes was neither. Alternatively, share the beds of bisexual women, though the most effective ploy by far was to don the impermeable suit of social armour: marriage. The coup de grace was to have a few offspring of one’s own, within wedlock of course.

Both WT Stead and Bramwell Booth of the Salvation Army tried to persuade Rhodes to wear this armour, and had he lived longer he may well have been tempted. He certainly tested the waters in his friendship with Olive Schreiner – a failed effort, however.

There was at the time a “gang” suspected of strongly influencing British politics in the first part of the twentieth century: Brett, a homosexual and active pederast; the promiscuous and predatory Loulou Harcourt, who for a while was secretary to his father William, the home secretary, and who himself later became colonial secretary; Archie Primrose, Lord Rosebery, prime minister, who was accused by the Marquess of Queensberry of sodomising his eldest son; and Cecil Rhodes who, after Neville Pickering’s death, was no longer averse to parading his lambs and angels on social outings.

There were many more, like Arthur Balfour, the self-obsessed, aloof and effete future prime minister who never married. It would not be long before the issue of gay and lesbian control of British society and government was eventually raised in Parliament. ■

© Robin Broun, 2015, (Published by Penguin Random House)

des’s side was his latest friend, Charlie (later Sir Charles) Metcalfe, a mysterious intimate who kept the details of their relationship secret. For close on ten years Metcalfe accompanied Rhodes almost everywhere he went.

There was one other important meeting during this glorious visit of 1891: Rhodes went to see Brett, friend and confidant of Queen Victoria, and later influential “whisperer” to King Edward VII and King George V. It is not known how the two men got to know each other, though Brett appears to have been called in after Stead’s first meeting with Rhodes. What is certain, however, is that Brett and Rhodes had a lot more than imperial politics in common – indeed, Robert Rotberg puts this bluntly:

Wrap up your Xmas list

IN FIVE EASY STEPS ...

1 CHOOSE THE GIFT

Tick			
<input type="checkbox"/>	Six-month print subscription	(6 issues)	R170
<input type="checkbox"/>	One-year print subscription	(12 issues)	R330
<input type="checkbox"/>	One-year overseas print sub.		R520
<input type="checkbox"/>	Online edition		R250
TOTAL			<input type="text"/>

Choose ONE of these payment options...

DIRECT DEPOSIT

First National Bank; Vineyard Branch; Code 204 209; Account name: Noseweek; Account no: 620 2477 9623. (Fax deposit slip with this form.)

CREDIT CARD (Visa or Mastercard only.)

Card number

Expiry date

Last three digits on back of card

Cardholder's name (please print)

Cardholder's signature

3 PROVIDE RECIPIENT'S DETAILS

Title Initials Surname

Postal address

City Postcode

Tel Year of birth

Email Profession/Business

4 PROVIDE YOUR DETAILS

Title Initials Surname

Postal address

Tel Year of birth

Email Profession/Business

5 PHONE 021 686 0570 OR RETURN THE FORM TO NOSEWEEK

✓ **By Fax** 021 686 0573

✓ **By Email** Send your details and proof of payment to: subs@noseweek.co.za

Offer expires on 31 December 2015.

Absa accused of being 'shameless liars'

Lies, more damned lies and Absa.. By Elisabeth Hamilton

ADURBAN ESTATE AGENT AND AN attorney who have been working together for more than two years to try to get Absa's pension fund managers to pay out the death benefit due to a rural Kwa-Zulu-Natal widow, have concluded that the bankers are shameless liars.

On 1 May 2013, Nkosinathi Bernard Dlamini, a 36-year-old contract security guard at the prestigious Michaelhouse College in the KZN Midlands, died in a freak accident while walking alongside railway tracks. The sudden force of a train rushing past pushed him against a concrete slab, killing him instantly.

Thus began the struggle of his then-pregnant widow, Mandisa Happy Dlamini, to get her disbursement from the provident fund to which Nkosinathi had diligently contributed for 12 years. The only hint she had of how much money might be coming her way was a benefits statement she found from February 2010 recording an amount of R51,724.

Absa, which manages the fund, has consistently maintained that the payout delay is the fault of Dlamini's employer, Ballid Security – a plausible excuse, considering that the majority of security firms in South Africa are believed to be non-compliant with provident fund rules. It is mandatory for all registered security companies to contribute to the Private Security Sector Provident Fund (PSSPF) which Absa has happily contracted to manage – for a substantial fee – through its subsidiary, Absa Consultants and Actuaries (ACA).

Estate agent Gail Meyer, who had once employed Mandisa, asked Hilton lawyer Mike Wilkinson for help. But their combined efforts have been in vain



Mandisa Happy Dlamini, widow of Nkosinathi Bernard Dlamini, with the couple's child

and Wilkinson has concluded that Absa's handling of the matter has simply amounted to "an exercise to mislead".

Meyer is scathing about both the PSSPF and Absa: "I believe Absa are a bunch of thieving crooks. If this can happen to one illiterate beneficiary – with two of us working on her case – and taking this long, I wonder how many cases there are where the beneficiaries have not had such help, and Absa has simply hung on to the benefits that should have been paid to the families of security guards who were paid-up members of the fund."

It is no secret there is a massive backlog in benefit payouts dating back to 2009. This is attributed to poor record keeping by the fund managers (Absa, in

this case) and by employers in the industry, whose compliance levels with provident fund requirements are among the worst in the country. Absa told *Noseweek* it had launched a drive to recover more than R1.5 billion in outstanding contributions from the employers.

The PSSPF boasts being one of the largest provident funds on the continent with more than 200,000 active members and assets worth more than R2bn. The previous fund manager was NBC Holdings, which managed the account from 2002 until 2009, when there was an acrimonious parting of ways. NBC says they chose to resign; the PSSPF says it "terminated" their contract with NBC. Either way, NBC told industry magazine *Today's Trustee* they chucked it in



Gail Meyer

out of frustration with the PSSPF, whose board gave the NBC scant help in fulfilling its administrative obligations, such as ensuring the payment of claims and employer contributions.

If NBC's version is to be believed, in 2009 they finally grew a backbone. Just 12 months earlier the FSB had scolded them (unfairly, according to *nose106&107*) for allowing an illegal BEE deal between Aspen Pharmaceuticals and the Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (Ceppwawu) which was funded by the Chemical Industries National Provident Fund. At the time NBC claimed the fund trustees had threatened to replace them as administrators if they questioned the transaction.

The subsequent administrator, ACA, hasn't had a smooth run either. In October last year Pension Funds Adjudicator Muvhango Lukhaimane found that 60% of complaints came from private security guards. She said it was "clear that ACA was failing to perform its duties" in terms of the Pension Funds Act which requires the fund to be administered in a responsible manner, by adequately trained staff, with proper records kept.

In a series of emails seen by *Noseweek*, ACA consistently maintained from 2013 to July 2015 that the fault in Dlamini's matter was not theirs but that of his em-

ployer (Charioteer Investor 2CC, trading as Ballid Security) for being non-compliant with the fund rules. However, said Wilkinson, as the correspondence unfolded over a 28-month period, it became clear "that Absa was lying", and that he had exposed the lie by calling their bluff and threatening a complaint to the pension fund adjudicator.

"Finally, I left a message for Shiela Chanka [ACA Regional Manager, Johannesburg], the most senior person whose name I could find. Her PA returned my call, and told me, again, that the problem was that the security company had not paid the contributions – just what we had been told for nigh on two years.

"I did not believe her, so, to call her bluff, I asked for a letter from ACA confirming this so I could use it to lay charges of theft against Ballid Security. Not long after this I was telephoned by Romano Adriaanse [ACA Supervisor of the PSSPF account] who now said Ballid had indeed paid the contributions and that he would look into the matter."

Shortly after that, on August 7, Wilkinson sent an email to Chanka and her ACA workers, Beverley Phillips (Admin Manager PSSPF), Adriaanse, and a tracing agency boss and owner of Vunani Benefit, Sithethele Sibanda. It read: "This claim, mishandled as it has been, might, nonetheless, have been settled sooner had Absa told the truth when questions were first asked by Mrs Meyer in 2013 and 2014, and by me and my assistant in 2014 and 2015.

"Absa consistently and deliberately tried to mislead us/fob us off by saying (lying is the correct description) that Mr Dlamini's employer and/or Mr Dlamini

had not paid the contributions and that we should deal with the employer."

From then on the service from ACA improved vastly.

Tony Botes, an administrator of the Security Association of South Africa who also sits on the board of trustees of the PSSPF admitted that the fund was "plagued with non-compliance".

"It is my opinion that 85% of the industry is non-compliant," he told *Noseweek*.

Botes said they were looking at bringing in further controls to strengthen the inspection powers of companies in the industry to bring greater compliance within the next two to three years. He said when NBC handed over the fund to ACA there were "boxes" of documents that needed to be captured while many of the members' details only had a cell-phone number, no information about family members, nor addresses. He sympathised with ACA, saying their job in updating members' benefit statements was a "logistical exercise like the second world war". But they wanted control of the fund's billions – and they were paid to do the job.

"Non-compliance could be simply administrative, or incompetence by security companies, or companies trying to hide the number of guards they employ so as to avoid paying their contributions." ACA stipulates that payment of contributions must be made by the 7th of every month. A schedule of membership data (how the funds are allocated to each member) must be forwarded to ACA by each company no later than the 15th of every month.

A fund source said that Ballid Security had had serious outstanding schedules after Dlamini's death though they were paying their monthly contributions.

Meyer said that "after more than a hundred" phone-calls to the fund she had had to get "more threatening".

In early July 2015 Wilkinson fired off an email saying "Absa's attempts to get on top of this seem to have been feeble, desultory, and occasional".

It was at this point that ACA appointed Vunani Benefit Administrators – a tracing agency usually used to find missing beneficiaries. However that introduced new issues: Vunani wanted Meyer, who held power of attorney for Mandisa, to resend documents she had made available to the fund in 2013.

Meyer demanded that ACA put in writing the fact that it had lost the origi-

**Absa refused
to put it in
writing that it
had lost original
documents sent
in 2013**

nal documents, and would pay for the courier service to deliver them again. No such letter was forthcoming.

Meyer, suspicious of Vunani, fired off another email to a legion of senior ACA officials asking who would pay Vunani's bill. ACA didn't answer the question but did say Vunani's appointment was "in-line with the Pension Funds Act".

Eventually after footing the bill to send off the documents for a second time, Meyer contacted the Ombudsman for Banking Services (OBSSA) on August 6. Part of her email read: "ACA is holding money that does not belong to them, making interest on it and appear to make no effort to resolve the situation".

That same day Meyer also emailed Absa's own dispute resolution office: "I believe the service received from Absa is totally unacceptable and amounts to fraud, keeping money in their possession that does not belong to them".

In her mails to the Ombudsman and the Absa dispute office she said Wilkinson had been told by ACA employees that the fund's "data had not been captured since 2009", which has since been found to be true. She added, "I don't find it surprising, considering the service received from any of the departments I have been sent to. I am at my wits' end."

The next day, in correspondence with the bank, Wilkinson called Absa "liars". ACA did not dispute this claim either.

Vunani's sole director, Sithethele Sibanda, told *Noseweek* that the PSSPF would pay for their services. He agreed that the claim "has taken long to settle" and assured *Noseweek* they were working "tirelessly to ensure that the claim is settled as soon as humanly possible", with payment hopefully being made before the end of the month.

Ballid Security boss Riaan Claassen would not be drawn on whether Ballid was compliant or not. He wrote saying Ballid "has no control over the Provident Fund management systems and/or claims not paid," and that "Mr Dlamini was registered with the Provident Fund, and all his and our contributions have been paid to the Provident Fund."

According to Corlia Buitendag, head of pension enforcement and surveillance at the Financial Services Board (FSB), what is happening at PSSPF is not unique. "In normal circumstances a death benefit should be paid out within 12 months of the fund being informed," only taking longer if there are disputes

amongst beneficiaries. However, very often the fund has not kept or maintained the required member information because the employer has failed to provide it. This is an industry-wide problem.

"Employers may not have provided information such as identity numbers and tax reference numbers, in some cases even the date of birth for a member. Inaccurate information has been identified as one of the core reasons for the number of unclaimed benefits in the industry."

[What incentive is there to fix things, when Absa gets to keep the money for as long as they aren't fixed? – Ed.]

To date the body has received 107 complaints for the period January to September 2015 against the security fund.

Buitendag said employers sometimes join the fund to obtain a compliance certificate required for a tender, contribute for, on average, a period of three months and then, once they're awarded their tender, discontinue payment to the fund.

When *Noseweek* asked Absa about this claim, they again blamed Ballid.

"It is regrettable that once again issues of non-compliance in the security industry [have] led to such an unfortunate situation.

"ACA would like to state that it regrets the delay in finalising this claim and emphasises that it must take the utmost care in the accurate and fair administration of the members' benefits."

At the time of going to print, Meyer had received further correspondence from Vunani asking her to provide a series of affidavits, birth certificates and identity documents of potential benefi-

Employers sometimes join the fund to obtain a compliance certificate, then discontinue payments

ciaries including the deceased's parents, girlfriends and other children. *[Why assume he had them when, in three years, none have come forward with claims – except to delay matters for a further indefinite period while Vunani investigates the impossible – for a fee? – Ed.]*

As the sorry saga plays out, Mandisa is dependent on her grandmother's pension and a R600 child-support grant.

"Next year my eldest no longer qualifies for the grant, which will leave me with just R300 to support him and my 19-month-old baby boy.

"We sent Absa everything in 2013. All I want is for the benefit to be paid out so I can look after my baby and have my own home," said Mandisa.

Gail Meyer made the long trip to the Midlands to obtain the affidavits, but what transpired just hours before she set off from Durban has baffled her and Mandisa: more than R50,000 was deposited into Dlamini's account, apparently by the pension fund. To date, they have had no formal communication as to why the money for which they have fought for nearly three years suddenly appeared. No letter, no phone-calls or emails.

"The trip to the Midlands was meant to be the final hoop. We had been told this was necessary in order to speed up the claim. So just why the money was deposited before this process was even completed is bizarre," said Meyer.

Meyer said Dlamini had not yet touched the money: "We don't know whether it includes the interest earned over the last two years or not or whether this is her portion or not. It is all very concerning and I wonder just how many other people have had their claims dealt with in such a matter," said Meyer. ■



Pension Funds Adjudicator
Muvhango Lukhaimane

Lions to the slaughter

Cubs, often as young as a few days old are used to lure young foreigners to work on South Africa's lion farms and breeding facilities. These 'volunteers' pay the farmers significant sums for the privilege

The trophy-hunting industry is making many farmers rich – but the process of domesticating the king of the jungle is destroying the species for the amusement of thrill-seeking tourists . By Anne Suskind

THE LIONS ARE PACKED SO CLOSELY that they're touching each other. In their enclosure they "move like snakes", says environmental journalist and safari operator Ian Michler, his voice strained with the affront. Territorial by nature and requiring vast open spaces to survive, these big cats have been tamed, habituated to humans and many hand-reared by international paying volunteers who are led to believe they're doing a service for conservation in Africa by raising orphaned cubs.

Somewhere overseas, a thrill-seeking man with some spare cash goes online to pick out the creature he'd like to kill; the darker the mane, the better, because the more powerful-looking the

lion, the more thrilling to vanquish. He's got limited time (and he's cheap) so he doesn't want to spend weeks – or too many thousands of dollars. (A real lion-hunt in the wild can take up to 21 days of tracking and stalking.)

He wants a guaranteed kill, needs to do the shoot quickly and take home his trophy to mount on the wall. His lion, bred in captivity for the express purpose of being shot, will have clean good looks. These animals have no bush history, so there are none of the scars of animals in the wild.

He comes to South Africa, where there are 6,000 to 7,000 predator lions born in captivity on about 200 farms and breeding facilities. (There were fewer than 1,000 in 1990, and about

3,000 in 2005, indicative of the growth of the industry.) Here he meets his lion and is shown exactly where to aim to be most effective. Every day, in South Africa, two or three male lions die this way, shot from perhaps 20 or 30 metres away, unable to escape. After a speeded up and intensive reproduction cycle, the females, whose offspring are taken away when still cubs, are usually sold in the "bone trade" for Traditional Chinese Medicine.

He's warned by the farmer, a hunting operator, to be careful but this is part of the game, part of making it feel like real hunting – unpredictable, a challenge, and as though he is pitting himself against a genuine foe, the king of the animal world.

He feels ethically quite good about what he does, harbouring the idea that the US dollar (50% of hunters are American) or other foreign currency he's paying translates into many, many South African rands which will go toward the conservation effort for this magnificent endangered species.

Michler says: "They have no consideration or appreciation of the irony that they are domesticating lions. If you look at the marketing of the entire trophy hunting industry, it's based on the notion that these are wild, noble dangerous creatures and that they are pitting their skills in a fair contest against this noble beast. That he who downs or slays the beast is a brave man and made his contribution to saving the species. The absurdity is that every aspect of that marketing line has been completely shattered. They've tamed and human-imprinted the lions and there's nothing noble or fair about the chase and they have nothing, absolutely nothing, to do with conservation whatsoever."

Michler, protagonist of and special consultant for an eye-opening documentary on the canned lion industry, *Blood Lions: Bred for The Bullet*, says their gene pool is useless because they are inbred, and they're too habituated to humans to be used for breeding in the wild. Only animals bred under the auspices of an authentic team of scientists and conservationists can be used for conservation.

Nor does he buy the argument that the captive lions take pressure off those in the wild; it's a different market and in fact, wild lions, whose number continues to decline, are taken to support dwindling gene pools in the captive market. And their very existence is detrimental to the conservation effort, artificially bumping up numbers.

It is only in South Africa that this occurs, says Michler, who is often asked why there are no black people interviewed in the documentary. He says he has never met a black person who owns one of the breeding facilities or hunts predators. His theory is that the mentality driving the industry is an extension of the brutality of South Africa's apartheid past. Running the show are "mostly people out of the apartheid era which had no regard for human rights either – it is an offshoot of that period in our history."

Blood Lions, locally produced by Regulus Vision in collaboration with the Wildlands Conservation Trust, and directed by Bruce Young and well-known filmmaker Nick Chevallier, was launched at the Durban International Film Festival in July. It has since been aired by MSNBC in the US, will be screened at the European Parliament, at the Royal Geographic Society in London, and is doing the rounds of international film festivals. Its production was funded by philanthropists. For now, the campaign plan involves a release to schools and other educational institutions, carefully selected television stations and film festival

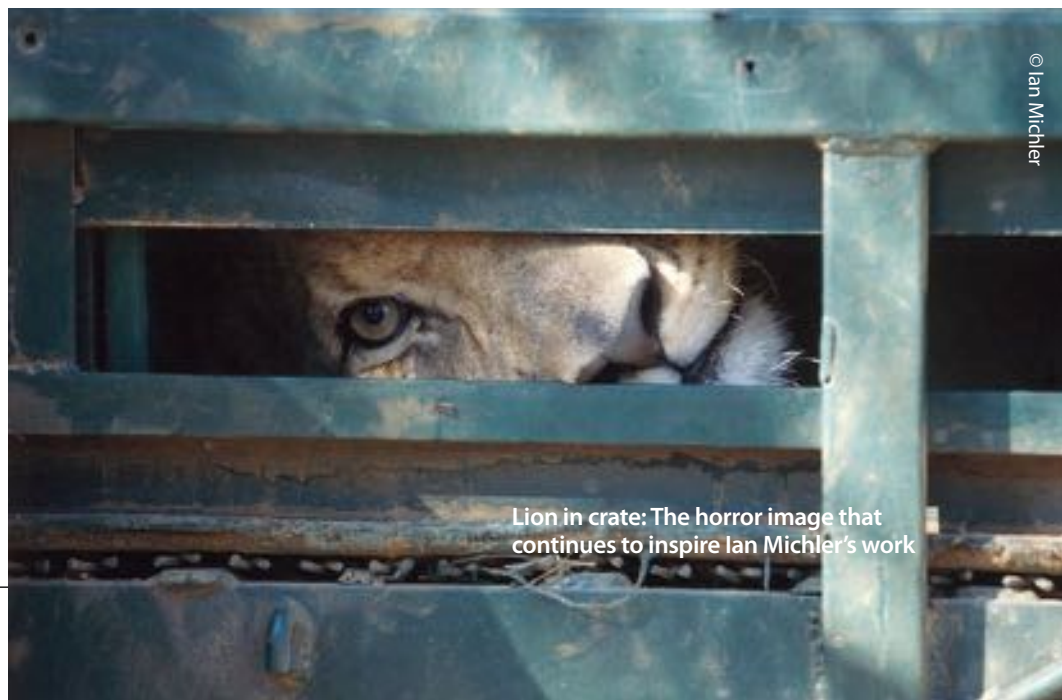
screenings so that the film's message is controlled and funds for the campaign are generated from ticket sales and donations. Eventually, says Michler, it will be free to air on YouTube.

The film's serendipitous launch was just two days before the shooting of Cecil the Lion in Zimbabwe hit headlines, sparking outrage worldwide. The two fed into each other, says Michler. The response should put breeders and hunt organisers on notice: "[I'm saying] forget about defending your positions, just look at what happened and understand that there's a significant proportion of the global population who do not agree with what you're doing and why you're doing it. The response to Cecil is for me representative of an outrage toward this continued abuse of our fellow species and the planet."

Noseweek watched a screening of *Blood Lions* at Bishops School in Rondebosch (where Michler, who grew up on a farm in the southern Cape, boarded in high school). The front rows were occupied by junior boys, warned beforehand that what they were to see was "grossly unfair" and would be shocking. And shocking it is.

With great pride, Michler is described by the Chairman of the Old Diocesan Union, Brian Robertson, as someone who'd gone "from a life of success to a life of significance. He is, other speakers say, a keystone person, someone who gives a damn... I'd go to war with him." He's definitely more alternative than most of the audience, and was welcomed with something like

They've tamed and human-imprinted the lions and there's nothing noble or fair about the chase



Lion in crate: The horror image that continues to inspire Ian Michler's work

© Ian Michler

adulation by other old boys, along with many jokes about his good looks and how they tagged along behind him because he was popular with girls.

In a previous incarnation, Michler was a successful stockbroker, running the Cape Town office of Ferguson Brothers, which later became Investec. Then, when he was 30, or 31, in 1989, he had some sort of epiphany and went to live in the Okavango Delta in Botswana and re-invented himself, buying a lodge (since sold) and immersing himself in wildlife photography and environmental journalism.

“Broking was fantastic. My leaving was both a push and a pull: the pull was my love of being in wilderness, and the push was this notion that your relationships in your work environment were based purely on financial equations. If the market was up, everyone was your friend and if the market was down, everyone was grumpy... it was a little disturbing that you could chart that on a daily basis.”

In Botswana, he soon realised that “living in paradise” was not enough, and that he “needed to make a meaningful contribution”. Back then, Botswana was still a big hunting destination. “We used to ride horses for photography tourists, but we shared that concession with hunters. We’d stop and then they would come in... there were too many shots, and outside the season we would hear shots and light aircraft. It didn’t add up and that very quickly took me to those hunting farms and breeding facilities in South Africa.” He’s visited scores of them and has been following the story since 1999.

Today, he’s based in Plettenberg Bay and his main income is from high-end wildlife safaris in 15 countries, including Zimbabwe, Namibia and Madagascar, where he sees lions living a natural life in the wild, and deals with conservationists and ecologists. The juxtaposition with the canned hunt when he comes home to South Africa is almost intolerable. “You’re dealing with real conservation challenges, with animals in the vast open landscape in very intricately evolved ecosystems, then you come back and see them broken down in cages. It’s this complete perversion...”

“Most shocking to me, more than individual cases, is the notion that there’s a group of people who have collectively come up with an economic or social jus-

tification for taking an apex predator like a lion, which requires in its natural world large amounts of space, and confining it to small enclosures.”

Lions, he says, not only command a very powerful presence in our spiritual beings, in our poetry, in our mythology, but in an ecological sense are a charismatic species at the apex of our ecosystems. “If we can’t look after them responsibly, then what hope is there for anything? Here in South Africa, we are completely denigrating that standing and justifying it on an economic basis.”

South Africa’s tourism industry is worth about R95 billion annually. Of that, about 1.5% is generated by hunting – of which only a fraction comes from canned or captive hunting. Of the nine million international visitors to South Africa every year, only about 9,000 go on a hunt. It is, he says, illogical to claim that it is significantly good for the economy. “They’ve overplayed their hand and everyone has bought into it. We are saying to the government: Why are you pandering to a few hundred people who are contributing a fraction of 1% of the tourist dollar and damaging Brand SA?”

“One of the main reasons is that it’s a sport for wealthy and influential people – businessmen, politicians, military men from all over the world come here.” In fact, a section of the film that was cut after legal threats were issued was that of a “very well



Ian Michler

known” person shooting a lion.

Making the documentary wasn’t easy. The lion trade is a murky world, with shadowy agents as go-betweens to disguise the path from farm to target. While the documentary does feature trophy hunters, breeders, ecologists and conservationists and welfare experts, trying to get evidence sometimes involved deception, including getting a sympathetic American – Rick Swazey from Hawaii – to pose as a hunter. But always they were discovered and in some cases, threatened.

Other than captive hunting, there are some newer revenue streams for the lion-breeding industry. Last year about 1,000 carcasses were used for the bone trade for Traditional Chinese Medicine. China banned the trade of tiger parts in 1993. Welfare standards for these lions are worse still, says Michler, because they don’t even have to look good.

Another revenue stream that fits in nicely is volunteering, which sees young people from all over the world paying significant sums to farmers, lion park owners or so-called sanctuary owners (in one case, there’s a farmer making more than \$100,000 in a month in the season) who are taking advantage of their naivety. The volunteers are told they are raising orphaned or abandoned cubs, when in fact the cubs have been taken from their mothers at about a week old and will later be sold into the hunting or bone trade. “It’s a double betrayal, betraying the kids and

**Everyone’s
survival, rich or
poor, is based
on conservation
and healthy
ecosystems**

animals and making money from both.”

Michler has a response for every potentially tricky question: Is it not hypocritical to focus on the glamorous lions? What about factory farming, what about the packaged meat we all eat from the supermarket shelf?

The difference, he says, is that hunting is done for fun, for pleasure. With food, there’s at least some logic to it. But anyway, focusing on one issue does not mean others don’t matter, or you don’t understand the rest. It’s a question of being pragmatic and narrowing down to get traction, not always addressing man’s “entire relationship with fellow species”.

Instead, he and his team have taken a position in the middle ground, where the decision-makers and politicians are based. “I explained this to the vegan community in Australia. They take an absolute line and I said I’m in complete sympathy/empathy with what you’re saying but by taking an extremist line, you’re not going to have any impact. Being pragmatic you will. That we take a more defined line in the film doesn’t mean we don’t care, we completely care on [the issue of] domestic animals.”

Finally, how do you justify focussing on animals in a country where people have so much need too? For Michler and his team on the documentary, the answer is simple. Everyone’s survival, rich or poor, is based on conservation and healthy ecosystems, and for that, wilderness needs as much attention as education, health, and policing. “We need clean air, clean water, healthy forest topsoil and carbon sequestration systems... If we don’t have those, we’re all gone, okay? In the sixties, we had an excuse that we didn’t know; now we do, we are in the age of awareness. We know about the ozone hole, climate change, how the oceans have been depleted, about acid rain. We can no longer be ignorant about the way forward. *Blood Lions* is symbolic on a small scale of a more sensitive, a more ecologically aware approach to the planet and the way we live.

“We talk about sustainability, it’s the catchphrase of the world today, but in South Africa particularly, it’s become definition which focuses on the human sustainability component. Everyone understands that we need to take care of people, but it’s how and why we develop now, after 250/300 years



Typically, canned hunting operators charge an extra 30% to 50% more for hunters to shoot a white lion

© Ian Michler

of unconsidered development.”

Conservationists tread a fine line, and have to be wary of targeting the extremely wealthy or alienating big corporates, because wealthy philanthropists are some of the biggest contributors to the cause. “I want them to understand that they’ve been part of the problem, as have we all, but they need to be part of the solution... It’s not about them, it’s about understanding the impact that 300 years of rapacious greed has had on the planet.”

The eradication of poverty and the way we treat the environment are inextricably linked, says Michler. One of the main reasons for poverty in Africa is that the management of natural resources has been so skewed in favour of the wealthy. Nothing will change until the short-term goals and mandates of industrial conglomerates and politicians/decision-makers are uncoupled and conservation’s long-term goals become the paradigm. And, although they might present it as an either/or jobs or conservation, it’s not as though politicians are taking care of poverty anyway, he points out. Playing one off against the other doesn’t make sense.

Still, there is room for optimism. International pressure is building, he says and, as with sanctions on apartheid South Africa, the international revenue stream will dwindle as the world realises what’s going on. There’s growing pressure inside South Africa too. Recently, the Professional Hunters’ Association of South Africa, PHASA, after viewing *Blood Lions*, called the current situation “no longer tenable”. Legislative change, hopefully, will see

the closure of predator facilities and stop all breeding. There is no other solution. Breeding of lions in captivity should only be done by a legitimate conservation agency, well-funded and peer-reviewed. Not one of South Africa’s predator-breeding facilities is working with any recognised conservation agencies or lion ecologists. At present, there are no legal requirements on farmers with regards to understanding biology, animal husbandry, lion ecology, or conservation in general. It is legal to breed as long as farmers comply with provincial legislation that focuses on minimum standards for fencing and enclosure sizes.

Captive predator breeding falls into a grey area, legislatively. Typically, says Michler, environmental departments internationally look after biodiversity and conservation involving wild animals in wilderness areas, while agriculture departments deal with animals in agricultural conditions. “It’s a classic distinction... but with these lions, you have a wild animal kept under agricultural conditions, so they are constantly passing the buck between the two departments, avoiding responsibility.”

On-side is the Minister for Tourism, Derek Hanekom, who says the canned lion trade is damaging “Brand South Africa”. But ultimately it will not be his decision. “Can you imagine,” says Michler longingly, “all the goodwill that would be generated internationally if she [Minister for Environmental Affairs, Edna Molewa] were to listen to her cabinet colleague and end it? Everyone is saying something needs to happen here...” ■

The poisoned land

Dirty secrets of frightening mercury contamination haunt neighbours. By Elisabeth Hamilton

A FIRE AT A-THERMAL, A HIGHLY toxic waste incineration site in Olifantsfontein, Gauteng, has brought to light a dirty secret: more than 40 tonnes of mercury-laden waste – delivered by South Africa’s biggest storekeeper of the deadly metal – was burned and released into the environment in September 2013 when the plant burned to the ground; and authorities still appear to be clueless as to just how toxic the waste was.

To this day, the nearby community and environmental groups have not been told what other chemicals were destroyed in the inferno.

The sender of the waste was a KwaZulu-Natal facility, Guernica Chemicals, once known as Thor Chemicals, when it was a British-owned multinational company that for several decades, imported mercury waste from global polluters to its facility for safe-keeping and recycling. It has since been rebranded as Guernica Chemicals – along with a second off-

shoot, Metallica – and remains based in Cato Ridge, just outside Durban. In the 1990s Thor was shut down when workers died from excessive mercury contamination. (See box, “History of Thor”.)

The receiver of the waste that was burned in the 2013 fire was A-Thermal Retort Technologies, previously known as Thermopower. Technically they have a criminal case pending against them – the investigation is nearly a decade old – for a host of contraventions, chief among them being poisoning workers and the surrounding community. (See “The case against A-Thermal”.)

In 2009 Thermopower agreed to take mercury-laden waste from Guernica, which had applied for permission to send, treat and recycle the mercury, and probably have it resold.

Mercury (Hg) is still used in a range of products such as thermometers, barometers, dental fillings, batteries and fluorescent lights; although in many instances it is being phased

out due to its toxicity.

The transporting to A-Thermal and the subsequent recycling of the mercury-contaminated waste at the plant has been massively campaigned against by environmental lobby groups, among them GroundWork, and the Olifantsfontein residential community.

In 2010 several appeals against the transporting and processing of the waste at A-Thermal were dismissed by KwaZulu-Natal’s Department of Agriculture, Environmental Affairs and Rural Development (DAEARD). Part of Guernica’s successful application to DAEARD was to allow them to “attend to the closure, renovation, demolition and site remediation” which meant they had permission to dispose of mercury contaminated waste; demolish mercury containment facilities; remediate the contaminated areas; and bring closure to the site. This included three warehouses packed with barrels of mercury waste and a leach pad, which is best described as a plastic-



Forty tonnes of mercury contaminated waste (pictured) was destroyed in a fire at A-Thermal on September 13, 2013. The surrounding communities have not been briefed on what was destroyed in the fire

The case against A-Thermal

A-THERMAL CLIENTS ARE AMONG the JSE's blue chip companies, alongside such names as Sasol, Monsanto, BASF and Anglo-Gold Ashanti.

It is a toxic waste disposal company that deals with local and imported poisonous waste. As Thermopower, it was once linked to a medical waste disposal tender in the Limpopo province featuring the then leader of the ANCYL, Julius Malema (*nose158*).

Thermopower director, Christos Eleftheriades Snr, had nine charges pinned on him by the NPA and the Department of Environmental Affairs in 2006. The allegations included keeping both untreated and treated waste on site for a period longer than the permitted 90 days; burying residue in one of the buildings on site; and storing waste in leaking containers that were not properly labelled and sealed.

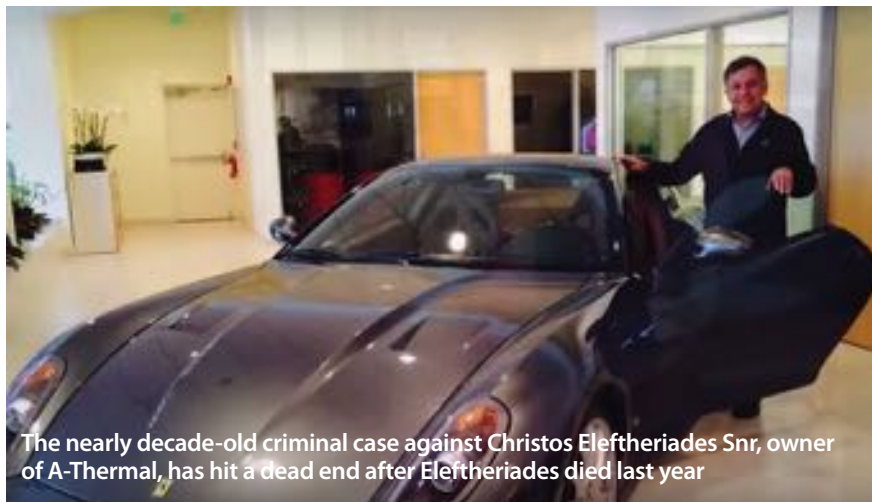
Nearly a decade later and after multiple postponements, authorities will have to move heaven or hell to bring Eleftheriades Snr

back to court, because he died, aged 64, in October 2014. A slideshow in his memory can be found on YouTube although the audio track *I Did It My Way*, by Frank Sinatra, has since been removed because of a copyright complaint.

The National Prosecuting Authority (NPA's) Gauteng communications officer Hurbetin Louw said that, since the death of Eleftheriades, they'd been "unable to secure the attendance of another person representing the company" so the matter was provisionally withdrawn. "[We are] awaiting the appointment of another director in order to proceed with the case against Thermopower," said Louw.

The DEA, whose Green Scorpions formulated the charges, are less optimistic: "None of the current directors of A-Thermal were directors of Thermopower," said spokesman Albie Modise.

Christos Eleftheriades Jnr said they were "not in a position to comment on the DEA's assessment of the trial proceedings". ■



The nearly decade-old criminal case against Christos Eleftheriades Snr, owner of A-Thermal, has hit a dead end after Eleftheriades died last year

lined dam filled with mercury-contaminated sludge.

During this application, Guernica revealed that "approximately 2,700 tonnes of mercury-containing waste comprising solid, sludge and liquid wastes remain on the Guernica site".

In November 2012, the first load of this waste left Guernica. It comprised 10 tonnes of sludge including mercury and bromide, as well as 30 tonnes of spent mercury-contaminated catalyst, used in furnaces as a catalyst, which had been impregnated with mercury.

The stock sat at a Gauteng site for 10 months, untouched, in what was known as the pharmaceutical warehouse, while A-Thermal constructed a facility to deal with the product.

A-Thermal's holding on to the untreated stock for longer than 90 days was one of the charges its former director was facing in a criminal case that started in 2006.

On Thursday 12 September 2013, A-Thermal experienced a huge fire. Four days later on September 16, A-Thermal sent a letter to its clients – including Guernica – calling the fire "unfortunate" and reassuring them that "only one portion of our incoming stores has been affected by the fire". Their documentation remained "fully intact", they said, and they would be back in business "in a few days".

They also sent an alert via the Olifantsfontein Business Forum that said "A-Thermal will keep the community duly informed as more information becomes available."

The National Department of Envi-

ronmental Affairs (DEA's) investigation into the fire didn't make many conclusive findings on how it had started. The investigation wrapped-up on 11 October 2013.

In communication with *Noseweek* this month, the DEA said, "No environmental contraventions were found" against A-Thermal as a result of the fire.

The environmental authority said the fire was "accidental". In a written response to *Noseweek*, the DEA said the "spontaneous ignition of incompatible waste chemicals, due to an exothermic chemical reaction could not be excluded as the cause of the fire".

Importantly, it said A-Thermal's responsibility for the "incorrect classification, packaging, storage, spillage, mixing and/or cross-contamination of incompatible waste chemicals could

**They said the fire
was accidental
– and chemical
reaction could
not be excluded
as the cause**

not be determined", due to the extent of the damage caused.

Bobby Peek, director of the environmental lobby group GroundWork, said shortly after the September 2013 incident: "With this fire, the evidence of the company's toxic legacy has now gone up in flames. It provides A-Thermal an escape from the authorities' being able to hold them liable and accountable for the contraventions they have been facing in court."

According to the DEA, nearly two years on, they still have little knowledge of what was actually burned in the pharmaceutical warehouse. They are also not sure what the toxicity levels were of the 40 tonnes of mercury-contaminated waste.

In a series of written responses to *Noseweek*, the DEA could only confirm that no more than "40 tonnes of a com-

The missing mercury mystery

REPORTING THE THEFT OF 15 LITRES of liquid mercury to environmental authorities from the notorious Cato Ridge waste site has left a former employee facing civil litigation against him by his one-time employer.

Mercury's density is about 13kg to every litre in its liquid state; the theft was equivalent to about 200kg. Its black-market value is approximately US\$2,000/kg.

Carlos Louis, who was retrenched as the SHEQ officer at Metallica and appointed Site Safety Officer for Guernica (the two companies that succeeded Thor Chemicals) in October 2014, was sent a letter in July 2015 by the company's Durban-based lawyer Cuan Lott of Warrick de Wet Attorneys demanding he pay R71,614.29 for costs incurred by the business.

The letter said numerous "unfounded" reports had been made to government departments "including but not limited to the Department of Environmental Affairs, SAPS and the Bomb Squad".

"As a result of the complaints and investigations by various government departments our client has suffered damages on each occasion in shutting

down the manufacturing and using all resources of all staff to do the full investigation with the relevant departments. As you are well aware, on every single occasion nothing was found by the relevant departments."

Lott sent Louis an itemised bill including work-hours spent at the CCMA, man-hours of their employees, and over-time spent preparing for the inspections.

Louis, who is still unemployed, has not paid up, but admits that he did report the theft after he was retrenched, including to the DEA, on 25 March 2015. Just how his former employer learnt that he was the whistleblower remains a mystery to him. When he asked the DEA they denied, in writing, that it was them and said his complaint had been "handled by officials from different spheres of government".

Guernica's director Neville Naicker said in a letter to *Noseweek* that Louis, a "disgruntled" ex-employee who'd been retrenched "for operational requirements" had made the "unfounded reports" pertaining to the theft of mercury "to various government departments". Naicker said, "All investigations have been conducted and completed by those government departments and we were

found to be completely compliant."

Naicker shared the findings with *Noseweek*. Completed in April 2015 and signed by the DEA's deputy director for emergency environmental incidents, Oarabile Magapa, the investigation made no findings on Guernica's compliance, and said the theft of the mercury "falls outside the ambit of Emergency Incident" but stipulated that Guernica, "with the help of the SAPS", must continue to investigate the 15 litres of mercury". Failing to do so could be an "offence and you may be liable for prosecution".

The SAPS confirmed that no such case was opened at the Inchanga Police Station under which Guernica falls.

Naicker said "the theft of mercury" had been reported to the police but because Guernica "refused to give our source", claiming the employee feared for their life, "the SAPS refused to open a docket". Despite Louis's name being disclosed to Guernica he maintains his reporting of the incident was the right thing to do legally and ethically.

"We do not know where this stolen mercury has ended up. This is the concern I have. It is extremely hazardous and dangerous to people and the environment"

bination of... material” from Guernica had been damaged in the fire.

“According to the information that was submitted to the Department the exact apportionment of sludge, relative to the mercury, bromide and pellets (spent catalyst) were not included in the report. The Department is therefore in the process of determining the exact apportionment of this waste and will be in a better position to report accurately as soon as this process has been finalised.”

A source with knowledge of the mercury load delivered to A-Thermal said the 10 tonnes of mercury-contaminated sludge held at least four tonnes of mercury, while the 30 tonnes of mercury-contaminated catalyst held 2% mercury.

And while the DEA has maintained it doesn't know the “exact apportion-

ment of this waste”, the source said this shouldn't be the case as documentation was handed to A-Thermal “as per Environmental Authorisation requirements outlining the quantity and quality of delivery”.

GroundWork's Rico Euripidou has been following the Thor/Guernica and Thermopower/A-Thermal case for several years. GroundWork prompted the Green Scorpions to raid A-Thermal and it was GroundWork that was at the front in the fight against Thor Chemicals as far back as 1989.

“The right thing was not to take the mercury to another site (A-Thermal) which basically does what Thor used to do. Thor was using heat and pressure to boil the mercury, distil it out of the waste and sell it on the international market.

“A-Thermal's process is not much

different. They also used a rotary kiln as Thor did. The right thing to do was to send this waste to an accredited facility overseas to be stored, treated and disposed of in such a manner that it would not get into the environment.

“The Green Scorpions were at the time investigating Thermopower. The waste stayed at Thermopower because they didn't have the means in place to deal with it and then there was a fire and the waste was destroyed. All of this flies in the face of doing what was the right thing to do.”

Euripidou said they had supplied Guernica and environmental authorities with alternatives for dealing with the waste.

“It is a recurring theme that big industry gets away with this type of crap. Ultimately the South African public will pay because mercury, once

He believes Guernica deliberately didn't report the matter to avoid “unnecessary attention”.

In a 5 September 2014 email, Louis told Naicker, “It is my duty ...to ensure the theft and sale of 15 litres of mercury... be reported to all governing authorities and [the] local council”.

Naicker replied that the matter would be handled by the company lawyer.

Guernica's external environmental consultant, Minolen Reddy, owner of ERMS Consulting Services, agreed with Naicker and confirmed Louis's assumption that there was no urgency to report the theft to environmental authorities. In an email to Naicker, Reddy said, “We do not need the authorities snooping around trying to make a case that the waste is not secured”.

By this stage two workers had been fired for the mercury theft.

The independence of Reddy could be questioned as he and Naicker are joint directors of a little-known firm called 4M Chemicals. In June this year, Naicker told *Engineering News* that 4M Chemicals was an “emerging chemicals company” which Metallica intends “assisting through technology, skills and financial means”.

Naicker said 4M Chemicals would be based in Johannesburg and act as “agent to Metallica Chemicals” to strengthen its product base over a wider footprint and also into Africa.

Another director in the firm is Poven

Reddy, a Metallica senior manager.

Naicker, unwilling to disclose 4M Chemical's nature of business to *Noseweek*, said that Minolen Reddy “is employed as a consultant and there is no conflict”.

Environmental group GroundWork's Rico Euripidou said environmental consultants are “guided by a code of impartiality of their profession”.

“This cannot be guaranteed in this case of Guernica Chemicals and ERMS Consulting Services which you describe. It is incredible how 15 litres of mercury can disappear and there is little consequence,” said Euripidou.

GroundWork has been intrinsically involved with Thor Chemicals/Guernica since the late 1980s when two workers died of mercury poisoning at the site. They have since lobbied for the contaminated waste to be sent to Switzerland where they believe it will be treated and stored in the safest possible manner.

The man accused of the theft was labourer Leon Singh. Singh told *Noseweek* he initially admitted to stealing the mercury, told his employer how he stole it, and that he sold it, although he never mentioned to whom.

While now recanting his story, Singh's wife, by his own admission, is a Sangoma and mercury is a known common remedy in traditional medicine. Singh even signed an admission of debt saying he owed the company R272,000

for the theft, lost his pension of about R70,000 as well as his final month's salary.

Naicker said Singh's signing “an admission of liability” was done on the “undertaking” that if he paid, he would not face “criminal sanctions”.

Singh has yet to make a single payment.

While it seems Guernica may not have reported the incident to the environmental authorities or opened a criminal case as instructed by the DEA, instead it was eager to recoup more than a quarter-of-a-million-rand losses from a labourer, in correspondence between Lott and Singh in October 2014, Lott does impress on Singh to help them find “the buyer”.

“If you have any contact with the buyer that purchased the mercury from you please let me know immediately.”

Louis is now preparing to challenge his retrenchment in the Durban Labour Court for unfair dismissal.

He claims, including his willingness to report the mercury theft, he had become too outspoken against the manner in which the facility was run and believes the site could experience another major incident (See “History of Thor”) with disastrous results.

“I underwent a disciplinary as a result of the mercury theft. Without ever being briefed on the findings, six weeks later, I was retrenched. This I believe is unfair dismissal,” said Louis. ■



Metallica/Guernica Chemicals in Cato Ridge, Durban

it is in the environment, stays in the environment. Mercury is inherently toxic.”

Kgomotso Modiselle, a former Olifantsfontein community leader, said they had yet to be informed what caused

the fire or what was destroyed. He said he had moved this year “for the safety of my family’s health”.

“It just seems like a cover-up. A-Thermal has the support of government so we could never win. We sus-

pect they didn’t have the capacity to destroy chemicals they were stockpiling illegally and the fire was started deliberately as a way of getting rid of them. I have no evidence to prove this but then we have never been given any evidence or reports, or even addressed, on the cause of the fire to disprove this theory,” said Modiselle.

A-Thermal company director Christos Eleftheriades Jnr, said they would not discuss the “details of any product treatment conducted on behalf of our customers” due to “confidentiality”.

Regarding the fire, he said there was no environmental degradation or health risks as a consequence of the fire and “no evidence of mercury contamination”.

Eleftheriades Jnr said they had “complied with all legislative remedial requirements governing a fire incident of this nature”, there was no such requirement to disclose “apportionment” of waste damage and that the community was informed of the findings of the fire investigation “through the Olifantsfontein Business Forum”.

Yet according to the consultant running the business forum, Sol Botha, his responsibility was to inform only his members – all 128 industrial members who operate in the area – and not the surrounding residential communities.

“I was sent a press release [from A-Thermal] that I forwarded on to all the members. If they were not a member [of the forum] they weren’t informed [by the forum],” said Botha.

In April 2014, a new batch of mercury waste was ready to be sent to A-Thermal. It consisted of 15 tonnes of bromide sludge and 10 tonnes of pellets. This exercise is expected to continue until Guernica is able to close down its operations. ■

The history of Thor

THOR CHEMICALS, AT LEAST IN THE South African context, has a special place in environmental history. In its prime, the company personified an imperialist capitalist company. The British-owned firm relocated its operation to South Africa in the 1970s to escape tighter UK health and safety regulations. It took in extremely toxic waste from the USA and Europe, claiming it would recycle the mercury, but the volumes it received soon outstripped its ability to process the waste.

Thor soon had over 5,000 tonnes of waste at its rural Cato Ridge site outside Durban, with few to no controls to protect the environment, nearby communities, or staff. The mercury they did recycle was then impregnated into reusable pellets as a catalyst and used in furnaces in a wide range of industries. In the early 1990s two people died at the Cato Ridge site due to mercury poisoning.

The subsequent inquiry found the plant was taking waste comprising 30-40% mercury. Most developed-world recycling plants refuse to accept waste with a mercury content of up to 3%.

Nelson Mandela finally brought

the curtain down on the company when Thor Chemicals became the subject of the Davis Commission of Inquiry. The commission completed its report in the late 1990s and found that both the government and Thor should carry the burden of the costs for the decontamination of the Cato Ridge site. The commission pointed out that the government had been aware of the problem but failed to act.

In 2000, Thor changed its name to Guernica Chemicals and spun off its biocides, textile auxiliaries and metallic organic soaps business into a new enterprise called Metallica. All the directors fingered in the inquiry have since resigned, according to the Companies and Intellectual Property Commission (CIPC) leaving one Neville Naicker as a sole director of both Guernica and Metallica.

In March 2003, the deputy minister of Environmental Affairs and Tourism directed Thor management to take specific steps within a set period to “properly and safely” store the waste and clean up any and all traces of mercury contamination in the surrounding community.

Guernica’s operations are financed by Metallica Chemicals. ■

Ask for whom the e-tolls toll



Cormac Cullinan (right) with clients

Sanral chief faces fierce local opposition. By Ciaran Ryan

NAZIR ALLI, OUTGOING CEO OF SA National Roads Agency Ltd (Sanral) must be looking forward to retirement. He's a divisive and increasingly detested man. Nobody, it seems, wants his e-tolls, which have the tell-tale signs of a solution in search of a problem.

He tried to bully and threaten the residents of Gauteng into paying for his ill-conceived e-tolls boondoggle, yet only one-in-four complied, leaving a R2.8-billion revenue shortfall in the last financial year alone. On this basis e-tolling is doomed. It has already failed in countries with much higher compliance rates, such as Portugal, where 80% of motorists pay their tolls.

The Western Cape High Court in late September threw out Alli's plan to

toll the N1 and N2 in the Winelands.

But Alli was not yet done. A week later his legal team was in the North Gauteng High Court to clear the boulders blocking Sanral's next grand scheme: tolls on the N2 Wild Coast Highway, covering 560km linking Durban with East London. Sanral was contesting the right of Cape Town law firm Cullinan & Associates to represent various communities who had challenged the environmental authorisation for the planned toll route.

Social worker and journalist John Clarke approached Alli during the Pretoria court proceedings. "Nazir, can I introduce my clients to you?" Standing alongside Clarke were two elders of the Pondoland community, who had travelled to Pretoria to attend the

court hearing and air their concerns over the proposed toll route.

"Get away John Clarke. You are a fucking beneficiary of apartheid," snarled Alli, beneficiary of R4,032-million in pay and benefits during the last financial year. Though apparently still suffering the emotional and financial strains of apartheid, he nevertheless was looking amply fed and impeccably coiffed.

Alli had previously threatened to sue Clarke for his very public refusal to pay e-tolls.

"This will never happen because he knows I would like nothing more than to haul him into the witness box and subject him to some real cross-examination," says Clarke, who doubles as occasional spokesperson for the Oppo-

sition to Urban Tolling Alliance (Outa).

This was Sanral's second court case in as many weeks. Wayne Duvenage, CEO of Outa, says one of the most damning findings of the Western Cape High Court ruling was the discovery by the City of Cape Town that Sanral had no documented record of a decision to declare the roads tollable. In the absence of any minutes of such a decision, Sanral embarked on what the court deemed a "round robin resolution" whereby directors in April and May of 2014 had hastily resolved to declare the roads tollable in terms of the Sanral Act. Having checked this box, the directors authorised Alli to publish a notice to this effect in the Government Gazette.

The Western Cape High Court judgment torpedoed the entire Winelands e-toll plan in what stands as a damning indictment of Sanral and its CEO. If it were a private company, Alli and the board would be fired for negligence. One can only guess how much money has been spent on economic and environmental studies for the project.

The City of Cape Town argued that the public consultation process required under the Sanral Act was a sham, and that material information underpinning Sanral's plans had not been forthcoming. This was reminiscent of the Gauteng public consulta-

"At the very least this points to a serious lapse of governance, if not worse," says Outa's Wayne Duvenage

tion process, where Sanral took out single advertisements in half a dozen newspapers inviting public comment within 30 days.

"Sanral sacrificed proper compliance with the law in favour of getting ahead with the project at all costs," said Outa.

The projected costs of the Cape toll scheme escalated from R1,6bn in 2000 to R45bn in 2010, excluding VAT. This compares with the Gauteng toll project, which was costed at R6,4bn in 2006 but ended up costing R20bn five years later. These costs were inflated by collusion among participating con-

struction companies, and the Competition Tribunal gave Sanral approval to hunt down the perpetrators, but it seems the roads agency has more pressing concerns. (See "Big boys forever", *nose167* and *Letters, nose168*.)

The Western Cape High Court judgment reads: "It would be extraordinary for there to be no minute of an important decision involving a multi-billion-rand project. It would be more extraordinary still, in the curious event that such a decision had not been minuted, that none of the directors would have detected the omission when the minutes of the meeting at which the decision was taken were considered for confirmation and adoption at the next meeting. The improbability inherent in the absence of any minute that a decision was taken is further compounded by the absence of any other documentation that might in the ordinary course have been expected to attend such decisions..."

Further on, the judgment reads: "These features... irresistibly compel the conclusion that no decisions, as required by [*the Act*], were taken by the Board. Mr Alli's bald assertion to the contrary is insufficient to displace their inexorable effect. He has failed even to attempt to explain how there could be such a complete absence of a document trail if the decisions had been made. He has not even been able to reconstruct from the Board's calendar when the alleged decisions would have been made. Sanral has not been able to put up the evidence of a single director as to the occasions upon which and the circumstances in which the alleged decisions were made, or as to the content of any discussions that must have preceded them."

"At the very least this points to a serious lapse of governance, if not worse," says Outa's Wayne Duvenage.

Fast forward one week to the High Court in Pretoria, where Sanral was seeking an order to prevent Cullinan & Associates from representing traditional communities in opposing the proposed Wild Coast toll road. Cormac Cullinan, the attorney representing various affected communities, argued that this was a transparent attempt to stifle criticism of the tolling plan and deny traditional communities access to the courts.

The Centre for Law and Society

Objections to the Wild Coast toll route

ONE OF THE MAIN PURPOSES OF THE proposed N2 toll road along the pristine Wild Coast is to provide a serviceable highway for the mining of titanium sands in the area. Australian mining company MRC and its South African subsidiary TEM have applied for a licence to mine one of the richest deposits of beach sands in the world.

There is strong opposition to the planned mining venture on the grounds that it will generate dust pollution, adversely affecting the health of residents and livestock, and contaminating water.

Community leaders argue that the proposed road is being built in a populated area, and Sanral has not adequately consulted the residents.

"We know that there will be relocation of homesteads, graves, forest plantations, grazing lands and cultivation lands. There has been no discussion on these and how people will be compensated for these losses. Our traditional leaders have no idea about which homesteads and the number of homesteads that are to be relocated. There has not been any identification of which villagers are to be moved by this road.

"Sanral meetings were held in schools around the Wild Coast Sun resort, not at any tribal or traditional authority. They were held without inviting tribal or traditional leaders," according to Xolani Ntuli, secretary of the Mgungundlovu Tribal Authority.

(See *noses94,97&158*.) ■

(CLS) at the University of Cape Town asked to be admitted as a friend of the court so that it could present evidence on customary law and practice.

The CLS says it has detected an alarming increase in intra-community violence in former homeland areas “because the ability of community members to exercise their legal rights to oppose development projects was being frustrated, in part because of the claim that only statutorily recognised traditional leaders can legitimately represent traditional communities”.

One of the chiefs in the area, Lunga Baleni, repudiated his earlier opposition to the tolling scheme and provided an affidavit in support of Sanral. But some of the others who supposedly provided affidavits for Sanral, claim that their signatures were forged. Several affidavits had not been witnessed by a commissioner of oaths.

For any judge, this was going to be a messy potage to sort through. In the end Judge Francis Legodi dismissed CLS’s application to be admitted as a friend of the court and postponed the matter to allow Cullinan & Associates to apply separately to the court for an order declaring that it had exhausted all internal remedies with Sanral.

This, however, would not prevent one of the community leaders, Sinegugu Zukulu, from applying for the review of the environmental authorisation for the Wild Coast Toll Road.

Sanral’s famed lack of broad public consultation appears to be happening again on the Wild Coast. Clarke says Alli met with the defeated claimant to the Mpondo kingship, Zanuzuko Tyelovuyo Sigcau, and a group of local business and community leaders at the Wild Coast Sun on Friday 13 June.

“However the Amadiba Crisis Committee, who have been opposing government plans to mine the coastal dunes for titanium and re-route the N2 along the Wild Coast, managed to gain access to the meeting when their spokesperson Nonhle Mbuthuma was allowed in, unsuspectingly, to represent the interests of the youth”.

Despite a Constitutional Court ruling in June last year that set aside his claim to kingship, Alli addressed Zanuzuko Tyelovuyo Sigcau as “your majesty” and praised his leadership in opening the way for the “development of the Wild Coast through mining and tourism projects”.

Mbuthuma said it was the “strangest meeting I have ever attended in my life as a community activist. We had heard about the planned meeting and four of us arrived at the venue to find signboards indicating where the ‘Sanral public meeting’ was taking place. However there was some confusion because the security officer told us it was by invitation only. However we managed to negotiate that one of us be allowed into the meeting.”

The competing claims for primacy in the Mpondo royal family presents an ideal opportunity for Sanral to choose its preferred partners.

“Given this context, one can understand why Mr Alli’s deceitful and manipulative re-entry into the Mpondo development controversies is dangerous. It is divisive, foolish and destroys whatever credibility he may still have had after Sanral’s disastrous handling of the Gauteng e-tolls and Western Cape Lwandle evictions. Having already left the respective ministers with headaches over the Lwandle and e-tolls disasters, he has now left his one-time ally Pravin Gordhan, (the new Minister of Cooperative Governance and Traditional Affairs) with a migraine.

“Surely the time has come for Mr Alli to be summarily dismissed before he does more damage,” says Clarke. ■

YOUR BANK BEING NASTY WITH YOU?

CASH-FLOW DIFFICULTIES?

We’ve got the rod to prod AND push them back!!

Call Johan at **082-669-0623** or drop him a line at johan@jvproks.co.za

**JOHAN VICTOR ATTORNEYS
CAPE TOWN**

Don’t wait too long...

To capture the message of your loved ones

To record Ouma, reading her famous recipes

To record Grand Dad, retelling war stories

TIMELESS MEMORIES
We are a mobile audio recording team specialising in capturing and preserving your heritage.

Let us create a digitally mastered disc, which can be passed down throughout your family, safeguarding your heritage.

Contact us at - 0725079009
Timelessmemories2014@gmail.com
Based in Gauteng, South Africa



**GREATER CAPE TOWN 101.3 | ATLANTIC SEABOARD 97.1
FISH HOEK/NOORD HOEK 107.9 | HOUTBAY 94.7**



Brought to book. Season's readings

CHRISTMAS LOOMS – TIME TO BE DROPPING heavy hints to nearests and dearests re desirable books. Given the price of a decent read these days, shameless begging, importuning and perhaps violence may be required to obtain the desired tomes.

Of course, the greed factor is exacerbated mightily by the rich variety of seasonal new offerings in the bookstores, or en route thereto. Accordingly, kind donors need to be informed subtly, or bludgeoned, if necessary, into giving the right book to the right recipient.

There are few more melancholy moments than the realisation that a costly and handsome work on, say, bee-keeping in Pago Pago, is your lot, when you yearn to possess *Mud Wrestling Annual* or *Decline and Fall of the Roman Empire*.

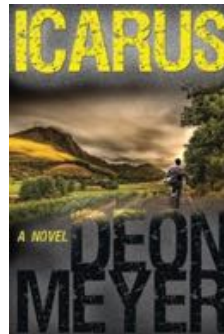
The extraordinary tide of English-language publishing, despite economic restraints, swirls on and the range continues mind boggling. Read on for some random choices from the maelstrom:

Are you living in hopes of fun and games in the Deon Meyer detective mould? Or would you prefer the urbane lucidity of **R.W. Johnson** revisiting his dark *How Long Will South Africa Survive?* (Hurst). Erudite Johnson calmly confirms the prognostications of his much-reviled original 1977 version of the book, which enraged the *bien pensants* who refused to countenance the possibility of failure under the ANC.

Deon Meyer's Icarus (Hodder & Stoughton) resumes the adventures of the all-too-human lawman Bennie Griessel and his picaresque police colleagues in their battle with the devils of the Western Cape. Good fun.

Weary of South African navel-gazing? It seems much-lauded **Jonathan Franzen's** new novel *Purity* (4th Estate) offers an opportunity to peer at latter-day social peccadilloes in the United States. This is a Big Book, and appears to satisfy American critics as an observant satire on family life and cultural politics.

Franzen notes that digital campaigners have a "savage naivete, like the kids who think adults are hypocrites for filtering what comes out of their mouths... Filtering isn't



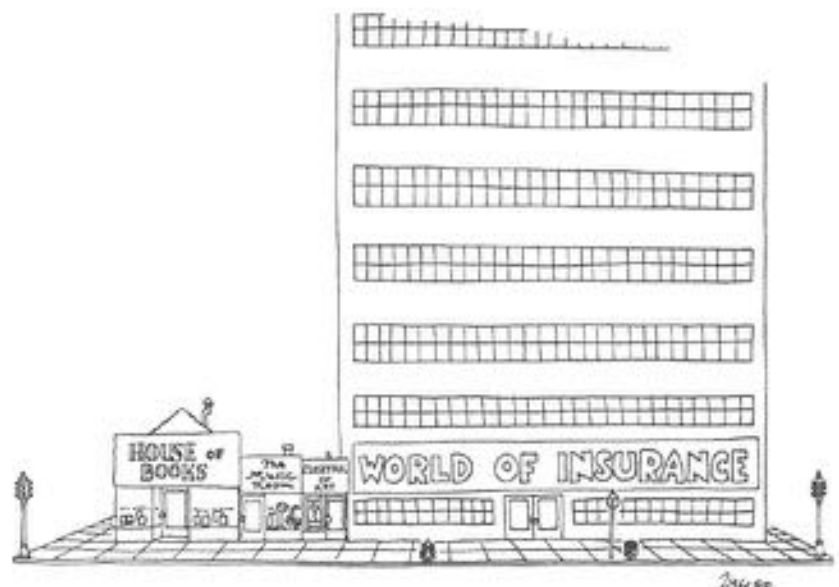
phoniness – it's civilisation."


As we know, civilisation, by any criterion, is not triumphing around the globe just now. Consider the seemingly eternal political enigma of Afghanistan, as experienced by doughty **Christina Lamb** of the British *Sunday Times* *Farewell Kabul* (HarperCollins). For 27 years she has immersed herself in the fascinating and frightening land whose present state represents monumental error on the part of the West. With her unparalleled access to the big beasts involved, she has written a 600-page epic on the longest war fought by the US in its history, and by Britain since the Hundred Years War.

State of play: appalling poverty, the Taliban undefeated, and nuclear-armed neighbour Pakistan perhaps the most dangerous place on earth.

All of which, by contrast, makes R.W. Johnson's South African prophecies seem positively encouraging.

Think local; think positive – it's Christmas after all. **Finuala Dowling's** latest novel *The Fetch* (Kwela Books) receives warm critical appraisal. Capetonians tend to view her as a poetical priestess of the dark side





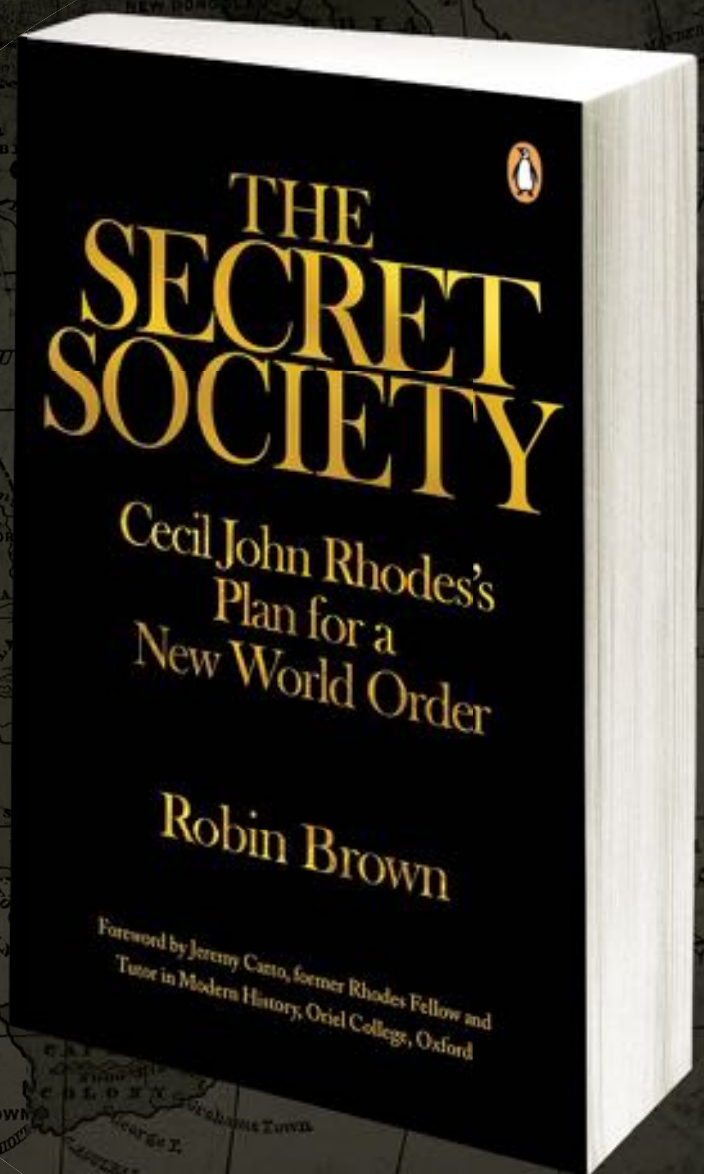
THE SECRET SOCIETY

After a meeting with General Gordon of Khartoum in South Africa in 1881, Cecil John Rhodes set up a secret society, with the aim of establishing a new world order. It became Rhodes's lifelong obsession, and it lived on after his death.

Ranging from the diamond mines of Kimberley to the halls of power in Westminster, and peopled with characters such as Olive Schreiner, the Princess Radziwill, Kaiser Wilhelm and David Lloyd George, this book will make you see the world in a different light.

'In this book ... Rhodes himself appears as a much quirkier and more contradictory figure than either his admirers or his detractors have allowed ... A fascinating story and a stimulating argument which raises important questions, not only about the past two centuries but about the present time.'

**– JEREMY CATTO, FORMER RHODES FELLOW
AND TUTOR IN MODERN HISTORY,
ORIEL COLLEGE, OXFORD**



www.penguinbooks.co.za

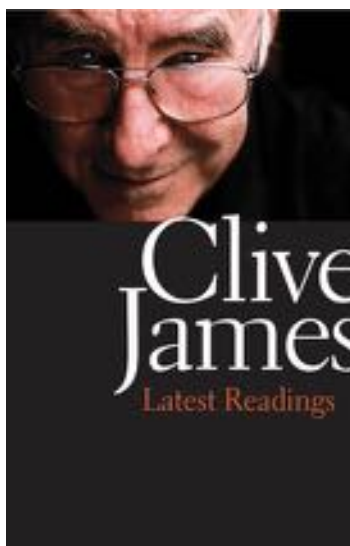


Penguin
Random House
South Africa

of the mountain (eg Kalk Bay and environs), where bohemians engage in mysterious cultural rites. Cover notes tend to confirm this suspicion, referencing eccentrics in seaside community. Reassuringly, one reviewer says: “Dowling is the master of tragi-comedy.” Like Johnson?

Ordinary blokes have their secrets too. **The Faithful Couple**, by **A.D. Miller** (Little, Brown) is a deceptively simple tale of a friendship that is tested over the years by individual character development. Miller (author of Booker Prize shortlisted *Snowdrops*) is amusingly accurate in depiction of the essentially competitive male species, who nevertheless need a few mates to share life’s bafflements. Confusingly, the twee cover exudes Barbara Cartland coyness.

But, given world enough and time, plus rich friends, my personal choice at this time of generosity would be a majestic new audio book: the first volume is titled **The Diary of Samuel Pepys, 1660-1669**, read unabridged (vivid rude bits included) by **Leighton Pugh** (Naxos Audio Books). Volume 1 is available at 100 pounds sterling and apparently cheap at the price. That’s 42 hours’ worth. Volumes II, III and IV consist in similarly extravagant statistics. Oh, and the entire extravaganza is available from naxosdirect.co.uk and amazon.co.uk and downloads from naxosaudiobooks.com.



Well, it may sound daunting, but sharing Pepys’s lust for life for a year or two would surely be worth it, even if the British pound continues rocketing to dizzying heights.

Another mind worth revisiting is that of the wondrous Vladimir Nabokov. **Robert Roper** has written **Nabokov in America: On the Road to Lolita** (Bloomsbury). Anecdotes and insights



include Nabokov’s distaste for American icons including Faulkner and Hemingway. Salinger was deemed worthy of praise. Roper demonstrates that *The Catcher in the Rye* and *Lolita* are “vaguely aware of each other”.

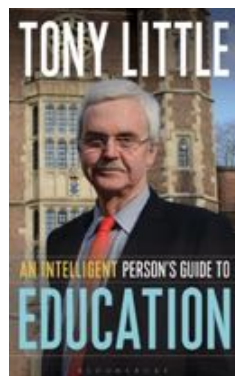
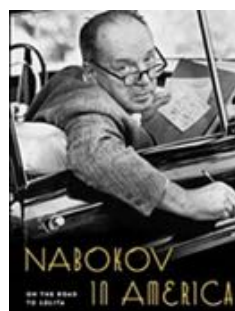
Another possible winner could be **Clive James’s Latest Readings** (Yale), which is described as a kind of reading diary. James has been dying for some time of leukaemia and emphysema, but his insights and humour remain. Not your average holiday read, but he is always an engaging and honest writer.

Let’s get out into the fresh air for a bit: Penguin Random House has produced **South Africa’s Rugby Legends: The Amateur Years** by **Chris Schoeman** and **South Africa’s Greatest Batsmen** (past and present) by **Ali Bacher** and **David Williams**.

Perhaps we should pass the hat round to buy a little something encouraging for our Minister of Education: **An Intelligent Person’s Guide to Education** (Bloomsbury) by **Tony Little** (ex Eton headmaster) might be suitable. Little captures the magic of a successful school and seeks to offer hope and inspiration to people elsewhere who are battling lethargy and low standards.

It appears that Cecil John Rhodes had his very own secret society, and all will be revealed in (surprise!) **The Secret Society: Cecil John Rhodes’s Plan for a New World Order** by **Robin Brown**.

Similarly, SA-born tech tycoon Elon Musk is today shaping the future in America. Read all about him in **Elon Musk** (Virgin Books). ■





Sharks. In and out of politics

IN AUSTRALIA, FELINE AIDS AFFECTS 14-29% of cats tested, and one-in-six outdoor cats is estimated to be infected with the Feline Immunodeficiency Virus. There are moves afoot to confine domestic cats indoors, where they won't be such a threat to native birds and wildlife. Australia's first threatened species commissioner, Gregory Andrews, would like all cat owners to keep their cats contained 24 hours a day. "It's a journey that Australia has to go on," he says.

Containment measures in the Australian Capital Territory already require cats in some suburbs to be kept indoors; if outside, they must be on a leash or in an enclosure. Passed along mainly in catfights, FIV is not transmissible to humans and uninfected cats can be vaccinated.

Now to sharks: With the number of shark attacks rising from three, to 13 in New South Wales this year, and more sightings than ever before – possibly because of warmer ocean temperatures and great whites coming closer to shore because their territory is being fished out – the NSW government convened a shark summit of 70 experts in Sydney to discuss new technologies, among which were real-time tracking of sharks using a smartphone app, bionic barriers and an underwater rubberised fence.

"Dedicated Land-based Observation – used effectively in South Africa with people standing on high-points spotting sharks" was also discussed. Drones and other aerial methods. Hot air balloons, gyros and blimps hold out the most promise, experts say. There were doubts that personal repellents, such as a spray of a natural chemical found in putrefied shark tissue would deter a shark in attack mode.

Since 1900, Australia has had 277 fatal shark attacks; the US, 161; and South Africa, 104. The great white is a protected

species. Known to grow as long as 8 metres, it can accelerate to speeds of 56km/hour, reaches maturity at 30 and can live to be 70. Its only predator is the killer whale. Great whites have receptor pores under their noses sensitive to tiny electric fields surrounding all moving creatures and they can detect blood in water from up to 5km away.

Next, politicians: As you will have read, one of Australia's richest men, Malcolm Bligh Turnbull, has "rolled" Tony Abbott to become the new Australian Prime Minister – the fifth change in as many years (although Kevin Rudd held the office twice). Turnbull, a former barrister and banker worth A\$100million, is considered socially progressive in his centre-right Liberal party, and is in favour of gay marriage (Australia is to hold a very expensive referendum on the issue) and he differs with his predecessor's climate-change scepticism.

He is also an ardent republican (Australia held a referendum in 1999 and decided to keep the queen). His ascension is a blow for the Labor Party, since he is a more popular, charismatic and credible leader than Abbott, and will be harder to beat at the election next year than the foot-in-mouth Abbott.

In 2009, Turnbull led the Liberal Party when in opposition, and was then rolled by Abbott. Turnbull, who now says he is sorry for Abbott, who

must be in a "dark place", will focus on economic management and provide a "new style of leadership that respects the people's intelligence" instead of sloganeering.

His first crisis was the shooting last week of a police accountant by a 15-year-old Iraqi Kurdish teenager, outside police headquarters in Parramatta in Sydney's west. The chairman of a Kurdish mosque, Neil El-Kadomi, told worshippers that if they "don't like Australia, leave". "We do not need scumbags in the community. We have to lift our heads up as Australians," he told media afterwards. While pleading for mutual respect, Turnbull said the attack was a "shocking reminder of the consequences of radicalisation".

One in five children won't talk about problems, a "happiness" survey of 20,000 Australian children has found. "They sort of feel dismissed at home by parents – especially boys who tend to be told to 'man up' and that they're not supposed to worry about things," said one of the researchers. The ABC survey found that two-thirds of children had experienced bullying, 39% for a year or more, although that might be inaccurate labelling because the word had such currency, and what they are actually talking about is conflict. The good news is that 64% of children said they were happy most of the time. ■



Misunderstood: a great white shark



Knock knock. Who's there?

THE WORLD RIGHT NOW IS A mess, from the refugee exodus into northern Europe, to the threat of the Americans and the Russians going head-to-head over the Syrian problem. Yes, it's a mess, so much so that a Muslim friend recently remarked, "All these events could be a sign that Jesus is coming". A Muslim believes Jesus is coming?

[Yup, it says so in the Quran. – Ed.]

Of course South Africa has its share of trials and tribulations: Hitachi, ANC, Eskom, alleged scandal revelations; marches against corruption – albeit with unexpected toyi-toying – which is why this scribe looked at the news footage of the protestors and said, Yeah right, I have a better chance of breaking bread with Jesus than do these protests of making any real difference.

But for me, the most worrying current issue is that of the youth gangs that have virtually taken over Mzansi's townships, resulting in unprecedented mob justice, just as in Daveyton and subsequently in other townships.

Their *modus operandi* is to move like a pack of dogs, armed with anything from hand guns to pangas, as happened here in Barberton with a group dubbed the Panga Gang. And they are vicious, whether carrying out a home invasion or a street mugging, though you can hardly call their brutal assaults muggings – more likely murder than mugging. Early last month during a gang house-invasion in Barberton they are said to have shot a man in a wheelchair. Those who call this "taking the law into your own hands", I would ask, what law? If only the law – in this case the police – and the judiciary would deal with this menace to society with an iron fist, we would not have mob justice.

Barberton residents were outraged not too long ago when our magistrate's court gave a derisory sentence to Pan-



Unexpected visitors

ga Gang members – punishment that cannot even be described as a slap on the wrist.

Why were they let off so lightly? Supposedly because some were first-time offenders. These barbarians assaulted a score of residents, leaving them scarred for life. The miscreants are said to range in age from 14 to 18, so they are kids. When I was that age kids' crimes were limited to the odd shop-lifting incident or stealing a bicycle etc. And when we wanted money we played spinning, while our elders played dice.

Please, for those of you in Mzansi who like to attribute the behaviour of these so-called kids to some psychological problem and – as usual – point to apartheid, I say, spare me the bullshit.

If this menace can be attributed to anything, it is first and foremost ineffective if not non-existent policing. The new crop of our "Keystone Cops" won't even stop and search these so-called kids when they see them in their packs – and carrying open bottles of beer, for crying out loud.

Second, it is nothing more than booze, drugs and material possessions that motivate these packs of miscreants – and certainly not poverty. Seeing the gogos crying on the news

broadcast of the Daveyton funerals of some of these "better-off-dead" kids, one can tell that they came from loving homes. Yet, how many other South Africans, especially black, were brought up by Gogo and did not become part of a marauding teenage group of heartless thieves, robbers, rapists and murderers?

Like the Daveyton residents, blacks in townships are now living in fear of these so-called kids. But is it just township residents? Heck no, this writer lives on a farm, and nowadays at the weekends when I am without staff, I venture outside, or to inspect the farm, with serious caution.

One Sunday not too long ago I was making breakfast when I heard voices outside and my first reaction was, Oh shit! Who the hell is that?

I peeked out the kitchen window and saw an old white gentleman with what appeared to be his wife. My reaction at seeing them was, Oh thank God! It's some old white guy!

I step out and have a lovely chat with them and their family. They once lived on the farm and were visiting Barberton from Pretoria and wanted to see what the old homestead looked like now.

"Thank God it's some old white guy"? Go figure. This is what these miscreants have done to my psyche. In a society where we once feared the presence of a white man at our family homesteads, I now rejoice at their visit. What happened?

That morning I happened to be wearing a *Noseweek* T-shirt and the old man said, I like your T-shirt. I said, So I take it you are a *Noseweek* fan?

He said, I love the magazine – and I happen to know Martin Welz, the editor.

Do you ever read the column by that Bheki Mashile? I asked. To which he responded, It's the first thing I read and I love it. Take note, Ed! ■



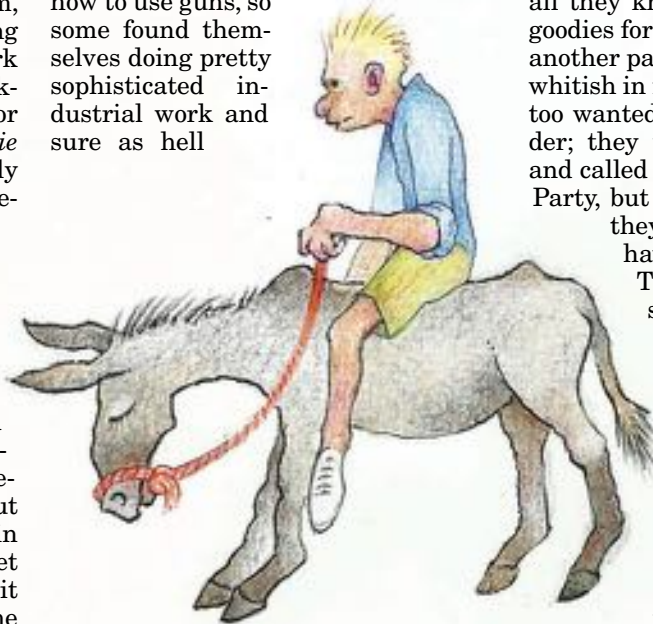
Thorny. Weird old days

I ALWAYS ENVIED GERALD SIMPSON HIS school lunch. But everybody knew such a wad of brown bread with dripping to be Poor Whites' food, so I didn't let on that I envied it. My lunch was thin slices of white bread with Sandwich Spread because my ma was able to keep our heads above water by teaching the piano to rich kids who went to paying schools. Our school in Pretoria was free. It was of fine old orange bricks from the Transvaal Republic days, known as the Gymnasium, but it was now for English-speaking kids, white. Over the way was a stark modern building for Afrikaans-speaking kids, many many of them Poor Whites, lingering left-overs from *die Engelse Oorlog*, yet but we had only a few. Weird old days, these. 1930. Depression days.

After a bit Gerald Simpson just didn't appear at school, and it became known that he had no shoes and felt ashamed. The staff passed the hat around and bought him a pair, also socks, so that was okay and the dripping sandwiches reappeared and one day I did a swop because Gerald had been made a fuss of and everybody was supposed to like him. But he was very skinny and ended up in the Pretoria General Hospital to get fattened up a bit and I went to visit him there with a bunch of grapes. The hospital also was free. One expected it to be free, healthy people were good for the country, you see, because they worked much better, also they should be properly educated so they could make the country rich with intelligent work, and they'd make the country even richer if they were happy at their work too, so they should have also a nice home somewhere. With a garden perhaps. But those thoughts were from the dreamy past.

Looking forward from the age of six, 25 years would seem an eternity, man, but it was a snap of the finger and thumb, and in that snap we had another world war and in South Africa, a somewhat industrial revolution, start-

ing with weaponry, armoured cars and field guns and the like, but busting out country-wide because the Depression would soon be over now. Nothing like a bloody good war for capitalist good health. Indeed, so good was this health that a whole lot of black folks were starting to clamour for some of it. Of course during the war any white man worth his salt would be off to the army, but black ones couldn't go because that would teach them how to use guns, so some found themselves doing pretty sophisticated industrial work and sure as hell



weren't going to go back to being a subject race again.

Also of course they'd got rebellious which really startled genteel white folks who believed everybody should have his place in society, but they hated violence. A new word was heard and it was Proletariat. Albert Luthuli's ANC suddenly started getting prole, see, and I tell you this really scared the shit out of white people except a few who wanted to join something and play a part in the change. But the ANC was for African people, and they hated Josef Stalin so they didn't go to the Communist Party, which was banned anyway. So they got together with cer-

tain black people of liberal thought and formed a brand new Liberal Party, and this didn't so much scare the shit out of the white government but irritate them beyond measure. I think the metaphor is A Thorn in the Flesh. A *Schmerz im Tochis*.

Yet curiously these new liberals didn't seem to notice that the above-mentioned goodies, you know, health, housing, education, cheap transport et cetera, these were socialist things, all they knew was they wanted such goodies for black citizens too. But then another party appeared which seemed whitish in its composition though they too wanted black people out from under; they were progressive all right and called themselves the Progressive Party, but they knew socialism when they saw it and they weren't having any of that, thanks.

They were liberals too, I suppose, only economic liberals, where the Liberal Party were social liberals. Where the Liberal Party wanted freedom for people, the Progressive Party wanted freedom for money, capital should move where it would in the world without hindrance from any racist government.

So then, never mind all these subtleties, the government got the hell in and in 1968 passed a law which required all political parties to declare themselves either white or black. The Liberal Party scorned this and disbanded. The Progs opted for white, and that's why to this day regardless of various name changes and alliances they're known to the black populace as a white peoples' party.

Oh ja. When Gerald Simpson came home he was very shaky and arrived at school on a donkey, which made him instantly famous. He tied it to a gum tree in a patch of long grass and fetched a fire-bucket of water, and after school I even scored a ride. ■

Smalls ads must be booked and paid for online. Book at:
www.noseweek.co.za

FOREIGN HOLIDAY ACCOMMODATION

PARIS FRANCE

Sunny, spacious apartment
 Fully equipped kitchen
 5 mins from Champs Elysees, shops,
 restaurants, airport shuttle & metro.
 English TV, free internet and phone.
 €110 per day www.pvalery.com
 25 Rue Paul Valery, Paris 75016
 Metro Victor Hugo

082 900 1202; Paris:+33 617 045 290
putz@icon.co.za

Paris apartment Centrally located Montergueil (2nd) Reasonable rates, internet, TV, etc; Lindsaygunn@noos.fr; +33 62 034 6710.

Bordeaux Modern self-catering in the heart of the winelands. Ideal for wine tours. From €73/day. Visit www.bordeauxwinelands.com

London accommodation Quiet 1 bedroom near High Street Kensington tube. £142 per night; www.ivylettings.com/che

LOCAL HOLIDAY ACCOMMODATION

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

Southbroom Holiday House. KZN South Coast. 150m from main beach. Sea and lagoon views. Sleeps 8. Good security; www.southbroomhouse.co.za or bookings@southbroomhouse.co.za

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

Pinelands, Cape Town B&B and self-catering accommodation for leisure or business. Go to www.pinelandsonline.com

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.



CORPORATE ID BRANDING PACKAGING FLYERS
 BROCHURES DIGITAL PHOTOGRAPHY & WEBSITES
 CALL: 072 441 8654 OR EMAIL: mich@burninhot.com

Cape Town, Camps Bay 5 star, 2, 4, 5 and 6 bedrooomed villas. Beach House on Glen Beach. Main House and/or penthouse; mlpope@telkomsa.net; www.glenbeachvillas.co.za
Bishopscourt, Klaassens Road, 200m from Kirstenbosch Gardens Rycroft gate. Tranquil B & B in an acre of gardens. Call 021 762 2323. www.kleinbosheuvel.co.za

Karoo Magic Cottage on conservancy over Ceres mountains overlooking the Tanqua. 2 doubles plus 4 bunks. Comfortable and cozy. Succulents, rock formations, dams and game. Landline/wifi. Call Karel or Susan 023 004 0176.

33 Melville Road is a small private boutique hotel tucked away in the heart of Johannesburg.

LOCAL PROPERTY FOR SALE

Nosing around for property in Langebaan or the West Coast? Call Melanie Mouton-Creugnet 079 378 0000 or email melanie@sothebysrealty.co.za

FOR SALE

Tinus & Gabriel de Jongh paintings bought, sold and valued for estates and insurance; 021 686 4141; dejongh@yebo.co.za; www.tinusdejongh.co.za

New 3-Phase Diesel Generators 40, 60, 100, 200, 350 & 500 KVA. Open & Closed models of each. New stock arriving weekly. Go to www.r21plant.co.za

Tent Pro cc sells new army tents (5x5m and 10x5m) and dome tents. Go to www.tentpro.co.za or call Philip 082 537 2894.

SERVICES

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

French sworn translator Countrywide. Experienced in mining rights, court and tribunal papers, official documents. My CV, testimonials and samples of my translations are available on request. Christine: 071 356 8279; christine@thefrenchpage.com

Editing and writing services For friendly and creative editing, writing and "how to write" services. Contact Richard; ReWrite@gmail.com; 083 557 7462.

Need a loan quickly against your JSE listed shares or other assets? Call Andrew 083 308 8204.

Teleprompter hire No need to memorise scripts. Feel comfortable in front of the camera. Go to www.on-cue.biz or call 021 975 5100.

Chapter Two Great books at great prices. Free searches. Quote given before sourcing. Email: info@chaptertwo.co.za

A beautiful brochure displayed is still a powerful communicator. Call Bonita 021 510 5997.

Ascotcosmetics.co.za Top perfumes at discount prices. Direct to your door.

Joypak (Pty) Ltd For all your packaging of powders and liquids. Call 021 511 6605.

WANTED

Unwanted firearms, left from deceased estates or simply a bother to keep? david.klatzow@mweb.co.za is looking for a variety of weapons to add to a forensic collection used for research.

COURSES AND TUITION

French lessons Learn to speak, read and write French in the greater Johannesburg area with a Sorbonne-degreed, native French speaker from Paris. Private or group lessons as well as corporate clients. Christine: 071 356 8279; christine@thefrenchpage.com

LEGAL, INSURANCE & FINANCIAL

Jurgens Bekker Attorneys, Bedfordview Commercial and litigation; Call 011 622 5472; jurgens@jurgensbekker.co.za

Lawyer.co.za is a new website for members of the public with extensive information about lawyers and the law in SA. Research the law, or find a law firm. Also available in Afrikaans at www.Prokureur.co.za

Immigration Specialist Attorneys for visas and citizenship matters. Contact Julian or Tarryn at enquiries@immigration.org.za

TRAVEL, FOOD & LEISURE

The VegTable Delicious vegetarian cuisine in unique forest setting outside Knysna. Go to www.vegetable.co.za

Test cricket at Newlands English Test, ODI, T20. Australia T20. Seats available in the best suites. calvin@designer.co.za or 021 788 8440.

PERSONAL

Irene, Clara, Mila and Xander I love you very much. Jurgens

Ernie, Happy Birthday October 10. Much love and happiness this year and always. Bette

The biography of Tinus de Jongh

Lavishly illustrated
 R245.00
 Available from
www.tinusdejongh.co.za or www.kalahari.com



SUBSCRIBING IS EASY

Never miss an issue...Free early delivery...Enjoy massive savings



ONLINE

Subscribe at

www.noseweek.co.za or
email subs@noseweek.co.za



PHONE

Call **021 686 0570** with your
credit card details or fax
021 686 0573 or **0866 773 650**



POST

Make your cheque out to
Noseweek and post to:
Box 44538, Claremont 7735

SUBSCRIBE OR RENEW THE **PRINT EDITION** FOR **R374** (12 ISSUES) OR GET A
COMBINED **PRINT AND INTERNET** SUBSCRIPTION FOR JUST **R474**

Apart from having SA's top investigative magazine delivered to your door, you could also win one of five Ken Forrester wine packs. Subscribe now and stand in line to score.

CONGRATULATIONS TO THIS MONTH'S WINNERS:

Mr James Robertson, Walmer
Mr Peter Skeat, Houghton

Mr P Seifritz, Sunset Links
Mr Jonathan Small, Gardenview

Mark Smith, Pinelands



VINEYARDS

SINCE 1689

Tasting room open

Monday - Friday 09:00 - 17:00

& Saturday 09:30 - 15:30

Cnr of R44 & Winery road,
between Somerset West & Stellenbosch
GPS: 34° 1' 39.06" S 18° 49' 12.83" E
Tel +27 (0)21 855 2374
info@kenforresterwines.com
www.kenforresterwines.com



SMALLS ADS

The deadline is the 24th of the month, two months prior to publication.

Ads are prepaid at R200 plus VAT for up to 15 words, thereafter R15 per word plus VAT

Please note that multiple (long-term bookings) are now available online.

BOXED ADS

Boxed ads are 6cm (1 column) wide, and are charged at R900 for the first 3cm and R250 per additional cm (length) plus VAT.

Payment is due within 30 days of invoicing
Please contact ads@noseweek.co.za to book or phone 021 686 0570.

DISCLAIMER

Although Noseweek does reject obviously questionable ads, it can't run checks on every ad that appears in the magazine. The magazine doesn't endorse the products or services advertised and readers are urged to exercise normal caution when doing business with advertisers.

QUALITY PUBLICATIONS CHOOSE A QUALITY PRINTER

COLOURTONE ARIES PRINTERS OF CHOICE

For all your printing, packaging and display requirements
contact colourtone aries on 021 929 6700 or

www.colourtonearies.co.za

info@colourtonearies.co.za



@colourtonearies



Colourtone Aries



COLOURTONE ARIES

print | packaging | display

