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issue
56

May 2004



**Absa officials
and crime
syndicate
move R2bn
offshore**



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cover illustration by Colin Daniel

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A criminal syndicate used Absa's foreign exchange department as the lynchpin of a massive scam that saw more than R2bn illegally moved offshore over six years

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NWWM 02

Another leak

I live in Sea Point. I did some alterations to my property. Afterwards I discovered a leak from the shower into the bedroom that has caused fungus. I called the builder two months ago and he still has not arrived.

Are you interested in the story?

Disgruntled
Sea Point

No. – Ed.

Kebble quibble

I have been reading *noseweek* over many years. Occasionally in a speech I have referred to *noseweek* as an excellent example of high quality journalism. I was, however, very disappointed in the article on Brett

to people other than Brett Kebble, such as the young polo player photographed on horseback. This was a very deserving case where a black person with no future, very gifted – but no prospects of developing those gifts, was assisted by Kebble to not only develop his talents but also to participate on a competitive level. The impression created is that he is just a puppet and that, in fact, his development has not been advanced by Kebble's intervention. The article is not on your level of journalism, taking as it does so many issues completely out of context.

Good luck for the future.

Adv. Willem Heath,
Heath Executive Consultants,
Tyger Valley

cannot have been too bad, or you would surely not have used as your only example for criticism our reference to the young black polo-player. The point of the reference in our story was not to establish whether the young man derived benefit or not from Kebble's sponsorship, but rather what the somewhat bizarre incident told us about the character and motives of Kebble and his PR-advisor. Take a look at that photograph again; what is its most striking feature? Brett Kebble of course! Thanks for declaring your interest – and for the good wishes. – Ed.

■ To label the Brett Kebble Art Awards as nothing but a "shameless attempt to divert

The relationship between a funder and his project of choice should always be a mutually beneficial one in order to assure the healthy development of both.

To believe that sponsorship of the arts should be an altruistic mission is naïve, but to believe that this strips such projects of all credibility is simply insulting.

The 2003 inaugural Brett Kebble Art Awards received more than 1600 submissions, arguably the most entries for an art competition in the country. These entrants included some of the top names in the contemporary South African arts industry.

As for the shadow cast upon the judges, as highly respected artists and academics, their credentials are unquestionable. What archaic, preconceived notions assume that professionals with numerous degrees and expertise in their field are accused of compromising their integrity when they are afforded the same treatment that is the norm in the corporate and governmental sectors, where professionals are expected to demand top dollar, with expense accounts and first class flying is the norm. The selection of judges in such an award is what determines both the credibility and standard of such an event.

The 'blushing' judges referred to in the *noseweek* article, as well as an additional highly regarded judge and two selectors have all agreed to put their reputations behind the Brett Kebble Art Awards 2004. A definite confirmation of their belief in the integrity of the project if there ever was one!

Taryn Cohn
Media Liaison

Brett Kebble Art Awards

We note your email address is that of Mr Kebble's ubiquitous PR man David Barritt.

What you say is absolutely correct – but where's the rule that says we should not point out how tacky it all is.

By your account all the

'The judges as highly respected artists ... are expected to demand top dollar, with expense accounts and flying first class'

Taryn Cohn, Media Liaison, Brett Kebble Art Awards

Kebble in *nose55* – not only because he is a client of ours.

I regard your criticism of high-profile people as being of great value, but this article, while referring to a large number of topics, lacks a proper investigation of the facts to support the views of the author. It is also unfair

On this occasion the purpose of our piece was not to investigate an issue, but to present a "profile" of a prominent individual, a character sketch – a creative exercise – that offers an interpretation of the man and his position in society. For all that, the research

public attention" is an insult to the integrity of all involved in this project, from the judges to the artists who entered.

Where is the rule written that patronage and sponsorship of the visual arts has to be strictly altruistic in order to be legitimate? When it comes to sports and entertainment, large corporations throw sums of money to sponsor tournaments, concerts and even parties with the obvious objective of gaining visibility for their brand. In the field of education and science individuals and corporations such as Anglo American and Sasol allocate massive funds for the furthering of particular fields, ensuring that their corporate identity is as visible as the signature on each cheque they sign, and so it should be.

Without the support and commitment of these funders, the growth and development of these sectors would not be possible, starving all citizens of the country of the many opportunities that these non-profit driven ventures bring.

Gus



Hi, I'm Melvyn and I'm a melancholic

artists and judges are happy to have promoted the "healthy development" of Mr Kebble's less-than-savoury business interests.

That does raise questions about their intelligence and/or integrity. Regard that as an insult if you will. – Ed.

■ In your article on Brett Kebble you wonder where he is going to get his R400m, given that the politically motivated goodwill and credit of the banks may have dried up. Does the answer not lie in your article? You mention that he celebrated the appointment of his friend as head of Old Mutual Asset Management. Having learned a thing or two from *noseweek*, I'll be keeping an eye on where OM investors' money gets invested.

D P Kramer
Bedfordview

Solar moonshine

In response to Al Todd's letter about Koeberg and "Khayelitsha's sunrise industry" (*nose55*), some points you might consider: The "huge spaces defaced by Uranium mining": One of the 10 biggest in the world is Rossing in Namibia. The operation there pales into insignificance when

compared to the coal mining operations in the Eastern Highveld. As to the "toxic waste dumps" – the delivered mine product is U3O8 – which is much less toxic than the by-products of a gold mine.

"Sun panels and windmills can be installed on roofs, occupying no space." But then you do have to find space for storing the 18-or-so storage batteries and the DC to AC inverter. As to wind energy – for a 3kW wind turbine you'll need a 9m tower – supporting a 3.5m wheel – really not suitable for putting on the roof. Anything less will supply only lighting needs – very sweet but not realistic.

Turning now to "Khayelitsha's sunrise industry". It's stated that if the methods of solar water heating and thermal insulation used on 10 test houses were used on 413,000 houses then 110mW "could be saved and generated". That's a helluva lot of houses! Are you serious?

I think they've missed the point – the 110mW pebble-bed reactor is supposed to generate electricity which is then sold and which will ultimately pay for the cost of generation.

The "Khayelitsha's sunrise industry" project seems to have as its premise that the cost of installing all the energy saving will be paid for by others and passed on gratis to the people who live there – worthy and humane it may be, but not much of a financial proposition.

As to the matter of "carbon credits": This is a means by which we and other countries sell to the First World part of our right to generate emissions – thus forcing our own further generations (but not the First World) to adopt emission free strategies at a cost that will never be covered by the original carbon credit sale – is this a good idea?

Terry Mackenzie Hoy
Pr. Eng.
Pinelands

If you look at the defence budget, why should the government/taxpayer not pay for such a project? And, believe it or not, government policy appears to be to supply the poor with a certain amount of services – electricity included – gratis. And more jobs. If that is given, then energy-efficient buildings and sun panels may well be the most economically and

*socially responsible way to go. Certainly more research along these lines is called for. Nowhere in *noseweek* has it been suggested that "conventional" power sources should or can be totally dispensed with. – Ed.*

■ Whilst renewable energy initiatives are welcome, they require money that for the poor may prove an impassable hurdle. The simple way to produce light at the times most people can use it will cost nothing.

All that is required is for South Africa to change to UK or, even better, European Central Time. Our present clock setting has daylight in summer at around 4.30am, when a very small number of people are up to use it. Set the clock back an hour or two in summer and daylight could instead be available in the evening when, by the current clock setting, we have darkness – 8pm to 10.30pm – but when the vast majority of people are still up. They would then not need artificial light to read and study.

RM Bale
Clifton

And there'd be sun panel power for the telly. – Ed.

THE SECRET SINGLE MALTS OF SPEYSIDE



Y&R Gilman 9951109

Nearly 200 years ago, in the remote Livet Valley in the Speyside region, one master-distiller had perfected his craft to create "The Glenlivet". As the very first licensed distillery in the Scottish Highlands, it is a perfectly balanced single malt that embodies the delicacy and softness that typifies all Speyside whiskies.

Nestled in the heart of the Scottish Highlands, Speyside has always been at the centre of whisky distilling. Considering the high concentration of distilleries in the area, it's no wonder the Speyside region has earned the nickname "The Golden Triangle". Connoisseurs even describe Speyside whiskies as the champagne of Scotland.

And rightly so, since the secret to their rich balance of flavour, and exceptional softness, originates from Josie's Well, the sparkling clear, and ice-cold, fresh mountain spring water used to create single malt whiskies of unrivaled quality and infinite elegance.



Northridge farm

Certain sectors of the so-called 'rainbow' nation never cease to amaze me ('Wake up and smell the manure', nose55)! Dr Philip du Toit asks: "Why bother with [farm] mentorship at all? Why not let those who can farm [presumably he's referring to whites?]

cannot purport to entrench their own racial privileges at the expense of other race groups in this country.

It is clear that farm workers and others who might want to farm on a commercial scale need the skills, institutional and financial support, and ongoing training and

radiation of above 15,000 mRem a year with no harmful effects.

Background radiation at Guarapari in Brazil is 17,500 mRem a year and at Ramsar in Iran 79,000 mRem a year (caused by natural hot springs whose water contains radium).

An Eskom physicist told me that a rough calculation showed a large hospital using radiotherapy would release more radiation into the environment in one day than Koeberg would in one year. Huge studies have been done by independent institutions such as the US National Cancer Institute and the UK Office of Population Censuses and Surveys, of the incidence of cancer in populations living near nuclear installations and in nuclear workers. The results are always the same: no increased cancer in surrounding communities; fewer cancers among the nuclear workers than you would expect in a normal population.

For example: A study by the Johns Hopkins University, released in 1991, looked at 70,000 workers who had serviced nuclear-powered ships in the US Navy between 1957 and 1981. The half of them who had received extra radiation doses had fewer cancers than the half who had not, and fewer cancers than in the general public. (The latter result is probably because the workers have to pass medical examinations before they are employed.)

No doubt such a study on Koeberg workers would yield the same result.

Andrew Kenny
Noordhoek

Our fear, now, is that a survey at Koeberg might yield such a result – because workers are routinely fired/retrrenched before their cancer is formally diagnosed. – Ed.

Not-so-good news

I wish I could share Rian Malan's good news about Aids (nose55). I'm not sure what statistics can be drawn

from my story: I know two Zulu families very well – the head of one I have known since she was 19. She is now nearly 50. Of her five children two are infected with HIV. Both lost their partners to Aids and a 16-week-old baby has perished. All in the last 18 months. The deaths have been recorded as "natural causes".

The other died on 7 February leaving behind his partners and two small children – his death certificate, too, cites "natural causes". He was HIV-positive for seven years.

Is it possible that hospitals are giving the cause of Aids deaths to alter statistics?

PA Askew
Shaka's Kraal, KZN

■ Rian Malan is bold enough to challenge the status-quo on HIV and Aids, but only to a degree. While laudable, he is merely paddling in the shallows. His livelihood as a mainstream journalist would be threatened were he to peel back the covers to reveal all the sordid issues hiding between the layers of HIV-Aids dogma.

Acquired Immune Deficiency most definitely exists but I believe the whole HIV=Aids project has been built as a house of cards on a foundation of quicksand. In time, when the structure comes tumbling down we will be faced with an unconscionable burden that is on par with the Nazi holocaust.

I may or may not be right, but to shoot the messengers without having the decency to examine what is being said is as abhorrent as those who condoned apartheid by just keeping quiet.

My question to Rian Malan: Why not venture out of the shallows and cut to the core of this issue? Why don't you personally want to go there?

Paul Murray
Cape Town

Maybe he doesn't share the certainty of your beliefs either. Or perhaps martyrdom just isn't his thing? – Ed.

Pen a limerick and win a Sonnet

noseweek, with Pen & Art, is giving away a Parker Sonnet fountain pen worth R1,200 each month for the best topical limerick submitted to the magazine.

Email your sanctimonious, scurrilous, rude, amusing or insightful doggerel to noseweek@iafrica.com; post to Box 44538, Claremont 7700; or fax to (021) 686 0573. Entries must be received by Friday 14 May and must be headed "May Limerick Competition"

The winning entry will be published in the April edition of noseweek. The editor's decision is final.

And last month's winner is...

Gus Ferguson, Plumstead, with:

**That heretic Christian called Mel
knows not his theology well.
The killers of Jesus
did it to please us,
it gave us an option to Hell.**

continue to produce the food to feed the millions in Southern Africa?" How presumptuous! A man of his qualifications should wake up and smell the reality of the New South Africa.

The land redistribution programme instituted by the ANC government admittedly has weaknesses, both institutional and substantive. Perhaps the project in Ceres (nose51) was not a roaring success. (I hope the institutions involved will go back to the drawing board and plan this exercise more carefully and put the proper mechanisms in place.) But the land redistribution programme is going to go ahead full steam with or without your approval, and the millions that need to be fed will be fed by farmers of all races who respect and uphold the rights entrenched in the Constitution and those of farmworkers. This also calls for those who have the necessary commercial farming expertise to realise that there is a place for them in South Africa, but they

development from those who have the expertise – that's all. They are not stupid, as Dr du Toit's statement seems to imply. He and others of his ilk need to deal with this basic fact – sooner rather than later.

Mothepa Ndumo
Mowbray

Koeberg and cancer

Eskom has done wrong by Ron Lockwood in encouraging him to take early retirement without telling him of his signs of leukaemia. It must apologise and compensate. But to suggest (as noseweek and Earthlife – but not Lockwood himself – have done) that his cancer might have been caused by the miniscule radiation he received is just silly.

Radiation has never been seen to cause damage to human beings at below 10,000 mRem a year. The limit for radiation workers at Koeberg, which few ever get near, was half that and is now only 2,000 mRem a year. People have been found living with natural background

Laughter, limericks and litigation

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One of the highlights of life at *noseweek* is our correspondence with readers. They sound off about matters that upset them, they send us letters of reprimand to keep us on the straight and narrow; they send us praise to keep our spirits up.

And they send us jokes just to make us laugh. Gavin MacFadyen in London's latest trawl off the internet brought in a short poem made up of genuine quotations from President George W Bush, aesthetically arranged by *Washington Post* writer Richard Thompson. Here are just three of the verses from *Make The Pie Higher*:

I think we all agree, the past is over.
 This is still a dangerous world.
 It's a world of madmen and uncertainty
 And potential mental losses.

I know that the human being
 And the fish can coexist.
 Families is where our nation finds hope,
 Where our wings take dream.

Put food on your family!
 Knock down the tollbooth!
 Vulcanize society!
 Make the pie higher!
 Make the pie higher!

Which reminds me: our readers also manage to send us a surprising number of truly awful limericks for our fountain pen competition. This month they were so dreadful, that when Gus Ferguson, whose cartoons regularly grace our pages, sent us a very good (if rather profound) one, we decided to give him the prize, never mind that he's sort-of family. Unfair competition, I know.

So, maybe before the next wave of horrors hits us, a bit of guidance on the art of limerick writing is called for. It's provided by another *noseweek* reader, Etienne Huggett in the form of two classics – both by unknown authors – drawn from his collection. (Yes, some people do collect limericks!)

The first one perhaps best explains the appeal and the essence of this art form:

At Harvard a randy old Dean
 said: "The funniest jokes are obscene
 To bowdlerize wit
 takes the shit out of it
 but who wants a limerick clean?"

Which reminds me of the one I gleaned, as a teenager, from a well-known sex manual and can, somehow, never forget:

There once was a young man from Kent
 whose kirk in the middle was bent.
 To save himself trouble
 he put it in double,
 so instead of coming he went.

To conclude our lesson, another classic from Etienne's collection that's both clever and clean:

There's a wonderful family called Stein:
 There's Gert and there's Ep and there's Ein
 Gert's poems are bunk
 Ep's statues are junk
 and no one can understand Ein

Laughter aside, most importantly our readers send us tip-offs. They confide in us. They whisper in our ears at parties. They trust us with their confidences. And we would not dream of betraying that trust. There is a reason for telling you this, again, today. I have received a subpoena, issued by the attorneys of Anglo Platinum's chairman, Barry Davison. In it I am ordered to appear at the Pretoria High Court on Monday 26 April (by which time this magazine will have gone to print) to "testify on behalf of" Mr Davison in the extended divorce case between himself and his ex-wife, Sally. I have never met either Barry or Sally. According to the subpoena, I am required to bring with me to court "all documentation relating to the *noseweek* article in issue 54 – 'When Barry left Sally' – including, but not limited to (1) all consultation notes and (2) all recordings of interviews, consultations, telephone conversations."

I am further informed in the summons that should I "neglect to comply" with the subpoena, I may "render myself liable".

Liable to what, I wonder? Even were I to have had such consultation notes and recordings, I would not be rushing to court to tell all on our sources to anyone – least of all at Barry Davison's behest. If we did, how could we ever hope to perform our function by exposing abuses of power by men such as Barry Davison?

If I'm missing after 26 April, you'll know where to go looking for me.

The Editor



THE PRISONER: Michael Addinall with his son Dagan, now five

FALL GUY

A jailbird in a Pretoria prison has revealed to *noseweek* how a criminal syndicate used Absa's foreign exchange department as the lynchpin of a massive scam that saw more than R2bn illegally moved offshore over six years – and how he alone has paid the price while the big fish got away

South African Revenue Service investigators are sitting on a remarkable dossier. Prepared by a prisoner who is currently serving a five-year sentence in terms of the Prevention of Organised Crime Act, it details how more than R2-billion was illegally shunted offshore over a six-year period ending at the time of the collapse of the rand in 2001.

It also details how, in the process, the revenue service was defrauded of hundreds of millions in income tax, customs duty and VAT.

The great forex scam was operated by a criminal syndicate in South Africa to pay foreign suppliers for under-invoiced grey goods imported for well-known retail chain stores – and to smuggle the undeclared profits of the scheme offshore. In addition, many wealthy South Africans used the syndicate to ship their own “hot” millions offshore, where the syndicate could, for a small extra percentage, also arrange for its conversion to US dollars.

In addition to routinely under-invoicing their imports, for several years syndicate members used a zero-rated import permit obtained by staff of electronics multinational Siemens – ostensibly for a secret defence project in Botswana – to import numerous consignments of electronic goods for the SA retail market “tax free”.

The author of the report – one-time Knysna resident Michael Addinall – is in jail. In court papers relating to his case, it is stated that between 1994 and 2001 Addinall’s cheque account with the Brooklyn, Pretoria, branch of Absa Bank was used to launder and move more than R469m offshore for syndicate members.

Curiously, the extent of the traffic through Addinall’s bank account – and the huge amounts that were routinely deposited and withdrawn in cash from from it – appear not to have raised any suspicions with the bank’s management.

And, nearly two years after receiving his dossier, the police and revenue service have still not interviewed – let alone taken action against – any of the people named in it. In the meantime bank records have apparently disappeared or been deleted from computer systems.

In a statement prepared for the police and revenue inspectors – and now also in *noseweek’s* possession – Addinall named four Absa forex officials, whom

he claimed he could prove had moved a further estimated R2-billion offshore through other, similarly operated bank accounts.

Details of the alleged massive criminal scheme were confirmed in sworn testimony given at a secret insolvency enquiry in 2002 and in affidavits filed by Addinall himself and various revenue officials in a case for his sequestration.

From his cell in Pretoria’s Atteridgeville prison, Addinall, 46 this month and into the 20th month of his five-year prison term, prepared a detailed chart for *noseweek* [to be added to our famous collection of organograms – Ed.] setting out the inter-relationships between the

Siemens Southern Africa now tells *noseweek*: “Siemens management is not aware of any suspect payments made on this project [15-13-23], or any other. If Mr Addinall was involved in any inappropriate or criminal conduct with regards to his work in Botswana he was acting outside the scope of his employment with Siemens and he did so without the consent of the company.”

After some disagreement, Addinall’s Botswana work permit was abruptly cancelled and he was retrenched by Siemens. Later, back in Botswana on a visit, he lunched with Morgan Oagile. Addinall recalls the conversation: “He asked if we could approach anybody to utilise the [zero-rated] import permit

It appears this was one spectacular case the revenue service and Absa were happy to have pass unnoticed by the media

members and how the “syndicate” operated.

On 11 September 2002 magistrate Bill Moyses sentenced Addinall to 10 years (five years suspended) in Pretoria’s Commercial Crimes Court. The conviction and sentence had been agreed upon behind the scenes in a plea bargain, so that the entire proceedings lasted only a few minutes. It appears this was one spectacular case the revenue service and Absa were happy to have pass unnoticed by the media.

It all started more than 10 years ago, when Addinall was working for Siemens as a commercial project manager. In 1991 and 1992 he was stationed at the military airport at Bostwana’s Molepolole, working on a defence project known as 15-13-23 (Secret).

Siemens management (the two individuals are named in the dossier) provided R250,000 (as bribe money) to the owner of a local clearing agency, Morgan Oagile, to obtain a zero-rated customs duty and VAT permit, which Oagile procured from a senior military contact in Botswana. The permit enabled the holder to import goods – supposedly defence equipment – into the Southern African customs region free of duty and VAT. Addinall says he does not know if Siemens itself ever used it.


that he had negotiated for Siemens”.

Addinall’s “Uncle Lucas” came up with the name of an attorney who knew “just the person”. That same week Addinall was introduced to former policeman Kobus Dreyer.

Dreyer – whose financial backer was a wealthy businessman named Pieter Holl – told him that he had been supplying “grey imports” of car audio and hi-fi sets into South Africa. Dreyer explained that he changed the description and value of items on the invoices in order to pay less duty and VAT.

“The profit lay in the avoidance of the true duty and VAT,” writes Addinall. “I asked them if it wasn’t grossly illegal and Dreyer informed me that everyone was doing that and if you’re caught you either lose your goods, or pay a fine, or pay someone in Customs to make a plan.”

Back in Botswana an enthusiastic Morgan Oagile agreed to the continued use of the zero-rated Siemens permit by South African importers. He gave instructions on how invoices should be made out to Siemens/Glocom [Glocom was Dreyer’s company], with the Siemens project number clearly visible. “Oagile told me it was accepted protocol that no country will inspect



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Mr N Steffny, Parktown North 2196; Prof GT Harris, Glenwood 4001; Mr R Saunders, Newlands 7700; Mrs DO Jones, Hillcrest 3610; Mr EJ Bullock, Caledon 7230.

another country's goods that were designated for a military project," says Addinall in his dossier.

Oagile wanted a 15% cut. Dreyer agreed to 10%. His new supplier was Hi-Fi Export, in London's Edgware Road (proprietor Arinel Mehla). The first consignment, worth R75,000, duly arrived. Addinall handed over the R7500 commission to Oagile at the Botswana border post and Addinall collected his 3%.

After five or six shipments Dreyer and Addinall flew to London to meet Hi-Fi Export's owner, who agreed to extend credit. "The size and value of shipments increased dramatically," says Addinall. Kobus [Dreyer] was making a lot of money, so was Morgan [Oagile] and I was getting paid for doing nothing. Dreyer imported a helicopter from the US and bought houses in [Pretoria's] Waterkloof and the Drakensberg."

Addinall estimates that Dreyer and Holl imported more than R100m worth of goods on which no Customs duty, VAT or Income Tax was paid. But their supply dried up when they failed to pay their account at Hi-Fi Export. The London company asked Addinall to find some replacement customers.

He then met other key players in the syndicate. Many of them, he says, used the zero-rated Siemens permit. Addinall lists them in his dossier: in addition to Pieter Holl and Kobus Dreyer, he names Jusef Wajer, Imran Ismail, Ronnie Lipman, Steven Ferrer, Herbie and Andrew Chalupsky and Charles Fredericks.

Confronted now by *noseweek*, Ismail says angrily: "I don't know what you're talking about." Is he still importing grey goods? "No, I've never done that. I don't know why you're calling me."

Herbie Chalupsky, now 53, was the owner of Trump-Electronics in Boksburg. His partner was Michael Schreiber, a German national who described himself to Addinall as the biggest dealer in computer parts in Malaysia. At a "very confidential" meeting the pair told Addinall that they imported high value computer memory chips from Singapore, making "their most profit by playing the VAT game".

According to Addinall, Chalupsky owned three houses in Kyalami Park, a R5m house in Leeukop, a R3.5m flat in London, and a farm at Bronkhorst

Bay. With Charles Fredericks he was also the proprietor of two office blocks in Kyalami Business Park.

Chalupsky had been bringing in the computer chips through Amsterdam's Schiphol airport. Couriers from South Africa would fly to Schiphol with suitcases full of money. At the airport they swapped bags with a chip-bearing courier from Singapore or Malaysia.

Chalupsky and Schreiber then used the Siemens zero-rated permit to import goods worth between R600,000 to R2m per shipment, two to three times a week.

Schreiber, through his company Isorast SA, held the South African rights for a German company of that name which produced polyester bricks for low cost housing. He came to own 10 luxury houses in South Africa and is remembered by Addinall as a somewhat sinister character, always accompanied by two Russian ex-KGB bodyguards.

Addinall says that when Interpol got on Schreiber's trail, Chalupsky arranged for the German and his minders to be flown by SA military aircraft from Waterkloof air force base to Botswana. (Schreiber subsequently served a prison stretch in Germany for tax evasion, but is now believed to be back in Malaysia – or South Africa.)

Payments to the Chalupsky/Schreiber overseas suppliers went through Addinall's bank account with Absa/Brooklyn.

"Don't worry, I have friends in the right places and money goes a long way in making a problem go away," Chalupsky is said to have assured a worried Addinall.

Chalupsky did prove useful when Addinall first ran into tax problems late in 2001. Chalupsky sent him to a man called George, who took him to a Mr Pillay "who had the right contacts at SARS in Pretoria". A payment of R100,000 to Pillay – of which Addinall says R25,000 went to a senior SARS official – ensured an extension of time on a tax inquiry, from October 2001 to February 2002. In January 2002 Addinall received some more, extremely pointed, queries from SARS, indicating they were on to his now notorious Absa bank account. He decided it was time to emigrate to America.

Herbie Chalupsky says that he has heard of Michael Addinall, but maintains that he was never associated with him. "I used to be in the import business, but I'm not now." Did he use

the zero-rated Siemens permit? "Not that I know of – and I've never brought in computer chips via Schiphol. Never in my whole life."

It was through Chalupsky, claims Addinall, that he met the "very wealthy" Marius Dippenaar. Johannesburg-based Dippenaar imported goods with Herbie's son, Andrew Chalupsky, under-invoicing and paying away funds through Absa.

Dippenaar owned seven BMW Z3 cars – a different colour for each day of the week, states Addinall. "Marius is very connected at the SA National Defence Force with people in power. He is as dangerous and ruthless as Herbie [Chalupsky]. Because of their friendship there is a huge amount of cross-pollination of interest between Herbie, Andrew [his son], Marius, Kobus Dreyer and Pieter Holl."

Then there's Steven Ferrer, 46, described by Addinall as "a major cheque discounter for people and also the middleman of many forex transactions".

Ferrer owned the Mister Jewellery business and, says Addinall, he

"knew everyone of consequence in Johannesburg, Pretoria and Cape Town".

According to Addinall, Ferrer brought in watches and perfumes, in 2.5 kg jumbo boxes. "He had a very senior person who would delete the master air waybill off the system, so there

At one time, says Addinall, the duo was bringing in one 40ft container of goods every day through Cape Town – and later through Swaziland.

Lipman, with a R5m house in Cape Town's Fresnaye and a second home in Bantry Bay, did the invoicing to his South African customers. Payments

Dippenaar owned seven BMW Z3 cars – a different colour for each day of the week, states Addinall

would be no record of goods entering the country."

Ferrer discounted for, among others, Johannesburg-based Imran Ismail and Ronnie Lipman in Cape Town. Addinall describes Ismail and Lipman as among the leading importers of grey goods into South Africa. They bought from three sources in Singapore and imported Hi-fi's, DVD players, VCRs and TV sets. Among others, they supplied the well-known Hi-Fi Corporation.

to overseas suppliers went out of the country via Addinall's bank account with Absa.

Another associate of Ferrer who used corrupt Absa staff to do his money transfers was an Israeli named Dudi Goldgamer. To switch hot rands for offshore US dollars Goldgamer charged 5%.

"Never ever in my life!" protests Goldgamer when *noseweek* gave him a call. "I met the guy [Addinall] once



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From the gift horse's mouth

From his gift shop in Atlanta, Georgia, Steven Ferrer talks about this role in the syndicate – and finds it “very strange” that SARS has never tried to contact him about the role he played in the syndicate's operations.

I know Mike [Addinall] very well and I was involved in all sorts of things that Mike was involved in at the time. I would love to try and help him. We used to import product, discount cheques, whatever. One thing I do know is that the authorities have never come to me. That's the strange thing. I've never been contacted by SARS, although after I left for America I was contacted by my accountant and told that SARS had been doing an investigation.

Did you supply goods to Hi-Fi Corporation? Not me. There were people supplying to Hi-Fi Corporation, but I wasn't an importer. I had a jewellery store [Mister Jewellery] and part of the business I did was discount cheques. That was my role. Anyone importing and distributing would come to me for finance. But I certainly wasn't an importer. I do know that at one stage Hi-Fi Corporation was under investigation for VAT fraud, or VAT evasion.

What about Atlantic Imports and Playtime International? I had no connection with them, other than I discounted cheques for them.

So who was behind these companies? Listen, this is a lot more complicated than a phone call to America. First of all I don't want to get myself into trouble and I don't want to get anyone else into trouble.

Did you do business with people like Kobus Dreyer, Ronnie Lipman, Imran Ismail, Herbie and Andrew Chalupsky? I was merely a facilitator of immediate money and although I do know the names you mentioned – I did business with some of them – I do not know of their roles in the scheme. I would take cheques from people wanting immediate money and I would re-discount them and make a commission.

I don't believe I've got too much to hide – it's just that I don't want to get anyone into trouble. Mike has given these names to SARS. You tell me it's not rather strange that those guys are still all living in South Africa and living as if nothing is wrong, when they might have been involved in things like this. They're the ones that don't have the problem.

These are names that Mike specifically dealt with. I do believe he's not entirely innocent, but at the same time I believe there are other people that should be taking the rap. I find it very strange that they haven't even been questioned. I'm in Atlanta, but I'm only a phone call away. VAT is talking about millions and millions of rands.

Did you have dealings with Absa's Mark Giloxwe, Donovan Smart and Elsabe Degenaar? Donovan I did. I don't know what happened to him.

What about Addinall's account of how you imported jumbo boxes of watches and perfume via DHL, with the master airway bill being deleted off the system?

Yes, that was for my own use, though. Let me tell you something. There's no question that there were games being played. There was a time where everyone believed they were invincible in South Africa. I'm not saying I was an angel, but Mike was being held on VAT fraud for R170m. Let's face it, a couple of boxes of DHL does not add up to R170m worth of business. The kind of money that Mike is allegedly involved with, is so great that there must have been a far bigger picture.

in a shop in Rosebank, trying to sell a bakkie. That's all the connections I had with him.”

After fast-living Morgan Oagile died of Aids in June 1998, the zero-rated Siemens permit fell away. Addinall was then approached by Steven Ferrer, who told him he had a number of companies and individuals who wished to do off-the-book forex transfers. Addinall would receive 1 to 1.5% for the use of his bank account at Absa/Brooklyn.

Addinall agreed. False forex documents, he says, were provided by Cape Town-based Mark Giloxwe, who worked in Absa's forex department at Paarden Eiland. The “master mind” who created the documents – original customs bills of entry, original bills of lading and original supplier invoices – was a Cape Town businessman named Dirk Hoffman. “These documents were used for committing fraudulent forex transfers and to avoid customs duties, VAT and personal taxes.”

False forex documents were provided by Cape Town-based Mark Giloxwe, who worked in Absa's forex department

“I contacted Mark [Giloxwe] and we met for supper,” says Addinall. “He explained that he had access to people who could generate all the necessary documents for a fee of 3%. I then did a number of transfers for Steven Ferrer and Kenny McCloud of SA Trading, who also supplied to Hi-Fi Corporation. Also for Imran Ismail, who also supplied Hi-Fi Corporation.

“Later the commission to Mark was reduced to 1.5% because the market refused to pay any more.

“Herbie Chalupsky also met with Giloxwe and used his services, as did Dudi Goldgamer.” Giloxwe's commissions were paid into an ABSA account ostensibly held by someone called F.M. Braz.

After an internal Absa investigation Giloxwe left the bank.

Another friendly face at Absa was Donovan Smart. “Smart has done millions of rands worth of transfers for certain Israelis,” Addinall claims in his dossier. “He needed no documentation other than a client's name and banking details, and 3% commission per

transaction paid into his Nedbank Credit Card.

“Dudi [Goldgamer], Herbie [Chalupsky] and I had to pay R750,000 for Smart's services. Dudi and Herbie used him extensively. I later passed Donovan [Smart] on to Pieter Holl and Kobus Dreyer, and they used him too. He would place an internal debit on your account for the amount required to cover the transfer.”

Smart, now based in Cape Town, comments: “I resigned from ABSA to start my own company, a one-man show dealing in sporting merchandise.” Did he do forex deals for Goldgamer, Chalupsky and co? “Now you're asking me a question about something that happened six to seven years back. I don't know whether I can recall those names,” says Smart. Neither does he recall 3% payments into his Nedbank Credit Card. As for the R750,000: “If I was paid R750,000 I wouldn't be working where I am at the moment.”

After Smart left Absa, his place was taken by Elsabe Degenaar, who worked in Absa forex at Midrand. “All

her commissions were paid into her husband's account,” says Addinall. Chalupsky and Goldgamer, he adds, used Degenaar to do three or four R1m transactions a week.

When Degenaar, by then under internal investigation, died of cancer in October 2001, Chalupsky remarked to him: “Thank fuck for that.”

Absa bank spokesman Errol Smith comments: “The forensics officer who investigated Smart and Giloxwe left us a couple of years ago, so we have very little information. We can confirm that after the investigation Smart was severely reprimanded and he resigned in 1999. We have no information on Giloxwe or Elsabe Degenaar in our files.”

Then there was Michael Wittman, at Absa forex in Pretoria. Addinall describes Wittman as “a very nice person who did many ‘legitimate’ transfers. But in most cases documents were not stamped, they were regularly ‘misplaced’ and no authorization requests were signed. Poor administration - Michael was very lackadaisical.”

Addinall says that he and Herbie Chalupsky loaned money to Wittman's wife Lavonne to assist her Travel Fair business in Pretoria's Hatfield.

Wittman, who is an adviser for trade and finance in Absa's forex department at Pretoria head office, says: "From the bank's point of view I'm not allowed to talk to the media." How much did Addinall and Chalupsky lend his [now ex] wife? "I think you must maybe speak to her," says Wittman. At Travel Fair, Lavonne Wittman tells us: "I had my business going for six years before they gave me any money. I really wouldn't like to be involved in something like this."

In 2001 Steven Ferrer fled to the US, where he now owns a gift shop in Atlanta, Georgia. Says Addinall: "Steven informed me that he was being investigated by SARS, but not to worry as nothing would happen to me as I knew nothing and he would protect me."

The bizarre thing in all of this is, apart from Addinall, no one else seems to have been arrested or prosecuted – or even investigated for these capers. Although shareholders of Profurn, which owned Hi-Fi Corporation at the time, may recall that at the end of 2000 the JSE-listed group announced that it had paid a R26m "settlement" to SARS "regarding unpaid VAT and customs duties".

JD Group, which took over Profurn last year, is unable to confirm that this R26m payment related to Hi-Fi Corporation. Hi-Fi Corporation's MD, Diane Bowran, who surely knows, did not return our calls.

Addinall, finally under investigation by SARS himself, fled to the US in February 2002. He says he had been receiving anonymous death threats. He started a new life in Palm Springs, California with his new love, Julie. They have a son, Dagan, now five.

Three months after he left South Africa he was sequestered for R170m, which SARS claimed was owed in VAT by two companies, Playtime International and Atlantic Imports. These entities were never registered with the Registrar of Companies and Addinall says he has no knowledge of them.

He says that when he contacted Steven Ferrer to ask who was involved with these entities and Hi-Fi Corporation, Ferrer replied: "SARS

forensic specialists and investigators know exactly who they are. You, dummy, are just the fall guy." [See box story.]

So, from a new life in California, how did Addinall wind up in Atteridgeville prison? On 3 August 2002 Michelle, his 24-year-old daughter from his former marriage, was getting married in Heidelberg. Addinall decided it was worth the "risk" to return to SA for the wedding, entering the country by strolling unchecked across Beit Bridge.

A family member tipped off police, who arrested him 10 days after the wedding at his mother's home in Knysna. Initially charged with 106 counts of VAT fraud totalling R170m (a large chunk of it relating to goods supplied to Hi-Fi Corporation), he finally pleaded guilty to one charge of money laundering.

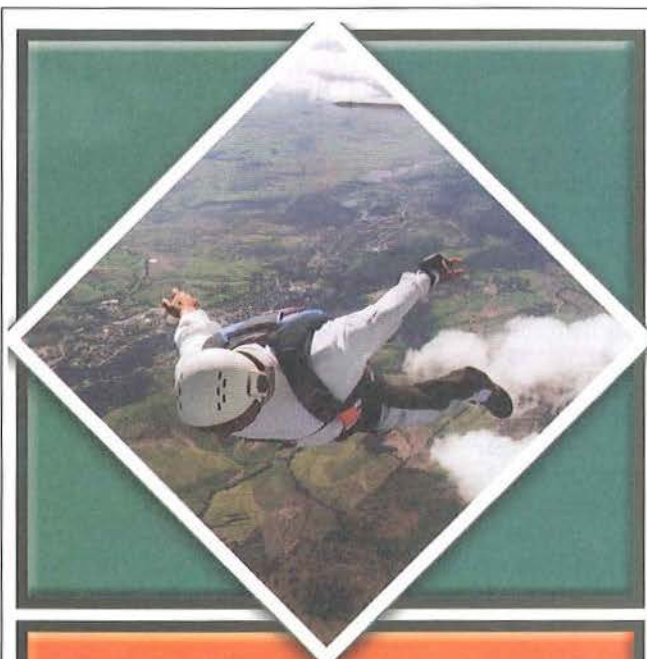
And SARS? SARS investigator Johan Kloppers, who has held most of the information in The Addinall Dossier for more than 20 months, was not available for comment. "Addinall was not arrested or jailed for any tax-related matter," a SARS spokesman told *noseweek*. "He was jailed for money



Addinall risked returning to SA from the US for the wedding of his daughter Michelle, 24, in Heidelberg

laundering. We take serious note of any information that is forwarded to us and we work on every little detail. But we don't attach time frames to it." Clearly.

From prison, Addinall tells *noseweek*: "I realise what I did was very wrong. But I should be a State witness, not a prisoner. If I was given access to the documents held by SARS, R2bn to R2.5bn could be identified for recovery. I'm still prepared to testify, but unless all these people are prosecuted I am at risk." ■



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New Louwdown on Saambou



Saambou curator John Louw

When, in 2002, the curator of Saambou Bank sold off the failed bank's assets, only some of the major deals were made public. The fact that many smaller ones were kept secret led to speculation that they were made at a discounted price – to members of Saambou's own failed management.

As nothing materialised to support this speculation, after a time, the stories died down. The curator, senior KPMG partner John Louw, and his friends at Saambou might even have thought they'd got lucky. But now we've received disturbing information about the disposal of Saambou-owned Thuthukani Leasing Results (TLR), a small asset finance company specialising in the rental of office equipment and account collections. It's sure to raise that nasty subject all over again.

By how much, we want to know, did the sale of Thuthukani benefit Hennie Fourie, the senior manager at Saambou who worked most closely with curator Louw to find purchasers for the Saambou assets?

TLR was a tiny part of the Saambou empire. But under the enthusiastic management of then chief executive Stephen McTaggart, the company was a thriving profit centre. In the 13 months to 31 March 2002 it recorded a pre-tax profit of R8.9m, on gross revenue of R11.6m.

After Saambou went into curatorship on 9 February 2002, McTaggart and his team decided to make an offer for their company's assets. Peet Buys, then executive director of the

When Saambou was wound up two years ago there was conjecture about the bank's failed management benefiting from the selloff. Fresh information about the disposal of Saambou-owned Thuthukani Leasing Results has revived such speculation

(Saambou-owned) Thuthukani Group, attended a meeting of TLR staff. According to McTaggart, he assured them: "We realise the immense contribution you have made. I'll ensure you are given the keys to the company you have built."

On the basis of this assurance, McTaggart tells *noseweek*, on 21 August that year he and colleague Hans Mostert handed a written offer to Buys, to be passed to the curator. The offer, says McTaggart, came to R2.2m. This was 80c per rand on the value of the assets – a debtors' book valued on the day at R2.6m – plus the fixed assets.

Mostert confirms the handover of the offer. It included a detailed Basis of Offer document. "We were prepared to go to R2.9m," says McTaggart. Mostert confirms this too.

"Our scenario was to buy only the assets," explains McTaggart. At an earlier stage he had considered buying the company for a token R1, but that would have meant shouldering its R4.1m liabilities for tax, holiday pay and retrenchment costs.

"We received no formal response from the curator and the following month Buys told us that TLR had been sold to Hennie Fourie."

McTaggart claims that the offer from the curator's aide was in the name of David Murray, the financial director of a Pretoria office supplies company. "The deal was shrouded in secrecy," he says. "No one could ever find out how much they paid. But it was common knowledge that TLR went to Fourie and Murray."

Former Saambou manager Fourie denies that he was the purchaser. "TLR was bought by another entity

"We could never understand why Hennie was prepared to pay the price. I think it was because of the synergies of Murray's business and they believed they could make it work.

"McTaggart wanted it for nothing. He kept saying: 'Saambou owes me a living – give it to me'. He didn't even put in a written offer. He said to me he'd buy it for R80,000. It was an insult. He never gave me anything in writing.

"He wanted retrenchment packages for all his staff. Ludicrous! A complete joke! I said: 'Stephen, much as I'd love

liabilities – which at March 2002 included R2.5m due to the Revenue. Or did he? What did the March 2002 financial statements submitted to the Revenue reflect?

Preet Buys, the executive who had promised McTaggart and his team the keys to the company, cannot recall McTaggart and Mostert handing him a written offer to hand on to the curator. "McTaggart never made an offer that I received," he maintains.

Adds Buys: "We often spoke about him buying it. I said 'Stephen, you

McTaggart wanted it for nothing. He kept saying, 'Saambou owes me a living – give it to me'

which I have no interest in," he says. "I know exactly how much it was sold for and who it was sold to. But I cannot disclose that without Louw's permission."

Working closely with curator Louw, Fourie says he was aware of McTaggart's offer – one of three offers tabled – but declines to give the figure. "A decision was ultimately taken and obviously the best offer was taken."

Was it? Louw failed to respond to *noseweek's* written questions about the sale of TLR (see box on page 16). But a senior member of the curator's team spoke to *noseweek* on condition of anonymity.

"Hennie Fourie was on the management of Saambou bank and he assisted Louw in selling off the assets," he said. "I sold the bloody thing [TLR] to Fourie. I can't remember the figure, but it was R1.5m to R2m, which was precisely R2m more than anyone else was prepared to pay.

to help you I've got to give it to the highest bidder'.

"McTaggart's got a right to feel bitter, because he did a nice job. TLR was a nice little business. But he was greedy: he wanted to pick it up for nothing. I was mandated to get the best price and I did."

Murray insists that he's the new owner of TLR and that Fourie was not part of it. "I'm basically the one that acquired it," says Murray. "Hennie [Fourie] is a friend of mine and he assisted me because of his knowledge, being a CA and all."

So Murray bought the company, not just its assets, which McTaggart was after. Murray declines to say how much he paid. "McTaggart told me he put in an offer of R1 for the company. I'm not aware that he'd made a bigger offer. All I know is that my bid was accepted."

Since he bought the company, Murray must therefore gallantly have shouldered TLR's R4.1m

must make a decent offer – between R1m and R2m. When we spoke he was going to make a fair offer, over R1m. But he never presented a final offer to me in writing."

Consider these inconsistencies:

■ The curator's anonymous consultant tells us that McTaggart's offer was only R80,000 and that it was *never tabled*. He confirms that TLR was sold to *Fourie* for between R1.5m and R2m, and that at the time Fourie was assisting the curator selling off the Saambou assets.

■ Fourie *denies any personal interest* in the purchase. He insists that an offer from McTaggart *was tabled*, but won't say how much it was; just that it was rejected by the curator in favour of a higher bid.

■ McTaggart says his *written offer* of 80% of the debtors' book and fixed assets, was R2.2m – and he was prepared to go to R2.9m.

He wonders now whether the written offer he handed to Buys

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Anybody out there?

The questions we put to Saambou curator John Louw that have remained unanswered:

- 1** We understand Messrs Hennie Fourie/Murray paid "in the region of R1.5m to R2m" for Thuthukani Leasing Results. What was exact figure?
- 2** Did the purchasers take on the company's liability for income, leave pay and retrenchment costs?
- 3** The deal gave them a debtors' book worth R3.5m. Correct?
- 4** Were you aware of Stephen McTaggart's management buy-out offer of R2.2m, and that he was

prepared to go to R2.9m? Did you receive (from Peet Buys) McTaggart's written offer of 21 August 2002 and the figures for his Basis of Offer?

5 If so, why was TLR sold for a lower figure to Fourie/Murray?

6 We understand that Hennie Fourie held a senior management position at Saambou Bank and that he assisted you in finding purchasers for the Saambou subsidiaries. As such, did he receive preferential treatment from you over his purchase of TLR?

ever reached the curator. "The whole business was shrouded in such secrecy," he says.

"For this anonymous member of Louw's team to say my offer was R80,000 is bullshit. We had a backer prepared to put up R2m. That's how we could make the offer of R2.2m.

"The setup was basically stolen from us. You're talking about a lot of money here. I'm extremely sour. We built the company over three years from scratch. We were like a family. We generated nearly R9m in cash – and

[then] we got hung out to dry. I've had to start all over again."

McTaggart, who now operates a new asset finance company, laughs when told that Fourie denies being the purchaser. "David Murray fronted the deal, but Fourie used his position at Saambou and his closeness to the curator to get hold of this asset," he insists

Today just three of the original staff of TLR work in the offices at 367 Oak Avenue in Randburg. Seven others resigned or were retrenched. A former employee says that TLR is

now trading there under the name of Netfin Capital & Finance. Not so, says Murray. TLR is still there, by itself, under its original name. Netfin is something else entirely.

noseweek phoned the old TLR number. "Netfin Capital & Finance," trilled the answering voice. Who's the boss? "Hennie Fourie is the director," said the voice. And David Murray? "He's the other director."

The former employee, who worked for TLR for several months after the new owners took over, says: "Fourie and Murray were running the company – Fourie from his office in Pretoria. We were bringing in about R300,000 a month in collections on the debtors' book.

"They told us they purchased TLR in their own names, to be registered in a new company. They asked us all to think of a new name. I repeatedly asked them in meetings how much they paid the curator and they said this was privileged information."

After our call to Fourie an attorney called McTaggart and threatened him with an injunction if he persisted in talking to *noseweek*. ■

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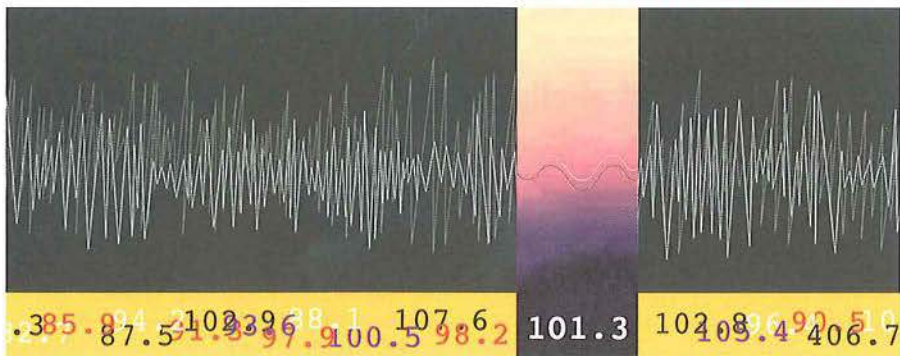
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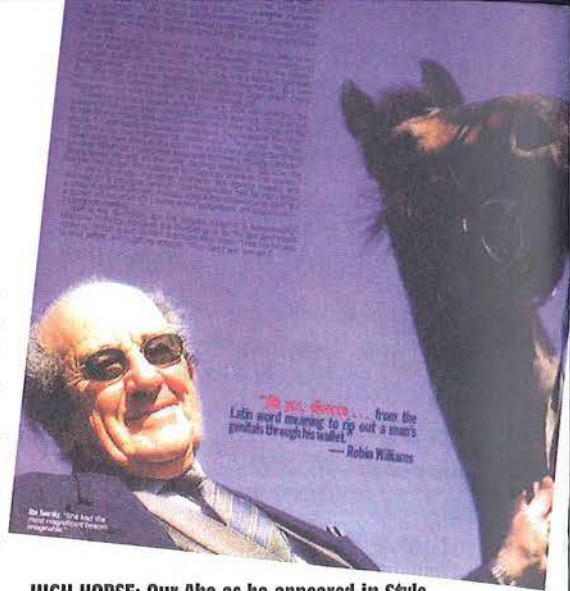
Abe rides roughshod again

Some of his happier clients believe that the accolade "what you see is what you get" most aptly describes him: he looks like the expensive lawyer that did your grandmother and your mother's divorces – but was never invited home for dinner. The sign on his door proclaims: "Abe Swersky & Associates, Attorneys, Notaries and Conveyancers". (He's the attorney, his associates do the other, boring stuff.)

That sign sells him short. There's much, much more to Abe. Readers already know that Abe's other roles include Jockey Club luminary, property developer and insolvency practitioner. And that's not all. A recent court case has found him in Cape Town's leafy Constantia moonlighting at approving building plans, chairing voluntary associations (that are unaware that he is doing so) and generally offering an all-round unauthorised property

management service. Just ask Bryan and Joan Neill, or the Badgemore Homeowners' Association ("the HOA"), or even Abe's favourite (and wiliest) divorce client of all time, Jan Walter De Witte. (See noses39&40 for some of those gory details.)

When Bryan and Joan Neill bought land at Badgemore they obtained the approval of the HOA for their building plans, as required. At the time the property immediately in front of them was owned by Jawa and remained vacant until April 2000, when it was sold to Paul and Kathy Alberts. The Neills assumed that any building undertaken would comply with the HOA's requirements and not impact too seriously on them as a result. When



HIGH HORSE: Our Abe as he appeared in *Style* magazine a couple of years back

relied upon to protect their privacy and surroundings. When the Neills' attorney Andy McPherson finally got his hands on the "consent", it turned out to be a letter dated 3 June 2002, signed by Abe purporting to approve the Alberts' building plans "in his capacity as chairman of the Badgemore Estate Home Owners Association".

Now, according to HOA records Abe had never been a trustee of the association, let alone its chairperson. The real chair, Mr L Jones confirmed that, in any event, the only body that could approve building plans was the building committee and not the chairperson. The Alberts' plans had never been submitted to this body.

Now really concerned, the Neills rushed off to the Cape High Court, which stopped the Alberts' building works, pending a full investigation. How exciting – we may still get to see Abe being cross-examined in a public hearing! Questions about exactly how he came to believe he was the chairperson of an association that had not elected him should be fun. And there's more.

De Witte's new attorney, Richard Marcus of Cliffe Dekker, rushed to say it was scandalous to suggest that his client might have authorised Swersky to act in this way. According to Marcus, his client had not been involved with the estate since approximately 1998 and did not recall ever granting a power of attorney to Swersky with regard to Badgemore.

Badgemore's much sought-after peace and privacy promises to be shattered by more than just building works, it seems! Watch this space. ■

Questions about how Swersky came to believe he was chairperson of an association that had not elected him should be fun

the Alberts began building, in June 2003, the Neills became concerned that the location of the house would impact on their privacy and view of the surrounding countryside. They expressed their concerns to Paul Alberts, who assured them that the envisaged construction met the requirements of the HOA and that the association had given its approval as required.

As the Alberts' house proceeded to take shape it became apparent that it would impact even more significantly on the Neills' privacy and views than they had at first thought. In response to the Neills' request for an urgent meeting, the Alberts' architect, Jaclyn Cattell, wrote to the Neills, saying that the building plans and works complied with HOA requirements, and also pointing out that "we in fact had to get the signature of Mr Abe Swersky" before proceeding.

The Neills were puzzled. As interesting as Abe's views on building plans may have been, it was the building committee of the HOA that homeowners at Badgemore estate

management service. Just ask Bryan and Joan Neill, or the Badgemore Homeowners' Association ("the HOA"), or even Abe's favourite (and wiliest) divorce client of all time, Jan Walter De Witte. (See noses39&40 for some of those gory details.)

The latest court dispute concerns the Badgemore estate, a collection of 15 "country" properties in an extremely sought-after part of Constantia. De Witte, then still ably assisted by Abe, was director and main mover behind development company Jawa (named after JAN Walter) when it took on the project. Badgemore was developed on farmland and attracted opposition from the Constantia Property Owners' Association ("the CPOA") who feared that it would adversely impact on the environment. In exchange for withdrawing its opposition, the CPOA demanded an undertaking that all construction at Badgemore be subject to the prior approval of the HOA and CPOA. This was agreed and HOA elected a building committee to consider all building plans before they are submitted to the local authority

Lazerson: battle of wills continues

Sue-Ann Lazerson's claim against the estate of her late husband, notorious divorce lawyer Ivor Lazerson (*nose46*) appears to be stuck between a rock and a hard place.

Readers will recall how Sue-Ann served a divorce summons on Lazerson when he was critically ill in May, 2002, after she discovered she had been virtually cut out of his will. As the law stood at the time, divorce was the only way she could establish a claim for maintenance against his estate. Lazerson died the following month, before the divorce action could be concluded.

Now Sue-Ann wants to bring a ground-breaking high court claim for maintenance against her husband's estate under the new Maintenance of the Surviving Spouse Act. But Lazerson's daughters and his former partner in his legal practice, attorney Kim Meikle, are opposing it. Dana and Lindy are both the executors and heirs of the estate and have appointed Meikle to administer it.

They say the estate is worth only R5m. Sue-Ann maintains that R12m to R16m is closer the mark. But how to prove it?

The Reserve Bank has now completed its own investigation – but refuses to give her the result without the consent of the two executors – which, needless to say, is not forthcoming.

At present the estate pays Sue-Ann interim maintenance of R5000 a month. In a fresh application she is seeking to have this increased to R35,000/month. The executors have yet to respond.

As far as the planned Maintenance of the Surviving Spouse action goes, her attorney William Clark says: "We need the proof before we can set the matter down for hearing. A judge won't make an order based on compassion."

In the absence of disclosure by the Reserve Bank, the alternative is a forensic audit. But for that Price Waterhouse wants a deposit of R30,000 to R50,000 and has told her the final bill could run into "hundreds of thousands".

And, says Sue Ann, she's now "completely destitute". Repayments on her car alone are R3000 a month. Her house is bonded to the hilt and Nedbank has given her until 1 June to deliver outstanding bond payments – several months at R8000-plus a month.

The widow is working for an estate agent on a commission basis, but has yet to close her first house sale.

Attorney Meikle passed on *noseweek's* request for a comment by Dana and Lindy Lazerson. Later he told us: "My instructions are that at this stage we can make no comment. They say that in the last article there were many issues and facts that were defamatory and incorrect. Should that happen again they are going to take action." ■

Southern Sun Hotels give meaty Phelan the chop

Controversial Irish developer, Paschal Phelan, has suffered a setback to his Claridges Hotel development in Green Point. (See *noses53&54*.) Southern Sun Hotels announced last month it would not take on the 10-year management contract for the planned six-star hotel, which has already fallen four months behind the initial construction date.

In December, Southern Sun proudly announced that it had "secured" the management contract and expounded on Phelan's entrepreneurial virtues, but they are now eager to distance themselves from the former meat-broker. "Southern Sun Hotels will, with immediate effect, have no business links with the Claridges Hotel and Phelan Holdings Limited," the latest press statement declared. Southern Sun would not give their reasons for the pull-out.

Mick Joyce of Pam Golding Properties admitted Southern Sun's withdrawal was "not ideal" for the marketing campaign's public image, but reiterated that the withdrawal posed no threat to investors. "The deposits are held in trusts and the investors are protected under legislation", said Joyce adding that sales of suites in the development – priced from R1.4 million to over R17 million – were continuing. ■

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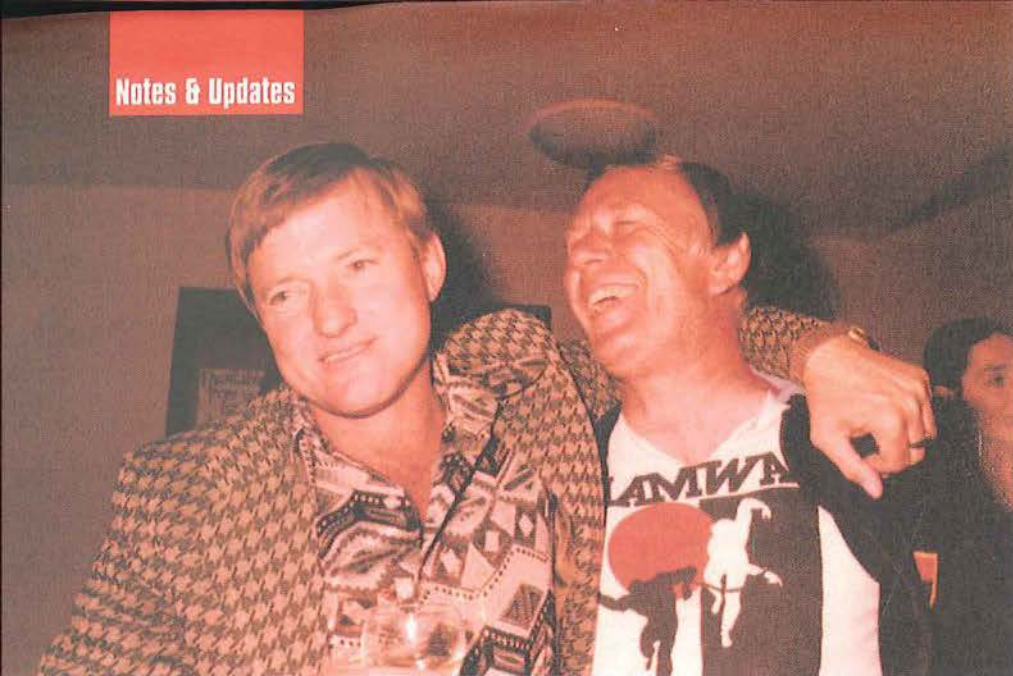




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John Hume (left) with Ian Yule at the Johannesburg premiere of *Shamwari* in 1982

Don't Shamwari, be happy

The mystery of how tough guy actor Ian Yule's 1980 film *Shamwari* came to be re-titled and released on video in America in 1985 as *The Chain Gang Killings* (*nose55*) deepens.

Readers will recall how Johannesburg-based Yule, who starred in the movie and also wrote the script, claims that John Hume, South Africa's timeshare king, made a tidy sum from the film's sales over the years (Hume was *Shamwari's* executive producer). Yule also claims that Hume neglected to pass on his R8000 author's fee and 8% of the movie's profits, as stipulated in his contract.

For two years Yule has been trying to get details of *Shamwari's* sales from Hume and the film's German distributors, Cine-International. Now, finally, after publication of Yule's story in *noseweek*, Hume has supplied us with a 1998 account from Cine-International listing his earnings from *Shamwari*. From this, it appears that between September 1981 and July 1990 the film earned him just DM122,652 – which over the period's various rates of exchange comes to around R60,000.

"This is the entire foreign proceeds of that film received by me or any entity controlled by me," declares Hume. "Since 1998 I have received zero."

He adds: "With the exception of allegations by Yule, his representative and in your article, I have never

heard of *The Chain Gang Killings* nor have I had anything to do with the re-titling of the film *Shamwari* under any other name, not have I derived any financial benefits from such alleged re-titling."

Back in 1985, the only way to re-title a film was from the original negative. Hume says that he had placed this in the custody of Cine-International.

The re-dubbed opening titles on the video of *The Chain Gang Killings*, now selling briskly around the world, state that the copyright, secured in 1985, is held by VCL Communications Inc (all rights reserved). And that the video is "exclusively distributed by Media Home Entertainment Inc, a Heron International Company, Los Angeles, California".

So if Hume, who had told Cine-International that he held the exclusive world rights for *Shamwari*, didn't know or receive any monies from its sale to VCL and re-emergence as *The Chain Gang Killings*, who did the dirty deed – and profited from it?

"If there was any skulduggery then Cine-International had to be involved," he says.

Armed with Hume's authority (which he had previously denied Yule), *noseweek* emailed Cine-International's Lilli Tyc-Holm, asking for confirmation that *Shamwari's* total sales only came to DM 122,000, and whether her company had been involved in the movie's sale to VCL

Communications Inc and its re-titling. No reply has been forthcoming.

In response to claims by Yule and *Shamwari's* producer Clive Harding that the movie made a lot of money for him, the millionaire replies: "I can confidently say that total proceeds from *Shamwari*, after expenses, never covered the interest on the post-production costs, never mind the capital. Every cent of capital that I invested in the film was lost."

Hume then makes an offer. "There is simply no legal, moral or compassionate reason why I should give Yule one cent. However, because *The Chain Gang Killings'* possible returns are worth nothing to me, I would consider ceding any rights that I may have, arising from the re-titling, to Yule."

From his flat in Orange Grove Ian Yule says: "Hume attempts to paint me as an opportunist, even someone who is attempting to extort money from him. I do not want a cent more than what is owing to me."

■ In *nose55* *Shamwari* co-producer Harding claimed that he had been involved in a time-share venture at Sedgefield with Hume at the time, and that Hume had driven him into sequestration, so that Hume now stood to profit alone from the venture. Hume comments: "Harding started a company called Yellowwood Construction which went into liquidation simply because he was selling wooden homes for less than what they had cost him.

"It had nothing to do with either myself or our time-share venture, Garden Route Chalets. Yes, I bought his 10% interest in the chalets venture out of his insolvent estate and now, many years later, stand to profit from it. But I simply do not believe that I had anything to do with precipitating his or Yellowwood Construction's insolvency. On the contrary, I assisted him right up to his insolvency, notwithstanding that he had never come up with finances as promised in our dealings."

Comments Harding: "This is not true." [The further details of that dispute would appear to be of no interest to our readers. – Ed.] ■

Groves finds his groove in British slammer

In late February, financial advisor and recently-resigned chairman of the SA Business Club in London, Paul Groves, (see *nose54*) got to see the inside of a British police cell, albeit only briefly. This was after his house and his business, Compass Informatica, were raided by Scotland Yard, and documents were seized. The former Wynberg Boys' High pupil is now out on bail, facing criminal charges relating to the misappropriation of investors' funds. He is due to appear in court on 4 August.

The curtain raiser was on 28 April, when various alleged fraud victims had their application to have

him declared bankrupt come before court. (The outcome was not known at the time of going to press.)

Lyndon Worrall (son of the more famous Denis), who shared Compass Informatica's London telephone number and open-plan office, had nothing to do with Groves' business, his father, Denis Worrall was anxious to emphasise when *noseweek* called to enquire. Lyndon represents his father's consultancy business, Omega Investment Research, in the UK. "They only shared office facilities – until a few weeks ago, when Lyndon moved out," Worrall senior said. (Junior is still looking for new premises.) ■

Pom in Thai forest scoops Egoli Lotto

Heard about the Egoli Lottery? It operates from Alberton in opposition to the better-known National Lottery operated by Uthingo – and pays up to \$1.3bn to the lucky winner, compared to Lotto's measly R3m or so!

A retired Brit living in the remote forests of northern Thailand was as excited about this discovery as we were when, out of the blue, he received an email from Egoli's "lottery coordinator" informing him he had won \$1.9m. He had been selected, ran the message, from 25,000 email addresses in Egoli's International Promotions Programme.

The money had been deposited with "Comet Financial Services and insured in your name. Please contact your claims agent immediately to begin your claims process."

The lucky Brit couldn't hit his computer keys fast enough to email Mr Andrew O'Neill, Claims Dept Manager, Comet Finance & Insurance Ltd, with an address at 9 Harry Nicole Drive, Krugersdorp.

Mr O'Neill replied as promptly, attaching a claims form, in which the lucky winner was required to provide his bank details – account number, Swift/Sort code etc. His letter adds: "You will also be required to pay \$6,450 to cover transfer charges,

insurance of vital documents like prize claim certificate and other transfer documents, handling and opening of account charges".

Mr O'Neill explained that this \$6,450 fee could not be deducted from the \$1.9m win, in accordance with Section 13(1)(n) of the National Gambling Act, designed "to protect winners and to avoid misappropriation of funds".

That's when the Brit recovered his senses. (He's a *noseweek* reader.) A call to *noseweek* and some elementary enquiries revealed, most regrettably, that there is no Harry Nicole Drive in Krugersdorp, no company called Comet Finance and Insurance, and no trace of Mr Andrew O'Neill.

The Egoli Lottery, it transpires, is the latest ever-so-tempting "419" advance fee fraud so beloved by the Nigerian criminal fraternity – and now their local admirers.

Uthingo's PR manager Shenanda Janse van Rensburg comments: "People are advised not to respond to unsolicited emails from organisations claiming to be associated with the National Lottery or international lotteries. In any case, SA law doesn't permit participation in the National Lottery via an agency that collects a commission or a fee." ■

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METROPOLITAN'S LIFE sentence

Lay-deeeez and gentlemen! On stage to take their bows are Metropolitan Life CEO Peter Doyle and his in-house legal advisor, Etienne Hugo! Thanks to their determined efforts over several years, a tale of deceit aimed at destroying an ex employee – to settle a grudge held by senior Metropolitan staff – succeeded in its vile purpose.

No, dear reader, you haven't misread the sentence. If, for even a minute, you've been tempted by the ad spin into believing that the insurance industry is a caring one, just listen to this: for certain senior staff at Metropolitan Life dishonesty is a virtue to be rewarded where it serves their ends. Honesty, on the other hand, counts for nothing to the company, as former Metropolitan employee André van der Merwe and his family have learned at unbearable cost.

Company chief Doyle knows the facts we are about to relate. His refusal to address the consequences meaningfully (other than to threaten those who have asked him to do so with defamation proceedings) suggests he does not find them particularly troubling in the course of a busy day of profit taking. His legal man, Hugo, has gloried in his Rambo-style role as lawyer-protector of the

**Insurance
CEO Peter
Doyle (right)
cheerfully
condoned
a web of
deceit that
destroyed the
health and
prosperity
of one of his
company's
ex-employees**

Metropolitan plotters, not missing an opportunity to bully Van der Merwe into submission with threats of endless court proceedings and the size of Metropolitan's cheque account. That his victim is entirely innocent; that his team of legal "Gladiators" are funded with policyholders' money; that financial service institutions have an obligation to act with higher



levels of integrity than the rest of us – these clearly are not matters that concern Mr Hugo.

And what, then, about Professor Willie Esterhuysen, that renowned professor of business ethics and campaigner for social justice who is also a Metropolitan director? He, too, knows all the sordid details and agrees that "certain senior people" at Metropolitan have acted totally unethically, but what can he do other than wring his hands? Ever heard of resigning, Prof? Or are ethics only for university courses? (Or is it, perhaps, that the professor isn't that ethical himself? See the footnote to this story.)

In the late 1980s, André van der Merwe was working at Volkskas bank when an opportunity presented itself: he and his brother jointly acquired the *Swartland Monitor*, a then faltering small weekly newspaper published in Malmesbury. André threw himself into managing it full time and was so successful that the

Monitor soon turned the corner.

But, despite the success, the Van der Merwe family income remained well below Volkskas levels and in 1992, when Metropolitan Life offered him a position as an insurance salesman at its Brackenfell branch, he accepted. He quickly became one of the better salesmen at the branch who reported to manager Hannes Coetzee.

As Van der Merwe's earnings rose, so did Coetzee's, as he earned override commissions and bonuses based on the performance of the sales team under him. To achieve super earnings themselves, branch managers need super salesmen to generate super sales. Coetzee's treatment of his tied agents and particularly Van der Merwe did not indicate much appreciation for their efforts, however. Van der Merwe was paid a significantly lower rate of commission than Metropolitan was happy to pay independent brokers.

Van der Merwe believed that Coetzee's **rage** would blow over in time

In-house salesmen were also subject to all manner of deductions and "overrides" – including some paid to managers such as Coetzee and his senior (and friend), one Anthony Durant. It was Coetzee and Durant who would eventually plot Van der Merwe's ruin.

As happens with most successful in-house salesmen, Van der Merwe finally resolved to resign and give independent broking a try. It offered greater independence and increased reward for his efforts. While he understood that there would be added risks – he had not reckoned on these including being targeted for destruction by Metropolitan's vengeful managers when the opportunity arose.

In January 1994 Van der Merwe started his own brokerage. Five of his more successful colleagues also resigned to join him. Metropolitan

manager Coetzee took it very personally; no surprise, since a mass-resignation reflected badly on his management – and he stood personally to lose those lovely override commissions! When his attempts to dissuade Van der Merwe and friends from leaving failed, he threatened he's get even with them. He threatened physical violence; he said that he would "make things difficult" for Van der Merwe whenever the opportunity arose, and that he would give Van der Merwe "just enough rope to hang himself".

But Van der Merwe believed that Coetzee's rage would blow over in time. He and his colleagues continued to sell Metropolitan policies – the business they knew best. As he had hoped, his commission income rose significantly and all seemed well. Unknown to him, Coetzee and fellow conspirator Durant had no intention of allowing this state of affairs to continue for long. Revenge (even if for perceived, rather than real, wrongs)

is, as they say, a dish better eaten cold. Their chance came towards the end of 1995.

One of the less-successful salesmen that remained at Metropolitan's Brackenfell branch was a Mr Booyesen. His wife, Mrs Booyesen worked for Van der Merwe. In 1995, the Booyesen couple, clearly in need of quick cash, recklessly embarked upon a transparently fraudulent scheme. Applications for insurance that either of the Booyesens procured, they duplicated and submitted through both their respective employers. As a result, they were paid the "up-front" commission twice for every actual policy sold. Not the brightest scheme, of course, as Metropolitan's back office was sure to pick up the duplication sooner or later – sooner, if a policyholder complained when he discovered that a premium was being debited to his bank account twice over.

When Van der Merwe learned of the scheme, he immediately informed the sales manager at Metropolitan in Brackenfell, Charles Payne. When confronted, the Booyesens owned up. Mrs Booyesen was relieved of her duties by Van der Merwe, who assumed the same would happen to Mr Booyesen at

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Teaching students to suck ethics



HANG EM: President Thabo Mbeki awarding Stellenbosch Professor Willie Esterhuysen a gong

Only a week before Stellenbosch University's graduation ceremony in December, the story spread across campus like wildfire: a huge fraud had

been uncovered at Stellenbosch's University's Graduate School for Business in Bellville, implicating a number of senior academics! One of them, Professor Willie Esterhuysen (above), was due to receive an honorary doctorate at the graduation!

While he teaches business ethics at the graduate school, Esterhuysen had allegedly used his official credit card to pay for his private birthday party.

Damage control was hastily applied. Auditors Ernst & Young, who first reported the suspected transgressions, were asked to investigate further – but the period to be covered by their investigation was carefully prescribed by the rector to exclude the period during which Esterhuysen's transgressions took place.

The graduation ceremony went ahead with Esterhuysen receiving his honorary degree.

(Esterhuysen earned his place in history by going on several secret missions to meet Thabo Mbeki while he was in exile in London, to open the way for talks between the ANC

and the apartheid regime. Mbeki and Esterhuysen, who was professor of philosophy at Stellenbosch at the time, are said to have shared "many a bottle of brandy" and remain friends.)

In a carefully worded internal statement issued after the auditors' enquiry was closed, the then acting rector, Russel Botman simply announced that "the university has decided not to take any steps against professors Esterhuysen and Gevers".

In a press statement, Professor Botman declared that the maintenance of the integrity and the reputation of the Business School was "non-negotiable" and said that "suitable steps" had already been taken to address the concerns raised in the auditors' report

Esterhuysen continues to teach business ethics at the graduate school of business. The other transgressors were allowed to return to their posts after a period of suspension.

Students at the school are alleged to have expressed concern that Esterhuysen is allowed to teach business ethics, whilst he is guilty of unethical business practice himself. The problem, says a student, is that they cannot complain to the Director of the Graduate School of Business, Prof Eon Smit, as Smit is also one of those alleged to have abused the system.

Attempts by the student newspaper, Die Matie, to canvass the issue have, it is said, been squashed by higher authority.

Metropolitan and that policyholders would then be informed so that their accounts could be rectified. That, he thought, would be the end of it.

But Coetzee had other plans. He and Durant cajoled Mr Booyesen into signing a carefully constructed statement (pre-drafted by them) that implicated Van der Merwe in the fraud. When Booyesen suggested he was unhappy about making such a statement to the police, he was told to "think carefully about his family

and his future": if he signed the statement – remember he was the primary fraudster – he could come back to work at Metropolitan! If he did not, well, the law would have to take its course....

So Booyesen signed. Coetzee was now able to launch the lie that, not only had Van der Merwe known all along about the duplicate policies, he had actually countersigned them, making him a party to the fraud. Neither claim was true.

In fact Coetzee knew Van der Merwe's signature well and was perfectly aware that the signatures that appeared on the duplicate policy applications were not Van der Merwe's, but crude forgeries. Years later, in court, Coetzee would admit this under oath. But just then, Booyesen's statement was all that Coetzee and Durant (a good friend who had appointed Coetzee in his management position) needed to launch their vendetta against Van der Merwe. Durant used the statement to prevail upon Metropolitan head office to terminate all dealings with Van der Merwe. (Remember, selling Metropolitan policies was his main line of business.)

When Metropolitan staff who knew Van der Merwe questioned what seemed like unduly harsh action to take against someone who had an unblemished record – without even a semblance of a hearing – they were told that Van der Merwe had been party to fraud. Nothing short of the termination of his broker's contract would suffice in the circumstances. Anyone standing in the way of the plotters risked having their own integrity questioned. (Durant and Coetzee had no such qualms about Booyesen, of course: he was soon back at Metropolitan, advising the public.)

Not content with ensuring that Van der Merwe was prevented from selling Metropolitan policies, Coetzee now happily spread the lie throughout the insurance industry that Van der Merwe was a fraudster, "that class of man that did not belong in the insurance industry". When Van der Merwe approached other insurers he learned that news of his newly acquired fraudster status had reached them already. From having a successful business, his own home, his own car and one for his wife, and the ability to support his young family, Van der Merwe was quickly reduced to an outcast unable to earn a cent. (He had been averaging about R20,000 a month in commissions.)

All efforts to arrange a meeting with senior management at Metropolitan were rejected with contempt. When he called Durant and told him that

he knew of the fraudulent Booyesen affidavit – overcome with guilt, Booyesen had come to tell him about it) Durant told him to take a hike: Metropolitan was a large company, he was an individual, and he could do nothing to them.

Van der Merwe was eventually left with no option but to sue Metropolitan and Coetzee for what they had done. As is generally the case the dispute dragged on, and on. He issued summons in 1996 and the first part of the case (whether he was telling the truth or not) only came before the court in 1998. By now – four years after the Booyesen incident had taken place – Van der Merwe was exhausted, financially and emotionally. Metropolitan, ably represented by Hugo, conducted a vigorous defence, quite clearly hoping that legal costs and delay would finish

Surely Metropolitan's top management would **now** set things right?

off an already broken man. Their efforts led to Judge Kuhn (not the most expressive of men normally) becoming increasingly angry at the obvious untruths in Metropolitan's case. Imagine Van der Merwe's elation when Judge Kuhn gave judgement in his favour: Metropolitan had acted unlawfully and had defamed him, the judge ruled.

Having finally proved his innocence, surely Metropolitan's top management would now intercede and set things right? Not a chance! The insurer dragged Van der Merwe through another round of litigation over the amount of his damages claim. Metropolitan's first offer (to a man who had been without any income for four years, whose entire life was at risk, and who they had blacklisted unlawfully) was a paltry R350,000.

Van der Merwe rejected the claim but was by now seriously ill. He was only later able to afford to consult a doctor for what turned out to be a nervous breakdown. Time dragged on and, in March 2001, under pressure

from his bank and creditors, Van der Merwe decided he had no choice but to accept the offer after all. To ward off the sheriff he'd been forced to sell his share in the *Swartland Monitor* for a pittance. He had lost his house, his cars – and his sense of self worth. He did not have the stomach or financial resources for another court hearing. (Hugo told him that if he did not accept the offer and even if he went on to win the case again, Metropolitan would drag him through endless appeals.)

Metropolitan now seized on a technical rule of court to reduce the settlement amount still further: he had taken "too long" to accept the offer – so Metropolitan's legal costs would have to be deducted from the settlement amount. He would now receive only R200,000 in full and final settlement of his claim. The money all went to his creditors, but was not enough to save his home or assets. Van der Merwe, his wife and three teenage children now live in a two-room rented house – all that Mrs Van der Merwe can afford on her salary. They have no car. He has not recovered sufficiently to find a job.

Coetzee has since left Metropolitan but Durant remains a senior provincial manager enjoying the rewards that such a position brings. When a friend set out all these facts in a letter to CEO Doyle recently, Doyle simply referred the matter to Hugo who wrote a rambling letter suggesting that Van der Merwe's acceptance of the amount of R200,000 meant that the facts had now been removed from the public record.

Hugo also threatened defamation proceedings saying he believed *noseweek* had become involved. If anything in this article is not correct, Mr Hugo, please bring your proceedings as speedily as possible. We can't wait!

The Life Offices Association, that cosy insurers' club, also knows about all of this. They, too, take the view that the settlement means there is no longer an issue to consider. Perhaps the fact the Hugo sits on their committees has something to do with it? ■

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Out of his tree

So George W and the FBI were caught snoozing over Al Qaeda and 9-11. And Condi Rice may have told the odd porky. So what? We all make mistakes.

The good news is that Baby Bush and his boys aren't entirely comatose: last month the Feds' most-wanted domestic terrorist was nabbed. True, it happened across the border in Canada and it was the Mounties who did it, but the boys at the Bureau are rejoicing that god-fearing Americans can now rest again in their beds.

The dangerous terrorist now being held in a Canadian cooler on shoplifting charges is radical environmental activist Michael James Scarpitti (who changed his name legally to Tre Arrow after a stint sitting up a tree).

What has really got up the US establishment's nose, isn't that Arrow is a mass murderer like Osama bin Laden. No, it's far, far worse than that: Arrow and his activist pals in the Earth Liberation Front (ELF) protest against the destruction of virgin forests by well-connected timber corporations, attack logging equipment and daub graffiti – such as “Fat, lazy Americans” – on “gas guzzling” cars. These terrorists threaten the very fabric of society by gluing the locks at McDonalds and destroying genetically modified crops.

Arrow was nabbed shoplifting bolt cutters in Victoria, Canada, after evading the US authorities for almost two years, hitchhiking across the country with his backpack and guitar.

Now 30, he grew up on a Florida lake in a devout Catholic family. Classmates remember him as a popular athlete who wore brand names, surfed and lifted weights. “Of all people, I never ever would have imagined him as an activist,” says former classmate Sherri Cramer.


“He lived an idyllic life with lots of loving family around,” his mother told *noseweek* in her only interview since the arrest. “We're all very proud of him.”

Arrow rose to luminary status in 2000, when during a public demonstration against the sneak sale

WANTED
BY THE FBI

USE OF FIRE TO COMMIT A FELONY; DESTRUCTION OF VEHICLES USED IN INTERSTATE COMMERCE BY MEANS OF FORCE; INTERFERENCE WITH COMMERCE BY VIOLENCE; USE OF AN INCENDIARY DESTRUCTIVE DEVICE DURING AND IN RELATION TO A CRIME OF VIOLENCE

MICHAEL JAMES SCARPITTI



Photograph taken in 2000 Photograph taken in 2002

Aliases: Matthew Hill, John Pierce, "Ridge", "Tre Arrow"

DESCRIPTION

Date of Birth Used:	January 9, 1974	Hair:	Brown
Place of Birth:	Ohio	Eyes:	Blue
Height:	5'7"	Sex:	Male
Weight:	145 pounds	Race:	White
NCIC:	W090726623	Nationality:	American
Occupation:	Unknown		
Scars and Marks:	None known		
Remarks:	Scarpitti usually goes by his alias, Tre Arrow. He often travels by hitchhiking and prefers to hitchhike at or near truck stops. Scarpitti is known to travel with a large, black backpack and a black guitar case. He frequently does not wear shoes. Scarpitti has ties to Pennsylvania, New York City, Florida, Colorado, Ohio, California, Oregon, and Vancouver, Canada.		

CAUTION

Forget Osama bin Laden – the Feds' most-wanted domestic terrorist has just been rounded up

of virgin forest in Eagle Creek, Oregon, he spontaneously free-climbed 10m up the wall of the US Forest Service headquarters to a 22cm window ledge, and stayed there for 11 days.

He ran for Congress a few months later securing 6% of the vote trying to raise awareness of the destruction of Oregon's forests.

“The ecosystems are severely devastated,” he told *Alternatives* magazine in his last interview before his disappearance. Indeed, as a result of logging, Oregon has only 1% of its old growth forests left, and Eagle

Creek is one of the few remaining sanctuaries.

After the election Arrow moved his battle to Acey Lane, a 50 hectare forest on the Oregon coast. “It is part of what little remains, on the coast, of an intact forest,” he said. The State of Oregon sold it to a logging company despite protests of local residents. “[The politicians] figure that most citizens don't care much if it's just trees being cut from public lands,” he added. “Unfortunately, they're right.” Infuriated by the surreptitious sale, Arrow maintains that the government spent more public money on roads and security to make the forest accessible to loggers than they received in payment for the trees. “They're gonna be lucky if they break even,” he claimed.

After the sale became public, activists were called in. Locals provided them with money and supplies for a tree-sit action. Arrow took it to an extreme, and climbed a tree about to be cut. He escaped a climber who came after him with a chainsaw by jumping from tree to tree. The loggers cut down every tree around him and all the limbs below. He survived almost two days of police sirens, revved chainsaws, and a pointed shotgun before fainting from exhaustion, falling 30m, breaking several bones, puncturing a lung, suffering a serious concussion and almost dying. “They seem to think that because I was committing civil disobedience they could not only break the law but put my life in jeopardy,” he declared. “I was almost murdered.”

A few months after the fall, a little over two years ago, he vanished.

The FBI alleges that shortly after his disappearance, Arrow and accomplices set fire to cement and logging trucks on two occasions. The logging trucks were to be used for cutting in Eagle Creek on the day of the attack.

Arrow was indicted for both actions in 2002. Eating vegan food and hitchhiking at truck stops, the activist successfully hid from the most powerful and organised law enforcement agency in the world.

“Searching for someone like this who doesn't travel using official ID or credit cards wasn't easy,” said Beth Ann Steele, spokeswoman for the FBI in Portland.

"It is a significant case for us so there was definitely a feeling of satisfaction," said Steele. "I can say emphatically that we're not embarrassed by the arrest."

Despite FBI merriment, after frequent attacks for over eight years there are only four people in US prisons for Earth Liberation Front actions, and critics say this is more thanks to luck than the droves of FBI agents scouring the country.

Arrow's arrest in a small town in Victoria, Canada, was an absolute surprise. "You never know when

When asked why he might have been targeted, Wood responded: "I don't know, they're whackos. These are not rational people."

Nevertheless it is a knee-jerk reflex in American political culture to liken property damage to political insanity, and whackos or not, the ELF sees itself as a rational response to the extremity of the environmental crisis and the apathy with which mainstream society has responded to it.

"ELF members are not eco-

Cry: 'Sis!'

According to the Worldwatch Institute, the world lost more of its forests in the last century than has been lost in the past 8,000 years. In the time it takes you to read the accompanying article, another species will become extinct

One in five people in the developing world – over a billion – do not have "reasonable access" to safe drinking water, while more money is spent worldwide on ocean cruises than would be needed to provide clean drinking water for all.

The US, where the Earth Liberation Front is most active, has more private cars than licensed drivers, and the increase in US emissions between 1990 and 2000 exceeds the combined increase of China, India, and Africa. While the planet has 1.9 hectares of land available per person to supply resources and absorb wastes, the average American uses 9.7 hectares.

They seem to think that because I was committing civil disobedience they could put my life in jeopardy'

– Tre Arrow

you're going to get the big fish," said Constable Rick Anthony in Victoria.

But according to ELF, Arrow is not really "the big fish", rather a sensationalised fugitive-made-celebrity for what is in reality, an extensive underground and completely decentralised movement.

The organisation has cells operating in at least 16 US states as well as Europe and Canada. With names such as The Frogs and the Nighttime Gardeners, the most active cells average an attack every two months. ELF has caused at least R700m damage "to entities who profit from the destruction of life and the planet."

Unlike what might be expected from the FBI's number one domestic terrorist organisation, ELF vows never to harm any life, and there are no reports that they have.

Detractors say their methods are dangerous, contrary to their non-violent claims.

"People have to go to the grocery stores," argues developer Wendel Wood, victim of an ELF attack last month in Virginia. "What do they live in? A grass hut? Did they drive a car to get to this site to set it on fire? It's a double standard."

Wood is a prime ELF target. With an estimated net worth of over R1bn, he has allegedly made his fortune building shopping centres on greenfield sites. His company was recently fined for clearing more area along a stream than it was legally entitled to.

terrorists," argues Stu Sugarman, who has served as Arrow's lawyer in the past. "The real eco-terrorists are those who destroy our forests and rivers to create wealth for a few people. Efforts to stop them should be seen as heroic."

If convicted Arrow may face life in prison. At the time of going to press, he is in solitary in a Canadian jail, and reportedly on a hunger strike in protest at his incarceration.

Arrow's mother almost seems relieved that "he's not running anymore.... I was very worried about him hitchhiking." ■





DESERTED: The Barnes family with their untrusty Caravelle that VW just can't fix

Geoff Barnes' R330,000 VW Caravelle began to shake, rattle and roll after just 20,000km. That was just the start of a series of problems – including a drastic loss of power – that have seen the minibus spend 10

But his new white Caravelle has not been able to match its older cousin. And VW South Africa, having made the introduction, has let him down again and again. The car has been in for repairs for a total of 10 months over the last three years. It started to groan after 20,000km when its rear shock absorbers failed. It took VW nearly three weeks to figure out how to solve that problem.

At 30,000km the steering rack was faulty. That was fixed. Then a week later the front exhaust started to rattle, and then the airbag warning light failed to come on. It took five more weeks to get those problems fixed.

With 45,000km on the clock, the Caravelle started to show a lack of power, and that poor exhaust was still grumbling. Each time Barnes took the vehicle for a check-up he was assured the problems were solved.

Three years down the road, a total of 14 visits to VW (including one stay where the Caravelle was admitted for three and a half months) and 100,000km's later, not only do many of the same problems still exist but others have appeared. And VW have been unable to fix the worst two problems of all: the lack of power and torque.

Desperate to have these two problems sorted out, Barnes drove his Caravelle to the specialist testing centre closest to him: six hours' drive away in Johannesburg. As he expected, the independent test results showed very poor output, but VW still refused to believe him. After four trips to the Johannesburg testing centre VW were still not convinced that the problems existed. Barnes even proved to them that a 1.4l VW Polo had more power than his 2.5l turbo diesel engine.

As the Caravelle's performance dropped, so its fuel consumption rose. At the start he'd got 900km per tank; now he was getting only 420km per tank. Then of course there's the matter of the car lease cost for the total time that Barnes has not had

Promises, promises It's all torque

Durbanite Geoff Barnes has been a VW Combi fan for years. Like David Kramer, he's taken his family on countless journeys all over Southern Africa in his trusted bus: to the Natal South Coast, inland to the Ou Transvaal, down to the Cape, and then off to King's Park with the *ous* for a spot of rugby.

But, 20 years and three Combis later, VW told Barnes the love affair was over: they're no longer making his beloved loaf-shaped combi. But not to panic – there's a new version: sleeker, sexier, and perhaps more pleasing, on the market. Thanks for the introduction! Early in 2000 Barnes bought his fourth Volkswagen minibus, now in the shape of the new T4 Caravelle Synchro Mini Bus. Glamorous looks don't come cheap: it cost him R330,000.

months of the last three years in the repair shop, while Volkswagen does its best to deny the problems have anything to do with them

the car: That comes to a whopping R80,000. And finally, when Barnes told VW that they had to fix the car before 15 December 2003 so that he could go to the Cape on holiday, they just couldn't do it. They seemed to suffer performance anxiety and could neither come forward with the car nor a viable alternative. Barnes had to spend a fortune finding another vehicle to take him to the mountain.

Now the poor Caravelle lies stripped and naked on the VW mechanic's floor. VW want Barnes to pay half

of the R21,000 it will cost to put the engine back together again. They've found nothing wrong with it. Well of course they haven't. Barnes keeps telling them that the problem is not with the engine, it's with the control systems and the electronics. He even told them it was pointless pulling the engine apart in the first place. But VW insisted he brought in the Caravelle, they know better. Barnes says he'll pay half, as long as VW can guarantee certain performance levels (which are actually below the original

spec of the vehicle). But they won't guarantee anything.

National Customer Relations Manager for VW, Alf Minnie, has made Barnes an offer. They'll buy back the Caravelle for R150,000, with 105,000km on the clock. But he has to purchase a replacement model from VW. They've offered him a factory demonstration Caravelle, with 15,000km on the clock, for R170,000. But Barnes has lost confidence in VW. Why should he trust them – and buy another Caravelle? ■

MERC-KY WATERS



Next time you drive your R550,000 Mercedes CLK 320 through a puddle of water, think again – especially if you have a Meridian Motor Insurance Policy with Alexander Forbes. Make sure you're wearing wellingtons and a raincoat. And in your under-seat kit be sure to have a plumb line and an AK47.

Clause 4.9 of the Meridian Policy – you haven't read it? – states that "you must establish the depth of water and the wading depth of the vehicle before entering into the water

to ensure that it is safe to do so". In a case recently investigated by Gene Fivaz, insurance and claims investigator, the poor owner of said Merc was travelling along Stockwell Street, Nancefield, on a very wet January afternoon this year. Visibility was poor and the driver simply followed the slow moving traffic through the offending puddle. But once he got to the other side his car (the smart Mercedes) stopped, seized up and had a full-blown heart attack.

The quote to fix the car is R200,000.

Alexander Forbes is refusing to pay since the driver did not adhere to clause 4.9.

As far as they're concerned, the driver did not take "all reasonable steps and precautions to prevent/minimise loss of or damage to the vehicle" (another requirement stated in the clause). Well really! Stockwell Street is not exactly the Okavango Swamps chaps!

The AK47? That's to keep marauding hijackers off your car while you're out plumbng puddles. ■

BY HAROLD STRACHAN

MARND!

WHEN MY MISSUS WAS

of marriageable age she still had great-grandparents in Amsterdam, not only alive, but also kicking. Whereas – and you're not going to believe this – my grandfather was alive and killing folks in the Crimean War, and that's 1854.

Which just goes to show: some people mate early, others late. Me father was 54 when I got conceived. I scored the very last sperm in the old scrotum, and that's what's known as careful in rural Scotland. I was sliding into midlife crisis cursing the Grim Reaper when he was still serenely dithering around at 98 in a home, too careful to vrek off, until one day a passing nurse thought to take his pulse and he just fell apart like a papery old cigar. Nobody had noticed his departure for the arms of Jesus.

But a terribly sincere cousin from the Church of Jock Knox hauled in at Durbs to comfort me on her way from Perth Scotland to Perth Australia, and utter platitudinous things over a tasteful sort of plastic box with his ashes inside. Nice lady, if subdued. By Life, I thought.

She thought she should see some Zulus, seeming not to notice the teeming millions of the buggers all over town. I mean these are not your residual Apache Native Americans, an endangered tribal fag-end. But I knew what she meant, and took her to that verandah restaurant overlooking the 1000 Hills Bantoe Dreamtimeland, with some beehive huts in the yard, and depressed young Zulu women with beads all over and their hair done up in red mud kicking their legs about to a cowhide drum and blowing on referees' whistles. There's a bloody great parrot in a wire hok on the verandah, which joins in the whistling.

On this verandah Natal English citizens eat cream scones and strawberry jam with small cake forks. They like Zulus, at a distance, because they and the Brits kicked the shit out of each other in a manly sort of way in a vicious old Imperial War. The greater the distance the more the liking, of course. Also the Zulus cook curry same way as Imperial Poms: 1 tblspnfl chillie powder per plate of stew, with turmeric for colour. Sliced bananas and raisins and grated

coconuts on the side, with Mrs Balls Hot Chutney. The cook is judged by how fast the enamel comes off your teeth and glaze off your plate. It is also v. manly to eat this ethnical dish without flinching.

Indians are wall-to-wall in Natal, but come on, man, one doesn't go to an Indian to ask about cooking, for God's sake. Zulus and Europeans hold them in equal disesteem; the whites because they're insubordinate, the Zulus because some of them have become bloody rich, against all the racial odds. But everybody in Natal hates Afrikaners.

There's a family of those at the next table. The small son goes to the parrot's cage and sticks in his finger. Marnd, says Father, Pollie wool bart you. Cousin from Perth has taken her first mouthful of the ethnic curry and now she needs to laugh and cry simultaneously,

but the sphincters of her mouth are in spasm from the alkaloids of the chillies. Father is greatly nonplussed and comes again: Y-ê-ê-ê-s, Pollie wool BART you!!

This bird has evolved to crush Brazil nuts with its beak, man. Son sticks his finger in the hok and the pollie barts him all right; there's a great gush of blood and a soprano scream from Son, Father rises and lands a klap on his occiput yelling EK HET GESÊ DIE VOKKEN PAPPEGAAI GAAN JOU BYT, BLIKSEM! whilst Mother comes out of her corner fighting, knotting up her knuckles for a straight left to Father's earhole, and various cream scone ladies dab the corners of their mouths with table napkins and frown in the manner of Margaret Thatcher and Diana Spencer, which is how one registers disapproval. Cousin has to grope off to the Ladies because breathing has ceased. A man with a tie comes and tells the family to vamoose, evermore, and never mind the bill.

What Cousin does in the Ladies is known in Perth, Australia, as a Rainbow Hiccup. Exhausting. Also her voice has gone like that of Satchmo Armstrong from chemical corrosion and the exertion of crying Martha. I think I should lie down, she says.

So I took her back to the Maharani on the beach-front and got her settled with a cuppa. I gave it a discreet day, then phoned the hotel, but she had just that moment left on the Hotel/Airport bus.

Well it pleases me that the Scots are not those to stay two days in some country and then go about shouting their opinions on the culture of the place. ■



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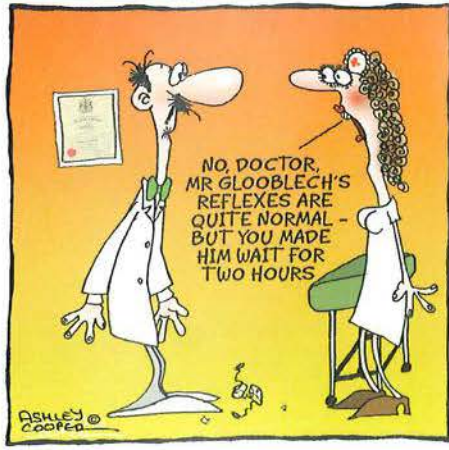
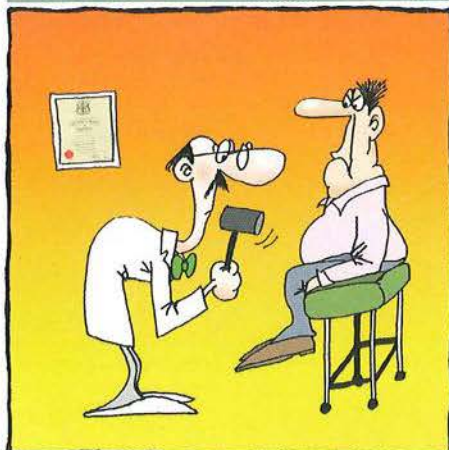
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What's up doc?

by Ashley Cooper





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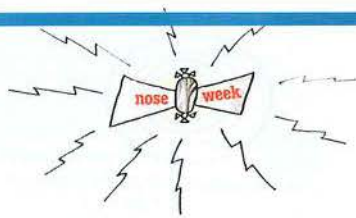
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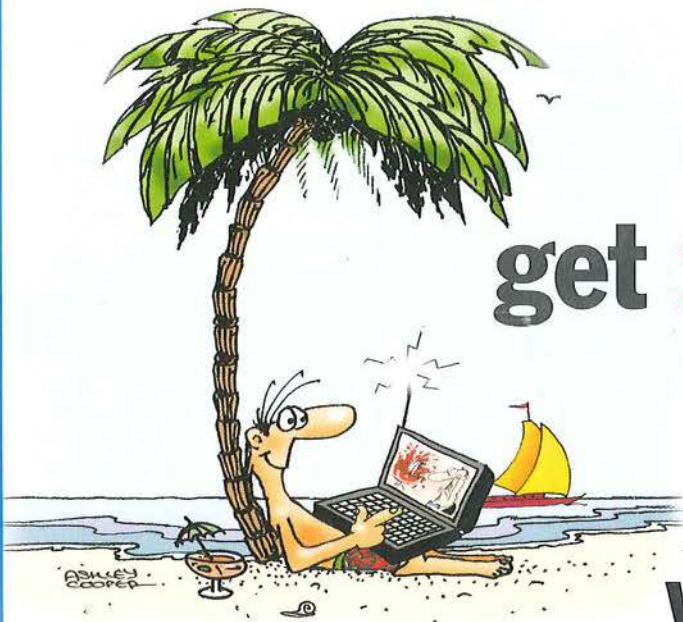
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