

news you're not supposed to know

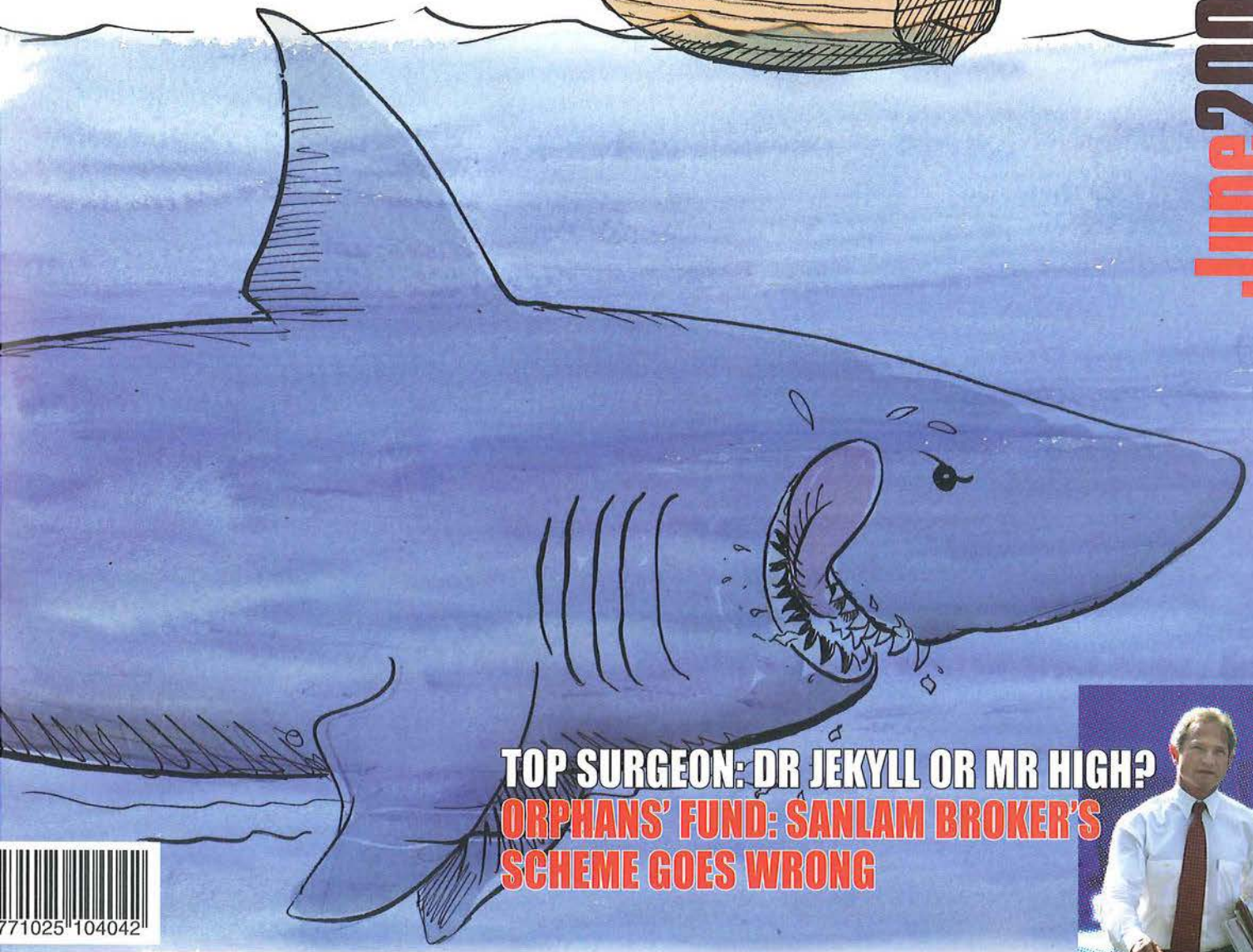
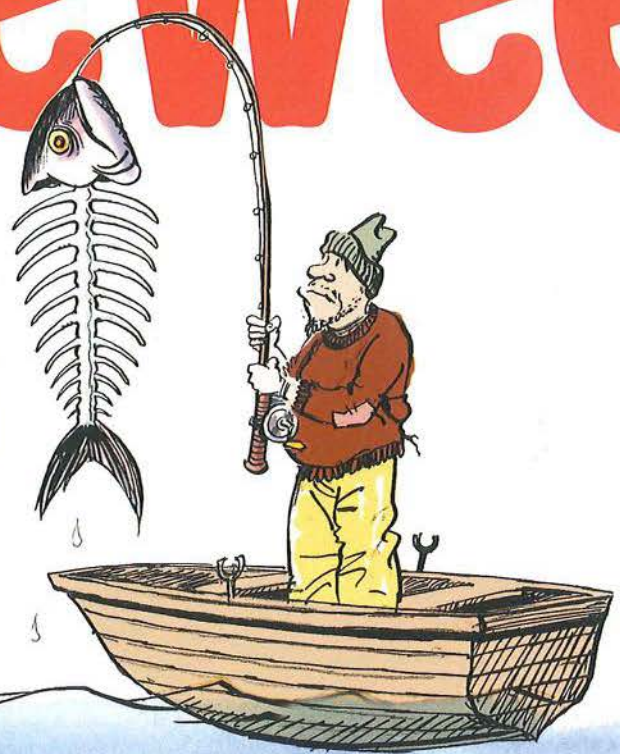
R25
(including VAT)

noseweek

issue
57

June 2004

**ANC FATCATS IN
FEEDING
FRENZY**



**TOP SURGEON: DR JEKYLL OR MR HIGH?
ORPHANS' FUND: SANLAM BROKER'S
SCHEME GOES WRONG**

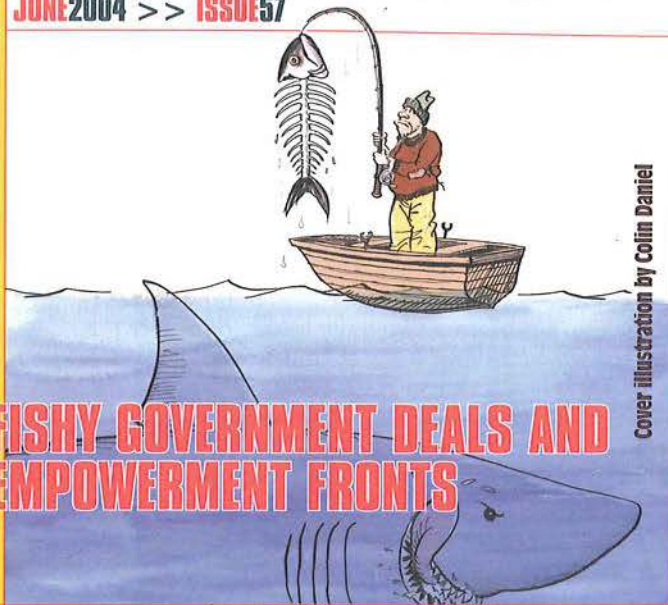




**FORGET THE FORMALITIES.
JUST ASK FOR JACK.**



Not for sale to persons under the age of 18.
Your friends at Jack Daniel's remind you to drink responsibly.
JACK DANIEL'S and OLD NO. 7 are registered trademarks of Jack Daniel's © 2001. Please visit us at www.jackdaniels.com.



Cover illustration by Colin Daniel

FISHY GOVERNMENT DEALS AND EMPOWERMENT FRONTS

12 Tippex of the iceberg A handful of ANC heavies are enriching themselves under the guise of empowerment

16 Hook, line and sinker How Hout Bay's poor were ruthlessly scammed

18 A Stella performance The minister enriches a private company at the treasury's expense

4 Letters Koeberg: power play ■ ProWRITE scores some free publicity ■ Volvo: bad choice ■ Tokyo: Iraqi oil ■ Trahar: spreading out?

7 Dear reader Lest Old Mutual be forgot ■ We won, we won!

20 From the mouths of babes Orphan's fund loses millions in Sanlam broker's scheme

22 Notes & Updates Cold water on renewable energy ■ Further Maiden airy tales ■ Mpumalanga Parks Board cans justice ■ Volvo out of hell

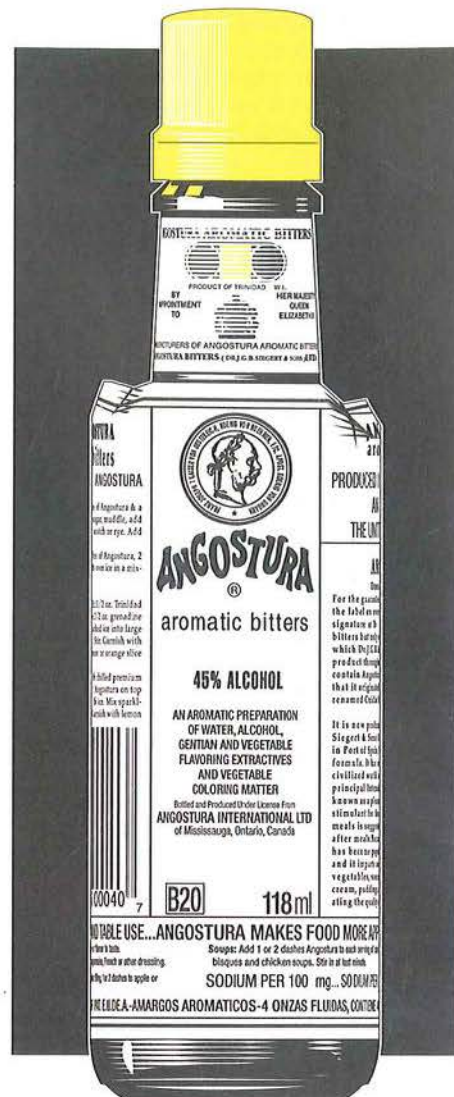
26 Developers in the dock The sands of time could be running out for some of Cape Town's beaches if a scheme to expand the city's harbour goes ahead

30 Dr Jekyll or Mr High? Is a top orthopaedic surgeon a caring star or a bad egg?

34 Last Word Bill Blake and Sam Palmer square up

Competitions Write a limerick and win a R1,200 fountain pen: page 6
■ Ken Forrester Wine Draw: page 10

The World's Most Interesting Bottle



...famous for flavour since 1824

Ever fantasized about enjoying a "Pink Lady" or a "Pousse Cafe"? Explore the exotic world of cocktails with "The Professional Mixing Guide", Angostura's pocket sized power pack with nearly 200 cocktail recipes.



E.W. Sedgwick & Co. Ltd.
PO Box 68
Cape Town 8000

Please send me a copy of
"The Professional Mixing Guide"

Name

Address

Code

I enclose R10 which includes postage and VAT

www.angostura.com

NWWM 01

Koeberg power play

"Koeberg's Secret Medical Files" (*noses*53,54,55) has lifted the lid on Eskom's shameful conduct in my case. However, several important matters arising from Part 3 need noting for the sake of accuracy and clarity.

Miltons Attorneys did not refer me to a "retired consultant". Ian Murray told me he was "Miltons".

Eskom's contrived tactics

was clearly revealed in Koeberg Part 2: (Again it's O'Connor speaking.) "At a meeting held on 14 Aug 2000 [at Miltons offices] Eskom tabled an ex-gratia settlement offer." Compare that to Miltons' (Murray's) report on the same meeting: "Eskom has not come up with a rands and cents figure at all."

Quite simply, Eskom's claims about having made a settlement offer are false.

verbal "offer" and getting all those present to sign it. "That would be highly illegal, please understand legal ethics," I was told. Miltons declined my instruction to ask Eskom to provide the offer in writing, claiming this would "offend" Eskom. Miltons did themselves set out Eskom's "settlement offer" in a two-page letter to me, and suggest that I formally accept it ("for your family")

Eskom wanted to include. I invited Gcabashe and Khoza to say if my request was unreasonable. Instead, Khoza sanctioned the withdrawal of the R400,000 "offer" – with Eskom resorting to a preposterous falsehood that there had been "no response" to the offer.

Could it be – given Eskom's systematic lying – that Khoza made his decision because he was misinformed, perhaps wilfully so? Archbishop Tutu recently said, when comparing the "powerful" to people of true greatness: "It is large-hearted and courageous people who are not diminished by saying 'I made a mistake'."

Ron Lockwood

Tableview

Quite simply, Eskom's claims about having made a settlement offer are false

Ron Lockwood

are well documented. Senior general manager Peter O'Connor wrote: "On 1 Dec '98 [at the infamous "nothing legal or formal meeting"] Eskom tabled an ex-gratia settlement offer, which was not accepted by Mr Lockwood." But, of course, there was no real "settlement offer", as

Later, after almost two years, Eskom made a verbal "settlement offer" following "extensive negotiations" with Murray at Miltons' offices. Incredibly – given

Eskom's conduct – Miltons did not take the basic precaution of drawing up a note detailing the

without delay. Murray later assured me: "I have given you the terms of the offer in writing. If you accept it, that's a binding agreement you can sue them on, they cannot get out of it. You can get your money in a couple of days."

But only weeks later, as I had feared, O'Connor denied that the offer included Miltons' R7500 fee and now alleged "Eskom's settlement offer made to your lawyer was dependent upon certain conditions yet to be agreed upon and should be regarded as part of a package." Miltons' letter and urgings to accept the offer was silent on this. Thanks to "legal ethics" Eskom could – at any stage – claim their verbal offer was "dependent upon" anything. Which merely proves that I was correct in insisting that a written offer – from Eskom itself – was imperative.

I then terminated Miltons' mandate to act for me.

Eskom CEO Thulani Gcabashe and chairman Reuel Khoza rebuffed my urgent appeals to disclose in writing the settlement terms and conditions

Tumour rumours

You have not produced a single fact to back up your innuendos that Koeberg causes cancer. Your comment to my letter (*nose*56) – in which I pointed out how absurd the innuendo was, given the very low levels of radiation at Koeberg and the huge mass of evidence from independent, reputable institutions showing that there are no increased cancers in nuclear workers – was this: "Our fear, now, is that such a survey at Koeberg might yield such a result – because workers are routinely fired/retrrenched before their cancer is formally diagnosed." To make such extremely serious charges against Koeberg, you must have good evidence. Please let me see it.

Every letter in favour of nuclear power has been attacked by the editor. Your comments about subsidies for nuclear are wrong, too. Nuclear is not only the safest and cleanest large-scale source

Gus



of electricity (over the full energy cycle, including fuel preparation, construction, operation, waste disposal and decommissioning) but competes economically. It has the lowest production costs in the USA. It is the single largest source of electricity in Western Europe and is usually the cheapest. Among the countries that use nuclear power, I know of no special favours today for nuclear over other energy sources. On the contrary, nuclear is forced to pay for disposal of its waste, whereas coal, which produces a vast quantity of deadly toxins that remain dangerous for billions of years, is allowed to dump it freely into the environment. Similarly for noxious gaseous waste from gas turbines. The German coal mines are heavily subsidised. The wind people demand a huge subsidy and insist that customers should be compelled to buy wind-generated electricity, otherwise nobody would – because it is hopelessly expensive and unreliable.

I am all in favour of solar

energy where appropriate (I admit that solar power does produce extremely dangerous substances but I am confident that such deadly materials can be handled and stored safely). Solar energy could be used for water heating and for the supply of small amounts of electricity in remote areas. But to suggest that solar or wind can supply electricity for South Africa's industrial economy is just a fantasy. For large-scale electricity we need a clean, safe, economic source of energy, such as the Pebble Bed Reactor.

Andrew Kenny
Cape Town

We will be returning to the issue of Koeberg and cancer in the near future. – Ed.

Write on!

I know one shouldn't look a gift horse in the mouth – in this case a free smalls ad in return for renewing our *noseweek* subscription – but I must take you to task for one of my personal bugbears: spelling. Instead of *prowrite@mweb.co.za*, *noseweek* spelt it "prorite". Now that may be all rite for

you, but in my business it wouldn't wash. And since when did the style change to putting the first three digits of a cell number in brackets? *proWRITE*'s cell contact number is 082 491 0699.

By the way, *proWRITE* supplies professional writers, subs and proofreaders at very reasonable rates. Feel free to call us.

Suzanne Brenner
Melville

You're absltely rte! How much more free advertising do you want?! – Ed.

Motoring along

As a relatively new reader I was fascinated by your story about VW's apparent lack of interest in its customers (*nose56*), repeated in *The Star* a week later in connection with Audi YY and A3 products.

Three years ago I bought a Volvo V70 XC – not a cheap car but I was lured by Volvo's reputation for quality and long life. What a bad choice that seems to have been. My problems have been taken up with Volvo SA to no avail at

all. Clearly buying an expensive car with a good, if boring, reputation does not ensure peace of mind.

Henry Watermeyer
Lyndhurst

See page 25. – Ed.

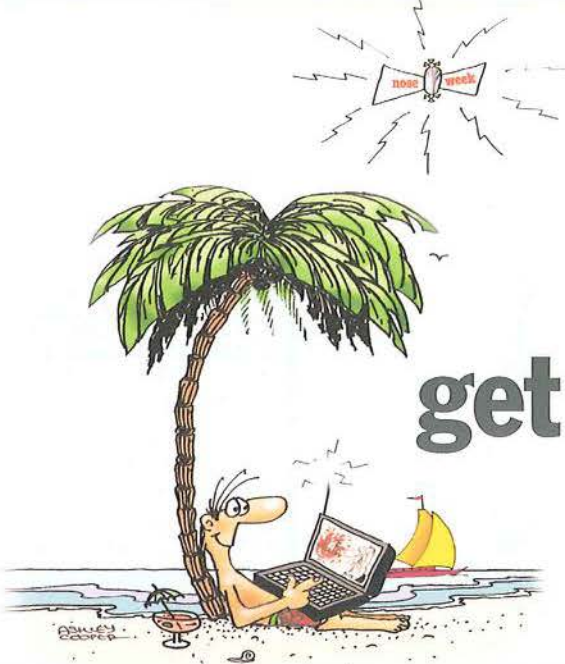
Oil and grease

I have come upon a list of "oil beneficiaries" from Saddam Hussein on abcnews.go.com. Under "South Africa", Tokyo Sexwale is listed as having been allotted four million barrels of Iraqi oil. This reveals him to be not only into shady business, but a political fraud as well. See the same website, under the heading "Iraq oil bribe for UN". We should not allow South Africans to get away with it!

Harry de Leeuw
Hout Bay

Bread winner

On the 9th of May, the *Sunday Times* ran a front page story about South Africa's new super-rich: individuals with a net worth of more than R200m. I was particularly interested to note that Tokyo Sexwale, former Gauteng premier, was



WHEREVER YOU ARE

get **noseweek** online

Now available worldwide

www.noseweek.co.za

estimated to be worth R1.5bn.

How can that be physically possible, considering that Tokyo's only been in the private business sector for just over five years? Or did his individual wealth creation start in the days when he was premier of Gauteng? Come to think of it, Tokyo was only allowed to return to South Africa in 1990.

This accomplishment must surely be a South African record in wealth creation and a shining example of "black

economic empowerment" at its best.

Arthur Tsimitakopoulos
Cape Town

Trish swish

Fascinating read about Barry Davison and his marital travails (*nose55*). Could screwing your neighbourhood be the latest trend at Anglo – one way or another?

Now, have you heard.... Trish Trahar, that feisty fiftysomething resident of Morningside, Sandton, and outspoken opponent of the ghastly, vulgar

and unsightly property developments around and about the Trahar family home, may have had a change of heart?

Trish (wife of Major Tony who, coincidentally, has a farm in Ficksburg like Barry) has over the past few months been buying up the houses neighbouring her own, so that the Trahar compound can be kept a decent distance away from the recent development in her previously quiet patch of up-market Morningside. Neighbours

were persuaded to sell on the basis that any and all further property development that they might have been contemplating would be opposed with the full force of the family connections. As a sensible alternative, by selling to Trish, they would be preserving the last remaining green belt in the area. [*C'mon, who're we talking to here? No-one sells in Morningside to save the green belt! – Ed.*]

No sooner had the last neighbour signed over his property, and with the ink scarcely dry on the paper, than Trish was seen in the company of chopper pilot, bon vivant and great supporter of the green (back), Mike Barnes. What would Mad Mike, a developer of truly superior residential property, be discussing with Trish??

Not the development of her newly-extended Morningside spread, surely?

Neighbourhood Watch

Morningside

Maybe, having seen what happened to poor Sally Davison, Trish has realized an Anglo wife must earn her keep – so stuff the neighbours, the Greens and the poor-whoever-they-are! – Ed.

■ Anthony John Trahar (54), BCom CA (SA), was deputy chairman of Anglo American Industrial Corporation until it delisted in 1999. He then joined the board of Anglo American plc. Last year he succeeded Barry Davison as CEO of Anglo American plc, much to the delight and relief of top management. He remains chairman of Mondi Ltd, a director of AngloGold, Highveld Steel and Vanadium, Scaw Metals, and the Tongaat Hulett Group, and the husband of Trish.

© The New Yorker Collection 1999 Charles Barsotti from cartoonbank.com. All Rights Reserved.

Limerick competition

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 Monday 14 June and must be headed "June Limerick Competition"

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

First prize (Da-dal):

They say that in Art it's not nice
To be driven by base avarice.
But while others draw words
About the Kebble Awards,
I'm drawing to get me a slice.

Greg Kerr (shamelessly), Port Elizabeth

The photos of cables and noose
That were used in his jails of abuse
and the woman who mocked
with her fingers half-cocked
show us how George W Bush cooked
his goose.

Peter Kantor, Rondebosch

The runners-up were so close that they deserve to be heard. The following two get the editor's special prize of a five-issue subscription to noseweek for:

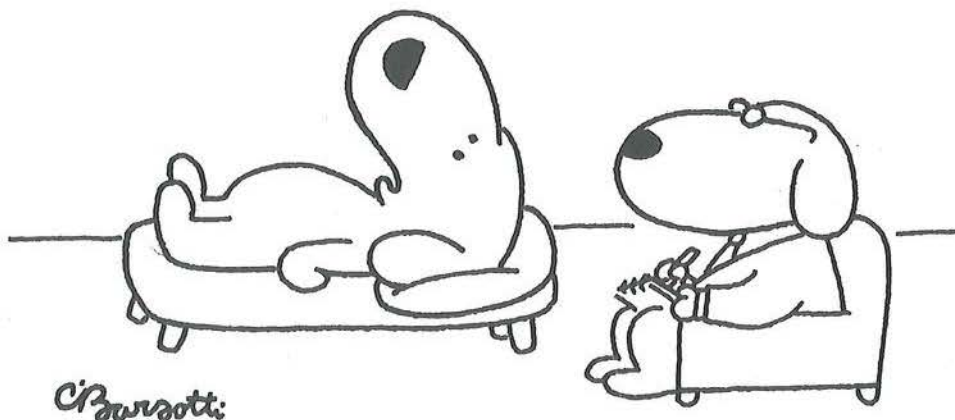
A dictator named Jean Aristide
sought a haven with indecent speed.
His dear chum, our President
said "Make yourself resident
– we'll pay for all that you need!"

Hans Krop, Rondebosch

For cheek and a laugh, an honourable mention goes to:

Noseweek's prescience will thrill –
Time-travel is next on their bill.
Send a limerick, they say,
For a competition in May,
With the winner announced in April.

GB Barlow, Newlands, Cape Town



Charles Barsotti

"I do what they tell me, I eat what they give me. How do I know they're not a cult?"

Lest Old Mutual be forgot

Tel: (021) 686 0570
 Fax: (021) 686 0573
 noseweek@iafrica.com

Editor

Martin Welz

Managing editor

Marten du Plessis

Production editor

Tony Pinchuck

Gauteng bureau

Jack Lundin

Censor-in-chief

Len Ashton

Reporters

Michael Murphy
 Jacqui Kadey

Foreign correspondent

James Sanders

Cartoons

Gus Ferguson
 Myke Ashley Cooper

Contributors

Nicola Dudley
 Melany Bendix

Subscriptions

Maud Petersen

Advertising

Adrienne de Jongh

Subscription rates

SA only R195 for 10 issues.
 Overseas (airmail) Europe,
 Americas and Australasia:
 R345 (for 10 issues).

To subscribe by post

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

To subscribe via Internet

and pay by credit card
 go to www.noseweek.co.za

Copyright All material in this issue is copyright, and belongs to Chaucer Publications (Pty) Ltd, unless otherwise indicated. No part of the material may be quoted, photocopied, reproduced or be stored by any electronic system without prior written permission.

Disclaimer While every reasonable effort is taken to ensure the accuracy and soundness of the contents of this publication, neither the authors nor the publisher will bear any responsibility for the consequences of any actions based on information contained herein. Printed and Published by Chaucer Publications (Pty) Ltd.



In the past few years Nedcor has, through bad management and a lack of strategic clarity at board level, lost some R30bn of its shareholders' wealth, most notably that of major shareholder Old Mutual, the manager of so many South African pension funds. The bank has been beset by scandal after scandal – and is now asking shareholders for another R5bn to beef up the balance sheet.

Given all this some might have expected – even looked forward to – fireworks at the recent Nedcor annual general meeting, not to mention the proverbial blood on the floor. What we got instead was ... nothing from the institutions, and a few awkward questions from two individuals.

In response Ann Crotty made some excellent observations about Nedcor and its AGM in *Business Report*. To highlight a few: Nedcor is “a banking group that has seemed more intent on enhancing its own employees' wealth than enhancing its shareholders' wealth or its clients' satisfaction.” (We'd agree that Nedcor has been intent on enhancing the wealth of its directors.) “As for corporate governance,” writes Crotty, “spending a fortune ticking boxes and making high-sounding pronouncements seems to be all that really matters ... the eerie silence from the institutional shareholders at last week's AGM should worry every one of us who has a savings or pension or is part of a provident fund ... the powerful men who play with our money don't really believe they have to account for themselves.”

To *noseweek* readers this will all seem like business as usual.

Some time ago we described in *noseweek* a culture of corruption and arrogance that had set in at Nedcor's parent company, Old Mutual, under the leadership of Mike Levett.

One of the cases we wrote about to illustrate this was Mostert NO vs Old Mutual. Old Mutual had lost the funds of various pensioners (totalling R32m) through the reckless and, in fact, unlawful, transfer of funds to miscreant Laurie Korsten. But, rather than simply doing the right thing and making recompense, the men from the jolly green giant then proceeded to argue, on the basis of legal technicalities, all the way to the Appeal Court, that they had no obligation to make good the funds of the now destitute pensioners! OM eventually lost the case – but it was obviously

one they should never have fought, and indicates something seriously amiss.

Nedcor's recent difficulties are hardly surprising against that background. Nor is the fact that the folks at Old Mutual and Nedcor should think that bland assurances and cosy backroom manoeuvres are the proper way to handle the crisis.

True, Nedcor CEO Richard Laubscher has been told – gently – to give back the keys to the company fishing lodge.

But what about Michael Katz?

Far from getting the boot – as he deserves – Katz was re-elected to the Nedcor board with the full support of OM.

During his tenure as a director Katz has been deeply implicated in one of the most extravagant, ill-advised and ethically dubious of all the recent Nedcor sad-nesses. This was the sale of his law firm,

News Flash: as we go to press news has come that we have won the Mondri award for the best business story of 2003. We will exult at appropriate length in our next issue.

Edward, Nathan, Friedland, to Nedcor for R400m. Not only was the sale itself in contravention of acceptable standards, but the price was simply farcical. No one could have known that better than Katz, who as a director was supposed to be representing the best interests of the Nedcor shareholders.

Katz was involved too in the attempted misappropriation by the Nedcor board, back in mid-2001, of a bundle of Didata shares worth approximately R150m that belonged to the company of which they were directors.

The fact that OM is prepared to keep Katz on as a director shows a breathtaking arrogance and indifference to public opinion.

It also signals to the rest of the SA corporate world that ethics and professionalism don't matter that much really – what counts is to look after your pals and know how to play the game.

This is a serious state of affairs. After all, as we've written previously, the extent of Old Mutual's interests and the nature of its business give it an importance in the nation's affairs almost on a par with that of government.

Have you been offered an Old Mutual policy lately?

The Editor

GUTTED



Basie Sigwele (above) was one of many Houlihan's empowerment. But while the ANC bigwigs who the shack-dweller has gained is the worthless

BY ANC FATCATS

It seems to be their standard modus operandi. Look into any major government deal and you'll nearly always find a trust with an empowerment or community upliftment-related name (and suspiciously vaguely defined beneficiaries) on the profitable end of things. Soon it emerges that, despite the caring title, the trust has, in fact, been set up to benefit

members of the ANC elite – and, there are more and more reasons to suspect, the coffers of the party itself.

The classic example remains the Nkobi Trust, rather too transparently named after ANC treasurer-general Thomas Nkobi, and set up after his death by his close advisor, Shabir Shaik. “Little is known about the affairs of the Nkobi Trust,” we wrote back in August 2000, “although foreign visitors hoping to do business

in South Africa frequently feel inspired to make donations to it.” The Nkobi Trust and the role of Shabir Shaik in ANC finances and South Africa’s arms procurement programme remain subjects of profound fascination.

Then, in October last year, we reported allegations that the then premier of Limpopo Province, Ngoako Ramatlhodi, had secretly benefited from massive payments made to a “black empowerment” company by his province’s

**ay fishermen who pinned their hopes on promises of economic
o made the promises stuffed their already bulging pockets, all
s share certificate he holds**

Photograph: Adam Welz

Legal and medicolegal services

Eberhardt and Janette the judges, and, "Chief Rabbi" Cyril Harris the "judge" in higher places decided I can't practise law because I wanted to see my child so much and because strangely, Cyril did not want to recognise the holiest of the ten commandments. Now, I have decided to become a typist and medico-legal researcher. For urgent dictaphone typing in law, medicine and any other field. I will fetch cassettes in Gauteng and outside Gauteng the tapes can be sent overnight and will be typed and sent back immediately by e-mail. Standard rate of R300 an hour and by agreement for after-hours work. Medico-legal research at R450 an hour.

Phone Peter Clive Soller on (011) 788 4359 or e-mail at pcsoller@telkomsa.net. To start immediately. Complete confidentiality assured. I do not work in chambers or for a group

I actively serve as a paramedic in the largest medical institute in Africa and am able to source expert witnesses in all fields of medicine and medical malpractice. I will give opinions with source references and formulate the basis of claims for actual malpractice claims. I have a complete medical library and remain in contact with top medical institutions throughout the world.

KEN FORRESTER WINES



Tasting and cellar sales
(021) 842 2020

Orders
(021) 855 2374

marketing@kenforresterwines.com

WIN A WINE GIFT PACK

Five lucky new subscribers will each win a pack of Ken Forrester's award-winning Chenin Blanc and the unique Grenache-Syrah blend. Subscribe by Fri 11 June.

THIS MONTH'S WINE DRAW WINNERS

Mr JD Jordaan, Saasveld Rd, George; Mr JI Delpont, Bornman St, Kroonstad; Mrs A Knoop, Lismore Ave, Tokai; Mr DH Rossouw, Pecan Place, Polokwane; Mrs H Steppe, Eddy Ave, Bedfordview.



FISHY BUSINESS: Members of the Hout Bay community who were cynically manipulated with promises of economic empowerment to line the already-bulging pockets of a small, well-connected group

pension payout contractors. Lawyer Solly Mohale, also allegedly a beneficiary of the payments, recently told the *Mail & Guardian* that he had "no knowledge of Ramathodi receiving any money unless it was in his ANC executive capacity". At the centre of that controversy is something called the Baobab Development Trust, once again said to be a channel for funds to the ANC.

As in the case of the Nkobi Trust, there appear to have been enough spin-offs to a few wealthy friends to effectively blur the tracks and improve the "deniability" of any Party interest.

Now take a closer look at the sweetly named Hout Bay Development Trust – and meet the Western Cape ANC's well-known fundraisers and business gurus, Hassen Adams and Dicky Meter.

Hout Bay embraces a valley, bay and beach of stunning natural beauty. It also offers rich pickings for business – especially in fishing and tourism (and, maybe, gambling), which have historically been controlled by departments of the national government. Government gets to award the concessions.

In recent years a predatory bunch of lawyers, politicians and business people have been gorging themselves on these gifts from government with a degree of cynicism and greed surpassed only by their determination to make nonsense of President Thabo Mbeki's declared commitment to serving the needs of the poor.

The ANC-sponsored new-rich of Hout Bay have not only taken the best of the pickings from the gambling, tourism and fishing indus-

tries for themselves – they are set to cash in even more from the coming privatization of Hout Bay harbour, set to become the Cape's next waterfront playground for the rich. Property prices in some areas of Hout Bay are already among the highest in the Western Cape.

Hassen Adams and Dick Meter are champions of "the poor" – understandably so, since without the poor of Hout Bay (and a little bit of help from the Party), Messrs Adams and Meter could not have achieved their newly acquired millionaire mansions and lifestyles.

Since the struggle 1980s, Adams has been a party "money man" and close comrade to the likes of former ANC parliamentary secretary – and now himself a well-connected millionaire businessman – Chris Nis-

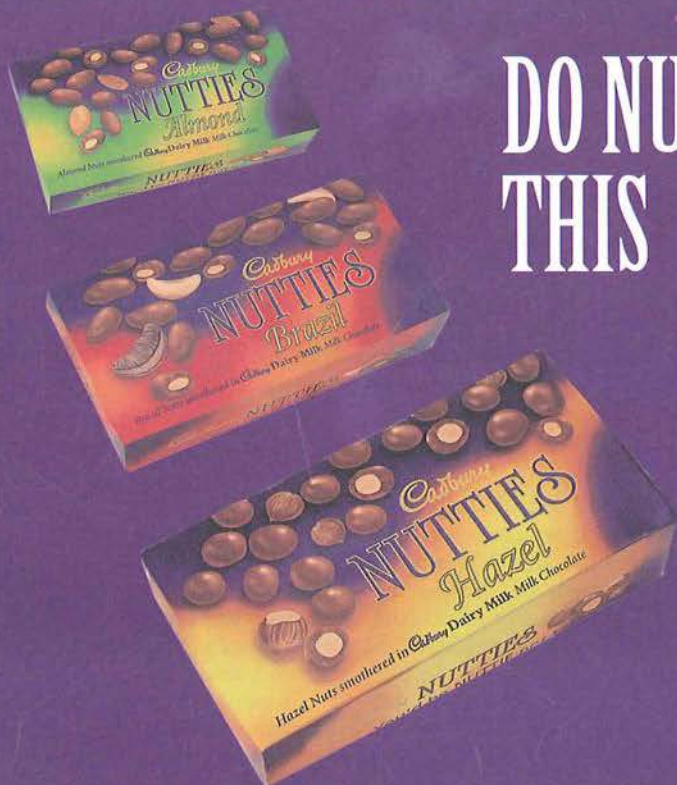
Some history

The Hout Bay harbour township originated with a Khoisan fishing and agricultural community that lived in the valley before being dispossessed under colonial and apartheid policies. By the 1950s, all of Hout Bay, other than a small area above the harbour (a mini homeland to ensure labour for the fishing industry) had been classified "white". Fishing rights and quotas had long been apportioned by the apartheid state to a few large fishing concerns such as Oceania, Irvin & Johnson, and Sea Harvest, whose only need for these once-independent fisherfolk was as crew or factory staff. Years of exploitation have left the harbour community more impoverished than ever.

Directly across the valley is Imizamo Yethu ("through collective struggle"), home to the bay's Xhosa-speaking community – first drawn to Hout Bay from the then homelands by the prospect of work on the fishing boats. Their arrival benefited the fishing barons by creating downward pressure on wages and, faced with the continuous threat of forced removal, they were more docile than the local coloured fishermen. These migrant workers were "housed" in a single-sex compound at the harbour. Many remained in Hout Bay when their contracts ended. "Illegals" under apartheid laws, they built shacks and brought their families to live with them in defiance of influx control laws.

Today, conditions in Imizamo Yethu remain even worse than those at the harbour.

DO NOT BE FOOLED
THIS FATHER'S DAY*



*We've dropped a handy Nuttoon in this copy of noseweek for you to leave lying around as a hint to the kids



Hassen Adams

sen, to Minister of Finance Trevor Manuel and, of course, to Allan Boesak – all men who understand what party fundraising is all about. He's also a close pal of the new ANC premier of the Western Cape, Ebrahim Rasool,

who has done significant favours for Adams (even to the serious detriment of the province's taxpayers – but more about that in our forthcoming issue).

Adams is perhaps best known in the casino business, as a result of his "empowered" partnership with that well-known patron of the Party, Sol Kerzner's Sun International. But here the subject of our interest is his role in a less well-known entity called the Hout Bay Development Trust.

Adams has made it widely known in the community that he and his pals are "taking over" Hout Bay – to the extent that he and his friend

Dicky Meter have for the past decade been known as the informal "mayor" and "deputy mayor" of the village. He speaks with the confidence of someone who's sure he has the necessary backing in high places.

Hout Bay's astonishing beauty is scarred by two pockets of desperate poverty: the leftover migrant workers of the Imizamo Yethu squatter camp, and the descendants of Khoisan fisherfolk who live across the bay in the township above the harbour. For both, conditions are grim – and getting worse. (See box.)

The plight of these communities was acknowledged in 1994 by the ANC, which made bold promises to ensure their access to fishing and land rights, and other development opportunities. The party's main spokesman on these matters was Meter, then just a local activist. At any rally of desperate squatters or impoverished fisherfolk, Meter was sure to be leading the march, or proclaiming their rights to the press.

The Hout Bay Development Trust was ostensibly set up for the upliftment of these poor people.

It all now appears to have been a cynical con pulled on the mass of poor locals by the ANC elite, who have actively collaborated in ensuring that a small group of party friends and funders have become multi-millionaires – riding on the backs of the poor as their white racist predecessors did before them.

In spite of the award by government of significant benefits to the Hout Bay Development Trust, including five large fishing quotas, the poor of Hout Bay are no better off today than before. Promises of training, employment, and profit-sharing have come to nothing.

And the authorities have done nothing to hold the trust to its promises.

Now read on...



Ebrahim Rasool

Tippex of the iceberg

The Hout Bay Development Trust



When the late Barry Jenman of Hout Bay Boatyard learned in 1996 that water frontage promised to his boatyard for much-needed slipway space (he had been busily complying with the extensive administrative requirements set by the authorities) had, at the 11th hour, been allocated to the Hout Bay Development Trust instead, he was understandably upset.

The lease had been awarded to the Trust by the Department of Public

Works, without any consultation or public participation whatsoever. This was unprecedented. And it was a 25-year lease, also previously unheard-of in Hout Bay. There had been no compliance with the usual applications procedure, no environmental impact study, and no opportunity for objections to be lodged.

The stated purpose of the lease was for the development of a hotel at Hout Bay harbour – in spite of a severe shortage of docking space for fishing vessels. As a report by the Depart-

ment of Marine and Coastal Management would later record, Hout Bay is "probably the busiest fishing harbour in South Africa (where) berthing for vessels is at such a premium that in some cases fishing vessels are berthed three abreast".

(It would later emerge that a second harbour site had been granted to the trust, also without notice, also for 25 years.)

Jenman was curious. What was the Hout Bay Development Trust? Getting his hands on the trust deed was

a battle. The deed was not available at the office of the Master of the High Court, as required by law. Only after persistent inquiries did it eventually appear from nobody-knows-where – without any explanation of its previous unavailability.

Both the trust deed and the lease – copies of which are in *noseweek's* possession – have some curious and highly irregular features. Hassen Adams signed the lease in August 1995 – ostensibly in his capacity as chairman of the trust. But according to the trust deed, the trust came into being only when it was registered in May 1996 – nine months later. That perhaps explains not only why the trust deed was not readily available for public inspection – it automatically makes the lease invalid. No problem. Someone, aware of the problem, has simply scratched out the date of signing and replaced it – in another handwriting – with a date after the trust was registered.

The trust documents reflected the trustees as Dick Meter, Priscilla Jansen, Morris Gonya and Adams. A little investigation shows Gary Jansen

– husband of Priscilla and a politically well-connected attorney – had originally signed as trustee. But, as an unrehabilitated insolvent, he was legally precluded from being a trustee. When inquiries were made, his name was removed and his wife's name substituted. Strike two to Tippex.

The lease had obviously been signed in haste to secure control of one of the most valuable pieces of publicly controlled real estate in SA – before it could be secured in the normal manner by Barry Jenman.

A letter written in 1997 by local yacht owner Phil Conning to the Hout Bay Harbour Committee relates how Adams asked for a 5% share of his business – taking tourists to sea on the boat Nauticat. When Conning disputed this demand, Adams reportedly told him that the Hout Bay Development Trust was in the process of taking over the harbour and if Conning did not want to “play ball”, he would lose his berth at the harbour.

Adams now lives in the elite area above the harbour, with fellow trustees the Meters and Jansens close by. He is extremely influential and an increasingly powerful figure in the Western Cape. Over the past ten years he has become a director of more than 40 companies, ranging from commercial giants like Grindrod and Sunwest to small empowerment concerns. If his

When inquiries started to be made, his name was removed and his wife's was substituted

directorships are anything to go by, he has knowledge of such diverse industries as film, gambling, horse racing, wine farming, and fishing – amongst others.

At one time Meter and Adams' description of themselves as “mayor” and “deputy mayor” was seen to represent the optimism of the deprived and previously disenfranchised communi-



evolve inc.

Concept design and layout specialists.

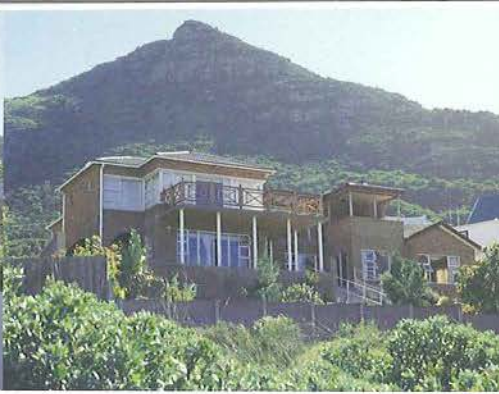
With the ability to create unique and original concepts and campaigns,

Evolve Inc. will carry through from the original idea to the design of the media and implementation, printing and monitoring of your campaign.

With a background including a number of South Africa's most prominent brands as well as smaller more targeted campaigns, Evolve Inc. can devise marketing and promotional solutions for any product at any budget.

Evolve Inc. - The expert's experts.

Direct: +27(0)83 656 7911 · Fax: +27 (0)11 462 9992 · stevee@icon.co.za



THE COOL ON THE HILL: Mansions of the well-heeled trustees (above) perch on the fragrant upper slopes overlooking Hout Bay harbour, while the 'empowered' fisherfolk eke out an existence in the informal settlement on the lower reaches (below)

ties of Hout Bay; today it prompts sarcastic laughter and resentment from all sections of the community.

The purpose of the trust – as described in the preamble to the trust deed – was high-minded but mysteriously vague: “improving the quality of life in certain specified fields and of assisting with the upliftment and development of disadvantaged communities in the Hout Bay area ...” Good news, one thinks – for the harbour community and people of Imizamo Yethu. But, crucially, they are not specified as beneficiaries in the trust deed. (In retrospect it seems the drafters may well have had the financial needs of the ANC leadership in mind.) This lack of specificity makes it very difficult to hold the trustees to account, in spite of their signal failure

to benefit these communities in any meaningful way.

The department of public works has long been aware of unhappiness in Hout Bay about the trust. As far back as November 1997 a growing chorus of complaints – and an application by the trust to extend the period of one of the leases to 50 years! – caused the department to convene a meeting of “interested parties” which included a representative of the harbour community. (Imizamo Yethu, as usual, knew nothing of it.)

The trust was represented at the meeting by Adams, Meter, and Priscilla Jansen. What they had to say was very revealing of their attitudes. Responding to charges that the trust had no mandate from the community, Meter had no qualms in declaring: “The trust members [we assume he meant the trustees] are born community leaders”. Does this mean the ANC has an aristocratic class whose

members are born to their position of entitlement?

When a government representative suggested re-advertising for objections to the proposed extension of the lease period, as there had not been a proper opportunity for people to formulate their objections, Adams was furious. He told the meeting he would not “dignify” this suggestion with a response – he dealt only with the official’s supe-

Does this mean the ANC has an aristocratic class born to their position of entitlement?

riors, who had a directive directly from their minister. Which would appear to confirm that the trust was operating under party supervision at the highest level.

The trustees dismissed complaints from the harbour community as “fraudulent”. The empowerment of the



disadvantaged, they insisted, would be enormous. According to Adams "the terms of reference ... (relate to) empowerment, which does not only deal with money but aims to educate people to fish for themselves [*Would you believe it: the old Chinese fuck-off-don't-expect-anything-from-me line!* – Ed.], create jobs of plus minus 4000 per annum, fight to combat crime". Dick Meter was, if anything, more bullish: he told the meeting the trust "aimed to raise R400,000 per annum which the community had never in history received".

It hasn't received anything now, either.

The terms of the first lease, signed in 1996, state: "[the site] shall be used exclusively for the training of the community in Arts and Crafts as well as to sell these products and provide a coffee shop facility and without the prior written consent of the Lessor, it may not be utilized for any other purposes" and "the Lessee shall commence utilizing the property for (this) purpose within 3 months from the date of commencement".

The lease agreement relating to the second site states that it "may only be used for the purposes of a hotel, restaurants, shops, general amenities for tourists and other commercial purposes incidental or ancillary thereto. The Lessee undertakes to develop a boardwalk and jetty in front of the hotel, to accommodate the tourist charter vessels, currently moored alongside the snoek off-loading quay in the harbour."

Neither lease has been complied with. The first site has been sublet (a breach of the lease) to "Kraalcraft", an upmarket concern selling (mainly imported and pretty expensive) tourist items and jewellery. None of the items are manufactured by locals. An American Express foreign exchange bureau, and coffee shop (managed by trustee Priscilla Jansen) complete the picture.

Until a year or so ago, the second site remained unused. It has now been grassed over and is a helipad for Base 4 helicopters to ferry tourists at R1500 to R3000 a trip.

Far from uplifting the community, the effect of these extraordinary leases has been to give control of the most valuable land in soon-to-be-privatized Hout Bay to already highly empowered Adams and friends – whoever they are.

Let's make you a happy Voyager member.
We can assist with all aspects of Voyager travel



(031) 764 0647
paolak.kaltravel@galileosa.co.za



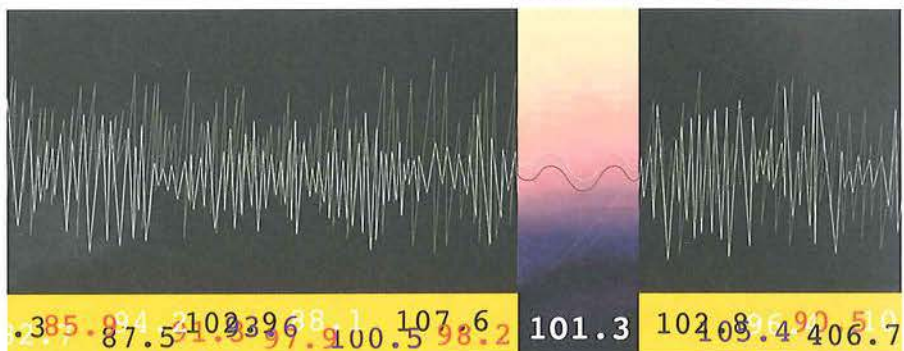
KALTRAVEL.cc
Specialists in Personalised Travel



Gillan & Veldhuizen Inc.

Attorneys, Conveyancers & Shipping Lawyers
Suite B15, Westlake Square, Westlake Drive, Cape Town
☎ (021) 702 3863 ■ Fax (021) 702 3861
www.gvinc.law.za

calm in chaos



When in Cape Town
Refining the art of leisure.
Calming life's tempo.
Striking the right chords.
Fine Jazz. Fine Classics. Fine Radio.

**Fine
Music
Radio 101.3**

MOTIV 315611

Hook, line and sinker

How the fatcats hauled in the fishermen



It all began in an atmosphere of boundless optimism and high hopes. In 1996 residents of Imizamo Yethu were invited to meetings where promoters Andy Johnston (a well-known fishing rights activist at the time), Mark Agulhas (a member of the harbour community), Lulamile Kati-Kati and Joseph Made explained an exciting opportunity. Audiences were told that the government's new fishing policy had created a once-off opportunity for impoverished fishing communities to improve their lot. Work and millions of rands of income were guaranteed for those prepared to join one large fishing concern which would procure a fishing quota and change their lives forever. All they had to do to be part of the venture was to provide their ID, a photograph, signature (or thumb print) and pay a joining fee of R2.

For the poor of Hout Bay, this was like striking gold. Hundreds of Imizamo Yethu residents rushed to sign up, to become members of the South African Commercial Fishermen's Corporation (SACF). SACF claimed to have over 3,000 previously disadvantaged members. This, and the stated aim of providing work and skills to its members, helped secure SACF large fishing quotas from the Department of Marine and Coastal Management (MCM). While members understood that they would be part of a large, single, entity (clearly

intended to be a cooperative), it would later emerge that they were part of a complex group of companies and cooperatives which would make it virtually impossible for individual members to assert their rights against the leadership clique who had gained control.

After signing on, the new members heard nothing further until, in late 1997, Joseph Made informed them that the application for fishing quotas had been submitted to Marine and Coastal Management – and that each member was now required to pay a further R50 to secure a position in the company. The amount was beyond the means of most residents, but, desperate not to lose their opportunity, many turned to usurious moneylenders. It is not clear what this money was actually for, or where it went – this factor being one of the reasons why Johnston later resigned from the company.

In early 1998, rumours began to circulate that Agulhas was now claiming to be managing director of the concern and was living in significantly improved circumstances. A group of Imizamo Yethu residents, led by Arnold Bam, visited the office opened by the SACF in Hout Bay. Agulhas was in, and introduced lawyer Thys Mocke who, he said, would be advising the company in future.

Mocke told the delegation that a large quota had indeed been obtained

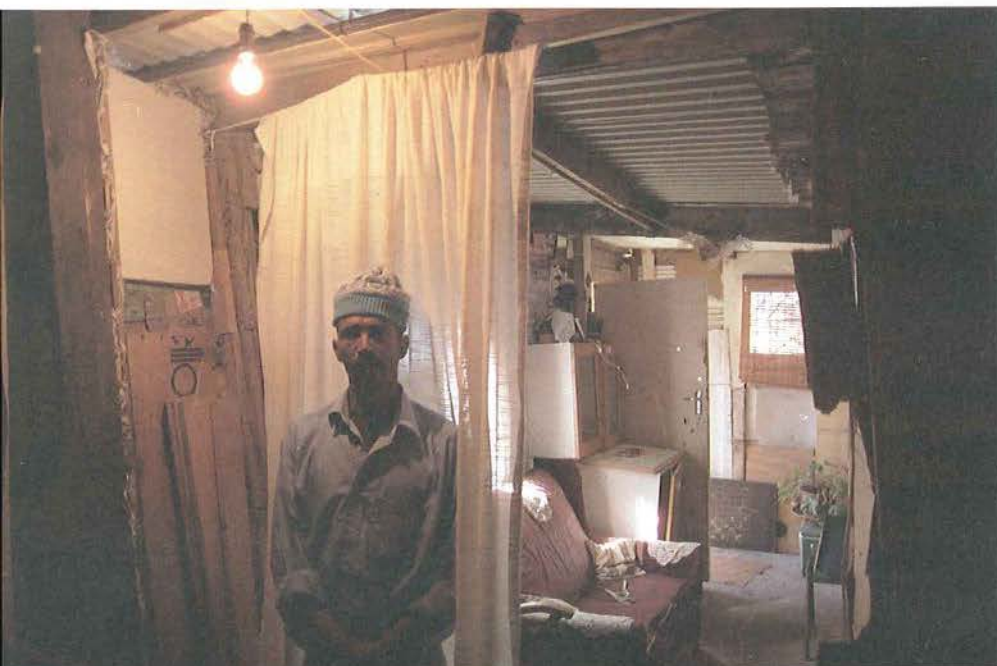
from MCM; a factory, boat and vehicles had also been acquired, and fishing was underway. When residents expressed anger that they had not been consulted, and cited the representations made to them, Mocke was unmoved. If they were unhappy they should leave, he told them; after all, "it was a free country". Bam and his colleagues demanded a list of the company's assets, and also an undertaking that in future members of the company would get first preference when it came to employment. Neither the information nor the undertaking was provided then – or later.

As things turned out, they were also not "free" to leave. A company called SACF Holdings (Pty) Ltd had procured large quotas by submitting their names as its co-operative members. (Unknown to them, SACF Holdings had then assigned its quotas to a new company called SACFC, which had just four directors: Mocke, Agulhas, Zunaid Moola – a new-rich gentleman of Tokai we shall learn more about in due course – and another.)

When Bam tried to acquire a small, subsistence fishing quota in his own name, so that he could support his family, he learned that his membership of SACF had made him ineligible. Even resignation would not change this. Members of SACF were now even worse off than before!

Further attempts to persuade Mocke, Agulhas and company to run the company for the benefit of the members, as had been promised, were rebuffed. From time to time (generally shortly after community members met to vent their spleen or contacted politicians or the media), "facilitators" (a certain Randall Kennedy was the most visible) visited the community offering the payment of small "dividends" ranging from as little as a few hundred to just over a thousand rand to members who were

HIGH AND DRY: Nicholas Guenantan is one of the fishermen who got conned



prepared to sign a piece of paper to confirm receipt.

Many of the illiterate folk of Imizamo Yethu did not realize that the "receipts" contained a strange section headed "Application to resign" which read in part: "I fully understand that from this point forward I relinquish my right to claim any current or future benefits". This bit was never explained to the SACF members. Many did, however, suspect foul play and, despite their desperation, refused to be "facilitated" out of their own company.

The Imizamo Yethu community was all the more distressed because they continually came across brochures that described the progress of the good ship SACF in glowing terms. From one of these the community learned that they were part of a bewildering structure of companies and co-operatives headed by CEO Mocke, Agulhas, Moola et al.

The directors simply sold the quotas obtained in the name of the poor

According to the brochures the SACF "group" – for that is what it had now become – was involved in "joint venture" projects with some of the established fishing industry giants. It had, so it claimed, created hundreds of jobs, had trained commercial sailors and skippers and invested massively in the communities it served. In truth, the directors of SACF had simply sold the quotas, obtained in the name of the poor of Hout Bay, to the old fishing giants, using the cash flow to, inter alia, pay themselves massive executive salaries and perks.

The people of Imizamo Yethu knew all too well that they had not been employed, trained or paid anything. They had also never been asked to appoint or approve Mocke as CEO, and had never even heard of the joint venture subsidiary companies.

The indignity and injustice of their position drove Arnold Bam and his colleagues down every avenue to assert their rights. When Bam and his community tried to take SACF to court they found – to add insult to injury – that they were opposed by teams of lawyers funded with the proceeds of the rights stolen from them in the first place.

Some of the shareholder groups simply gave up, but the Hout Bay community was determined to press ahead.

Eventually, last year, and with the help of lawyer Davout Wolhuter, they were able to force a meeting of shareholders. A new board of directors has been appointed and the community is hopeful that things will get better. At the very least there should be effective control of what remains of SACF and full access to such financial records as exist.


The financial records were not complete, but they did show that the SACF had little left in the way of assets. So what had happened to the revenues generated by the large fishing quotas SACF had been awarded? Those quotas (some of the largest awarded to concerns other than the established giants of the industry) must have generated revenues – in whatever form – of many

millions. The financial records did not say what had happened to those funds but the executives of the various entities in SACF group had clearly been richly rewarded and the joint venture partners (Oceania) did pretty well out of the scam too.

It has also become clear that there was never any real intention of meeting the promises to members. If that were so, there would have been some attempt to secure work for members, or at least involve them in decisions. That never happened. Rather, as soon as the quotas were procured (back in 1998), they were hived off to those "joint ventures" boasted in the glossy brochures. The terms of the joint venture deals were, it emerged, wholly disadvantageous to SACF and its members. And the joint venture partners with whom this arrangement was made? Companies like SA Sea Products and Blue Continent of the Oceania group – hardly what one would call "empowerment" concerns.

Mocke, Agulhas and Co were handsomely rewarded for their efforts – their palaces and perks are there for all to see. The people at Imizamo Yethu received nothing. Except, perhaps, an ANC government.

Amandla awethu!

 Gallery
on the side

"Seems everybody
has a little something
on the side."



Visit us at:

Pineslopes Shopping Centre
Witkoppen Road Fourways

Tel: +27 11 4672475 Fax: +27 11 467 2476

Email: gots@farsa.co.za

www.farsa.co.za



FINE ART RESOURCES S.A.
CONTEMPORARY ART • GRAPHICS • ORIGINALS • SCULPTURES • ARTIFACTS

Vineyard
Gallery 

ORIGINAL ART • GRAPHICS • PRINTS
ENGRAVINGS • SCULPTURE



Visit us at:

29 Vineyard Road

Cnr of Cavendish & Vineyard Roads Claremont
Cape Town

Tel: +27 21 683 9597 Fax: +27 21 683 9144

Email: vineyard@farsa.co.za

www.farsa.co.za



FINE ART RESOURCES S.A.
CONTEMPORARY ART • GRAPHICS • ORIGINALS • SCULPTURES • ARTIFACTS

A Stella performance

Empowerment to the (rich) people



In October 2001, Stella Sigcau, Minister of Public Works, authorized a long-term lease over a piece of prime waterfront land at Hout Bay harbour. The development proposed by the new lessee, Bluefin Holdings (Pty) Ltd will block access to the wharf side by independent fishers, make vehicular access to part of the harbour all but impossible, and is opposed by almost everyone in Hout Bay.

Even more significantly, it comes at a time when privatization of the harbour is very much on the agenda. For the department of Public Works to grant a long-term lease – the Bluefin lease is for 25 years with an option to renew for a further 10 – with privatization on its way would, by normal business criteria, seem odd, if not downright suspicious. Any potential buyer-developer is likely to knock millions off the bid price for every lessee he will have to buy off in order to clear the site for development.

Conversely, the deal is great for the lessee. Bluefin is positioned to “extort” a massive payoff from the developer to go away – or to negotiate a cut of a hugely promising development.

Now why, we ask ourselves, would Ms Sigcau disadvantage the state treasury to so massively benefit Bluefin? Who, or what, is Bluefin to her?

Readers will recall that Sigcau was a member of the cabinet of the Transkei when that “republic” most controversially awarded exclusive gambling rights to Sol Kerzner, in return for a R2 million “consideration” Kerzner paid Prime Minister George Matanzima. She was later to claim, after she became Transkei President, that the R50,000 share of the spoils that found its way into her bank account, had been a gift from George. As Minister of Public Works in democratic South Africa she wields tremendous power, having authority to “sell, exchange, donate or lease certain public land ... on such conditions, as (she) may deem fit”. But does this mean she can dispose of public property without complying with the transparency and administrative justice requirements of the Constitution?

There was much that was unusual



MINISTERING TO THE RICH: Stella Sigcau

about the award of the lease, and its terms. Where previously the application procedure was lengthy and arduous, involving extensive consultation with tenants, the department of Marine and Coastal Management (MCM) and Public Works, this lease was awarded “out of hand”. That is particularly interesting because the Bluefin development threatens to destroy an existing business, Grey’s Marine (Pty) Ltd that has made a significant contribution to the Hout Bay fishing community, and provides work to more than eighty staff.

In addition, the lease is for 25 years, where the stated policy of Public Works had been to limit leases to less than 10 years.

The lease is also in direct conflict with assurances given to the previous tenant by MCM. The Yacht Club had occupied the site but gave it up when told that the land could “only be utilized in order to allow traffic along the quay as well as to provide adequate mooring space especially for small boats such as snoek and lobster boats to offload their catch”. Wharf space in Hout Bay – needed by small-scale fishers to offload their catch – is scarce. Traffic congestion has always been a problem and space for loading and visitor parking is at a

premium. The Yacht Club gave up the site on the assurance that it would be used to address these concerns, and moved to a site next to Grey’s Marine some distance from the water. Grey’s has always needed to use the disputed site for loading and to access its pipes and sea pumps. The Yacht Club had accommodated these needs, but the new arrangement was even better, or so it seemed.

Joy and Trevor Grey started Grey’s Marine in the early 1990s. As small-scale fishers they saw first hand how a lack of facilities precluded small-scale fisher folk from accessing markets and developing bargaining power. The Greys saw an opportunity to provide small fishers with access to markets and thus better prices for their catch, and decided to invest everything in a factory at the harbour that would process the catch of the small fishers.

For the Greys (and most other harbour tenants) obtaining a lease at the harbour was a long drawn out, tortuous process. Public Works, the landlord, required them to submit detailed plans for their proposed fish-processing factory; to obtain the approval of the harbour master and MCM; to solicit the views of other harbour tenants. Then they had to obtain the approval of a Harbour Committee. It took five

years before they were finally granted their lease – and when it was granted the lease was for just nine years and 11 months.

This almost ruined them. A bond cannot be registered unless a lease is for 10 years or more, and financiers Business Partners would not advance money to their builders until a bond had been registered over the leasehold. Desperate entreaties to Public Works to extend the lease by a month fell on deaf ears as, according to the department, no registrable rights could be granted without specific policy authorizing the Minister to do so. Makes sense really; after all this is public land due for privatization. The crisis was averted when Business Partners agreed to forgo this requirement and the Greys signed personal surety. Today their thriving factory provides full facilities to independent fishers, and has been a boon for the small fishermen of Hout Bay.

Shortly after the Yacht Club moved, rumours began to circulate that a 35-year lease over the vacated land had been granted to Bluefin. Then a fence appeared at the site. Employees of Grey's were told that "they might as well resign" as Bluefin had secured all the land in front of Grey's Marine and the business would fold once Bluefin developed it. Hassen Adams, no less, had reportedly confirmed this. Adams is not a man to be trifled with, and Joy Grey took the warning seriously.

Rumours about the lease were finally confirmed when a construction team began driving pillars into the seabed. The proposed development, a factory, restaurant and tourist facility would take up the entire site between Grey's Marine and the wharf, preventing access to the water and their facilities.

The Greys rushed to court. They argued that the failure to follow any procedure in the award of the lease was unlawful. There had been no consideration of the impact on their business, the environment or the harbour. Why had there been no consultation, they asked?

Minister Sigcau opposed the case, going so far as to personally file an affidavit. Her opposition was based, firstly, on the contention that it is up to her to decide whether to allow public participation or not. In this case she "did not consider that such process [i.e. public participation] was necessary", and was in any case, she said,

entitled to dispose of public assets "out of hand". Secondly, Sigcau argued that the award of the lease was in the interests of "transformation".

That is clearly a powerful argument in South Africa today, but it does not stand up to scrutiny in this case. *noseweek's* investigation has found that Bluefin really "empowers" two well-known, already "empowered", Hout Bay locals, Dick and Shantaal Meter. The Meters are well known in the Hout Bay community for their political clout, and their success at significantly improving their life-style at the expense of opportunities for the impoverished fishing folk they purport to be assisting.

An erstwhile ANC councillor, and self-proclaimed "Mayor" of Hout Bay, Dick Meter sat on the advisory boards set up by the government to advise MCM and Public Works on the allocation of fishing quotas and harbour usage. It comes as no surprise then that Bluefin has been allocated substantial fishing quotas.

When other concerns applied for leases at the harbour while he was "mayor", Meter was forthright in condemning the "ad hoc allocation of leases for water areas", and opposed the grant of leases at the harbour "in the absence of a development plan approved by the authorities". Strange then that he not only supported Bluefin in its drive for a lease (without any approved plan whatsoever) – he went so far as to do much of the legwork to secure it. As if Meter's influence was not enough, Shantaal took every opportunity to inform civil servants that various Ministers (including Minister Trevor Manuel no less) were personally "keeping an eye" on the progress of the (secret) lease application.

Bluefin presents itself as an all-women empowerment concern, intent upon benefiting hundreds of previously disadvantaged Hout Bay fisherfolk. Until now, nothing could be further from the truth. The shareholders in the company are Shantaal, and a group of elderly women she keeps on a very tight reign. Dick is point man when required. Those who attempt to challenge Shantaal are met with the threat of court proceedings or worse, and she keeps tight control

over all information relating to the company.

Shantaal draws a salary of hundreds of thousands of rands a year from Bluefin (and similar amounts from other concerns in Hout Bay to which she "consults", based on her well-publicized political connections), but other shareholders in Bluefin have received little or no tangible benefits.

The Meters have a breathtaking view of the abject poverty of this community from their Hout Bay heights mansion (recently improved with Bluefin money). Dick and Shantaal have also parlayed their ANC-credentials into directorships on the boards of established and lesser known concerns like Saldanha Bay Canning Co, West Point Fishing Corporation, Silversea Investments, Blue Horizon Fishing,

Bluefin really 'empowers' two well-known already 'empowered' Hout bay locals

Silversails, Dynamic Business Support, Exesol, and Slipper Bay Fishing. They have certainly "transformed" their own circumstances beyond recognition.

That there is any difficulty with all of this clearly escapes the Meters. But what of Minister Sigcau? Or are we being naive?

MCM and Public Works recently announced plans to privatize Hout Bay harbour. Of course these plans have been in the pipeline for quite some time, so the minister and, through their connections, the Meters would have known about them. Which might explain why the Meters were so desperate to nail down a centrally situated long-term lease at the harbour: the developers are due to arrive with their chequebooks any day now!

Oh, and the court challenge. Cape Judge President John Hlope granted an interim interdict in Grey's favour late last year but when the case came before court for argument earlier this year, Pretoria born and reared Judge Roger Cleaver, displaying a disappointingly shallow understanding of the legal culture of constitutional democracy, found little wrong with the Minister's "out of hand" modus operandi and dismissed Grey's case. Leave to appeal is being sought as *noseweek* goes to press. ☐

STEALING FROM THE MOUTHS OF ORPHANS

For more than a year, life insurer Sanlam, its short-term insurance arm Santam, and the Department of Justice, have remained mum about the fact that R15 million – part of the inheritances of 1150 orphans entrusted by law to the state-administered Guardian's Fund – has been lost to fraudsters in a curious offshore investment scheme set up by a Sanlam investment broker.

As a result of the fraud and alleged mismanagement of the scheme, short-term insurers have had to meet claims totalling at least R70m for losses suffered by child heirs.

Faced with clear evidence of mismanagement (and, perhaps, hoping to avoid having to explain how the dicey scheme had been approved in the first place), the Master of the High Court in Pretoria – the justice department official in charge of the Guardian's Fund – withdrew his consent to the scheme and demanded the immediate return of more than R110m (the full capital sum invested on behalf of child heirs) to the custody of the Guardian's Fund itself.

Approximately R90m of this sum had been invested in Sanlam life insurance policies that, on maturity, were supposed to cover the heirs' full inheritance. Any shortfall would have been covered by guarantees issued by term insurers Santam and Hollard Commercial and General.

The remaining R15m – R20m of the orphans' money was to be invested in higher risk/return ventures by the Sanlam broker who initiated the scheme, Lorenza Booyesen. Booyesen and her husband set up and registered Die Kindertrust to manage the investments. These funds, too, were covered by Santam and Hollard guar-

antees.

Shortly after setting up the Kindertrust, Booyesen retired from Sanlam, but Sanlam continued to do business with the Kindertrust.

A forensic audit commissioned by Sanlam after the latter funds were found to be missing, revealed that Die Kindertrust had, in turn, invested the money with two investment companies – Amalgum Investments Four (Pty) Ltd and Mortgage Bond Finance and Services (Pty) Ltd – from which the funds were “lost”.

Since the overwhelming majority of the Sanlam policies had not matured when the Master of the High Court demanded the return of the invested funds, the policies had to be surrendered, realising substantially less than the original capital sum invested. This shortfall has had to be met by Santam and Hollard. By January this year Santam had already paid R41m to the Master, in terms of its guarantees on 700 Sanlam policies issued in respect of minor heirs. A further 50 policies remained to be settled.

Hollard, which issued more than 400 guarantees, must pay back R27m and has returned R2.5m so far.

The commercial crimes unit of the SA Police is investigating charges relating to an R85m fraud – which we believe includes the orphans' missing R15m.

In a statement to *noseweek*, Sanlam says the two companies to which Lorenza Booyesen entrusted the R15m under her management have, since, been put into liquidation by Die Kindertrust in an attempt to recover some of the lost funds. (We have established independently that this has been to no avail.)

The scandal has come to light as a result of persistent investigation by the elderly guardian of an orphan whose parents died tragically in 1996, when the boy was 18 months old.

His parents' R35,000 estate was wound up in 1998. But after six years in the Guardian's Fund, says the boy's guardian (he does not wish to be identified), it has shrunk to R31,500.

A few weeks ago, after many fruitless attempts to extract an explanation from Sanlam, he phoned Santam and challenged the voice on the end of the line:

“I think there's a hell of a lot of money missing.”

After a pause, the Santam official finally admitted that R15m had been misappropriated from the Guardian's Fund. “I think somebody is sitting in Greece with this money,” the official added.

noseweek was put on the trail.

“The whole debacle started when Lorenza got so clever as to think she could get better returns,” a Sanlam investigator told us.

At first the R15m was invested in unit trusts and all went well. But around August 2001 Booyesen and husband Philip decided on a more hazardous course.

They met an insurance and investment broker named Pieter Neethling, 55, the operator of a Pretoria-based company called PJN Verhurings. Neethling introduced them to two men he said could assist – Rob Gibson, 57, and Johannes Folscher, 49. Pretoria-based fund manager Gibson had a company called Mortgage Bond Finances & Services; Johannesburg bond trader Folscher operated Amalgum Investments Four.

Neethling suggested that an 18% annual growth could be realized from the R15m.

The Booyesens decided to go for it. At Neethling's suggestion, Folscher would invest in the bond market and records of all deals would be kept by WJ Morgan & Associates, a Johannesburg firm of commodity brokers.

A custodian account was set up as conduit for the R15m from Die Kindertrust to WJ Morgan. R5m was paid into the account on 7 September 2001. The balance of R10m followed a month later. From the custodian account it passed to WJ Morgan.

But according to an affidavit filed

by Philip Booyesen in the Pretoria High Court, it later emerged that only R13m arrived at WJ Morgan. That's R2m missing already.

Glowing reports were received by Die Kindertrust from its new associates. From that first tranche of R5m, the return on R4.9m of it invested that September was R344,376 over just two weeks. A further statement in January 2002 stated that the R4.9m had grown to R7.7m.

The second tranche of R10m appeared to be doing just as well. By the end of October it had grown by R840,640. And by the end of November the R10m had apparently grown to R13m.

"We were under the impression that the statements we were receiving were a genuine reflection of the investment portfolio," said 47-year-old Booyesen in his affidavit.

But the bond market is high risk. And in May 2002 Gibson gave Die Kindertrust the gloomy news that the original R15m had shrunk to just over R5m.

Die Kindertrust needed between R200,000 and R320,000 a month to pay to the guardians for the children's maintenance and education. Philip Booyesen said that Gibson promised an initial R200,000, but it never arrived.

There were unexplained withdrawals from the WJ Morgan account, added Booyesen in his affidavit. R7.51m was paid to the custodian account, which he said was controlled by Rob Gibson. "I've no idea what he used the R7.51m for," said Booyesen. When he went to Absa in January 2003 to inquire about the state of the custodian account he was told it had been closed the previous May.

"From all of the above it seems that an amount of at least R10.77m, not taking into account any interest earned, has disappeared," concluded Booyesen. He and his wife had tried everything possible to get explanations from Neethling and Gibson, without success.

As for the "proof of investment" certificates received from an entity of Folscher's called Integrated Asset Management, Booyesen said: "It was obvious that there was a snake in the grass and that the certificates were just a smokescreen to put us at ease. They were worth nothing."

On 28 January 2003 Philip Booyesen filed his affidavit applying for the liq-

uidation of Mortgage Bond Finance & Services and Amalgum Investments Four. At that date there was just R526 of the orphans' R15m remaining on the books of WJ Morgan.

In his responding affidavit Gibson offered an explanation for the vanished R10.77m. He said R6.3m was paid at the [unexplained] request of Pieter Neethling; R2.6m went to Die Kindertrust; and R1.6m to an entity called Booyesen Eiendomme.

Gibson now tells *noseweek*: "Booyesen Eiendomme is a property trust jointly owned by Philip and Lorenza Booyesen. I was given a letter on a Booyesen Eiendomme letterhead with an instruction note to pay that R1.6m into Booyesen Eiendomme's account with Nedbank."

The Booyesens live in great style in Pretoria's Muckleneuk. *noseweek* was unable to reach them for comment about the missing R15m and the alleged R1.6m payment to their property trust. The couple has a reputation these days for not answering the telephone.

Says Neethling, the man who set it all up: "You're opening a can of worms. I was the administrator who did the documentation and Lorenza Booyesen dealt with Mortgage Bond

Finance & Services and Amalgum Investments Four.

"If there's anything wrong in the media about my name or my company there will be a defamation claim."

Many of the children will suffer a significant financial loss as, in terms of the agreement with Sanlam, the Master cannot claim interest, only the return of the full original capital.

Why the Sanlam secrecy about the

Many of the children will suffer a significant financial loss as the Master cannot claim interest

scam? "We prepared a press release in January this year but kept it in the top drawer so that, if we got any inquiries, we could send it out," says a Sanlam spokesman. "We've tried to keep as low a profile as possible; we couldn't afford to have hundreds of people phoning at the same time when we were dealing with the claims and making good the loss."

The Guardian's Fund in Pretoria is headed by Deputy Master of the High Court, Gerda Marais. She did not return our calls. ■

© The New Yorker Collection 1999 Leo Cullum from cartoonbank.com. All Rights Reserved.



"My fees are quite high, and yet you say you have little money. I think I'm seeing a conflict of interest here."

Cold water poured on renewable energy

Kuyasa, a renewable energy housing experiment being conducted in the Cape Town township of Khayelitsha (*nose55*) has produced promising early results. It seems, however, that the promoters' hopes of funding a similar large-scale project by trading "carbon credits" – earned by the scheme from First World countries willing to pay cash for the right to retain their old polluting ways – may have suffered a serious setback.

Simply stated, the scheme proposed awarding countries credits for exceeding target levels in the reduction of greenhouse or earth-warming gas emissions – mostly carbon monoxide. Credits could be accumulated by, for example, poorer countries using wind or water to generate electricity, consequently burning less fossil fuel, and allowing for the sale of their surplus "carbon credits", for cash, to wealthy countries which have not yet reached targets.

Various aspects of the scheme have,

however, proved so contentious, and have already been so discredited by abuse, that there are now moves afoot to have it closed down.

In April, more than 50 international environmental and social justice NGOs and other groups sent a letter of protest to the World Bank, calling

For background see:
www.tni.org/ctw and
www.thecornerhouse.org.uk.

for the closure of its new emissions trading fund, The Prototype Carbon Fund.

The groups state that the bank's new fund is destructive "greenwash" and has in fact created extra problems for communities and the environment. The fund was set up in 1999 to facilitate the new trade in greenhouse gases created under the Kyoto Protocol. The NGOs say that, so far, the fund has exacerbated existing human rights violations and furthered environmental destruction.

One of the fund's model projects in Brazil involves the expansion of monoculture eucalyptus plantations owned by the Plantar Corporation. The plantations were originally established by forcibly evicting Geraiszeiros peoples from the land. Since then, the plantation owners have been accused of creating "slave-like conditions".

Furthermore, the plantations have polluted surrounding water sources, devastating the livelihoods of local farmers and fisher folk.

The World Bank will fund the expansion of these plantations in order to generate carbon credits for the international trade in greenhouse gases.

On top of the impact upon local environments and peoples, the Norwegian company Det Norske Veritas, verifiers of the carbon credit scheme, have stated that there is no guarantee that the project will actually have a permanent positive effect on the climate.

E-Boards Specialists in Giant Outdoor Screen Advertising



Specialists in giant screen indoor and outdoor media, E-Boards has made its name through the provision of the highest quality design and implementation of electronic screens as well as screen campaigns. Contact us for further details on the benefits of locating an electronic screen at your venue or the benefits of promoting your product, service or brand through the existing electronic screen network.

The Wedge



Montecasino



Sandton City



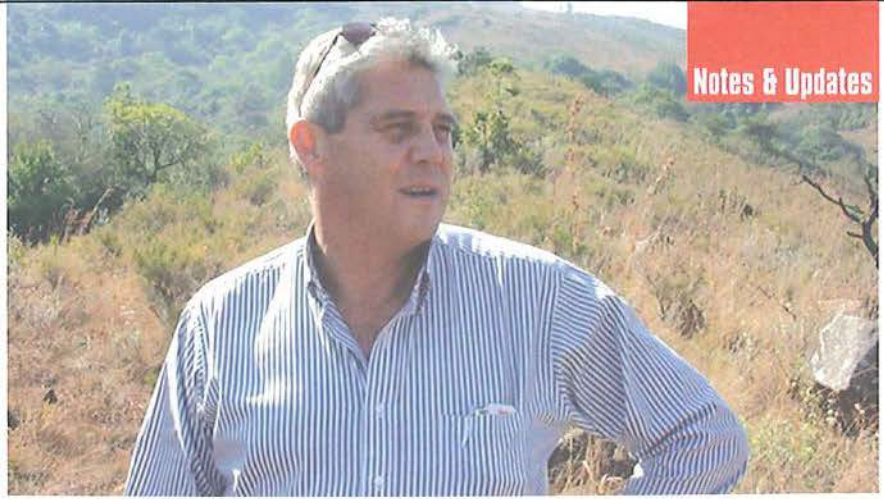
Pricing for the electronic screens is dependent on requirements, location, term of contract and duration of advert

See the bigger picture!

Creative Indoor Outdoor Screen Specialists

Tel: (011) 787 7788 · e-mail: eboards@eboards.co.za · www.eboards.co.za

Maiden: more airy tales



FLYING BY THE SEAT OF HIS PANTS: Rob Williamson, CEO of Maiden Air

Rob Williamson, CEO of grounded air company Maiden Air, who persuaded various travel agents to sell tickets for overseas flights despite his having neither a plane nor an operating permit, was arrested in March by Cape Town's Commercial Crimes Unit on charges of cheque fraud. He was out on R5000 bail, pending a court appearance at the end of May. The fraud charges are not related to the Maiden Air fiasco.

Williamson has objected to our earlier report ("Maiden was no Virgin", *nose54*), and has tried to persuade us he is an honest entrepreneur whose big break was quashed by the Goliaths of the aviation industry. Their opposition to his licence application might have supported this contention, but Williamson's history infuses the overall picture with a dubious colour.

For example, in 2002 an Irish businessman befriended by Williamson was outraged when he returned to his Cape Town home and found most of his pricey furniture missing. In his absence, the sheriff of the court had attached the furniture to be sold in settlement of a debt he supposedly owed Williamson. The Irishman challenged the court order, contending that the letter acknowledging debt, submitted by Williamson, was a forgery. Despite summonses,

Williamson failed to pitch up at court, and the Irishman eventually had his furniture returned.

In a report by *Travel News Now* in November 2003, Williamson claimed to have paid R9.7 million for an Atol bond (a type of air carrier insurance policy) for Maiden Air. He later claimed also to have R500,000 in a trust account for a passenger protection policy. The Atol bond fee was never paid and Williamson failed to provide proof of the existence of a trust account, supposedly held by his lawyers. He also claimed to have paid R1.82 million to the European Aviation Airline Company for the lease of an aircraft, but Willie O'Neil, CEO of the European company, has confirmed that no such payment was made.

Williamson also objects to *noseweek's* report that Maiden has never had any aircraft: "I hold correspondence from the European Aviation Airline Company which would indicate that we did in fact have an aircraft available. The fact that this arrangement went sour does not detract from the fact that we did indeed have an aircraft," he declares in a letter to us.

The correspondence to which Williamson refers, says O'Neil, is an unsigned draft lease agreement that was declared void by the European Aviation Airline Company when payments were not made. And, says O'Neil, he discovered that Williamson had supplied a forged bank guarantee.

Irate travel agents in both South Africa and the UK claim Williamson owes them an estimated R1.5 million for tickets they were persuaded to sell for flights on Maiden Air, and he is claimed to owe a further million rand to investors, employees and other creditors for operating costs and office rentals. The Association of South African Travel Agents has appointed the Centre for Aviation Law in Africa to assist it in pressing charges on behalf of allegedly duped travel agents.

Four pilots from the UK and Belgium claim they are owed a total of £24,000 (nearly R300,000) after they each paid £6000 (about R70,000) for a pilot's training bond needed to fly commercial routes – in anticipation of employment by Maiden Air.



Fivaz, Ogle & Associates

INSURANCE & CLAIMS SOLUTIONS
PROVIDERS OF EXPERTISE TO POLICY HOLDERS,
BROKERS AND THE LEGAL FRATERNITY

**"WE ENDEAVOUR TO TRANSFORM INSURERS
PROMISE INTO REALITY"**

100 Main Street, Jet Park 1469. PO Box 2380, Alberton, 1450 South Africa
Tel: (+27 11) 823 4821/869 9668 Fax: (+27 11) 826 3578/869 3495
Email: fivazogle@telkomsa.net

Contact:

A.J.E. Fivaz 082 410 0074 • A.J. Ogle 083 273 9940

- Claims: Investigation/Negotiation/Handling/Advice (All Classes)
- Policy Wording Overview
- Broker Adjudication
- Risk Retention Analysis/
Risk Identification/Control
- Training
- "Catastrophe" Claims Management
- Workmens Compensation Overview

Mpumalanga Parks Board cans justice

Over a year ago, Enkosini Wildlife Sanctuary asked Judge Motala in the Pretoria high court for a judicial review of the refusal by Mpumalanga Parks Board to grant them permits to keep eight lions which had been rescued from the canned lion industry. The hearing took place in April 2003 – more than 12 months ago. The parties are still awaiting judgment.

Meanwhile, the lions lie about miserably in a bleak and inadequate enclosure at stockbroker Ed Hern's Rhino and Lion Park near Krugersdorp – waiting and waiting. They had been happily settled in spacious territory at Enkosini, a 10,000-acre private nature reserve near Lydenburg, safe from the canned lion hunters – safe, that is, until the eve of the high court hearing, when Mpumalanga Parks Board, a pro-hunting department, decided to confiscate the lions “pending the outcome of the hearing”.

(The antics of the parks board officials in frustrating Enkosini's permit applications belong to a different story, preferably a judicial commission of inquiry.)

Mpumalanga Parks Board, bound by laws requiring it to act “lawfully, reasonably and in a procedurally fair manner”, obtained a warrant from a



magistrate *ex parte* (i.e. without Enkosini being given an opportunity to contest the matter) entitling its officials to confiscate the animals. They then descended on Enkosini's private landing strip without the

consent of the trustees and proceeded to bungle the confiscation, darting one lion three times in the confusion, leaving one lying in the hot sun for over an hour, and chasing a lioness with a bakkie before leaving her behind, completely traumatised, at Enkosini.

In what is clearly an abuse of the process of the court, the officials pre-empted the judgment by removing the lions from their tranquil sanctuary just before the high court was due to consider whether or not the lions might remain at Enkosini.

And they effectively returned them to the canned hunting operator from whose property – Camorhi Game Ranch – they had been rescued! Camorhi owner Ken Heuer runs another of his operations, Milbank Wildlife Sanctuary, on Hern's Lion Park property.

Expedition and finality are what a legal system should be about. As the adage proclaims: justice delayed is justice denied. Thirteen months have passed, and still there is no judgment.

Welcome to South Africa, where the façade of nature conservation and the façade of a justice system conceal some ugly realities.

– Chris Mercer, Kalahari Raptor Centre

Income tax returns outstanding?
Tax in a mess? We can help!

PROFESSIONAL TAX SERVICES

Saving you tax for 13 years

☎ (021) 531-0727 Fax (021) 531-0166

✉ proftax@icon.co.za

RipleyEvans Inc.

Commercial Attorney

Slawenhuis, 37 Herte Street, Stellenbosch 7600

☎ (021) 883 2823 law@ripleyevans.co.za

AFFORDABLE CONVEYANCING SOFTWARE

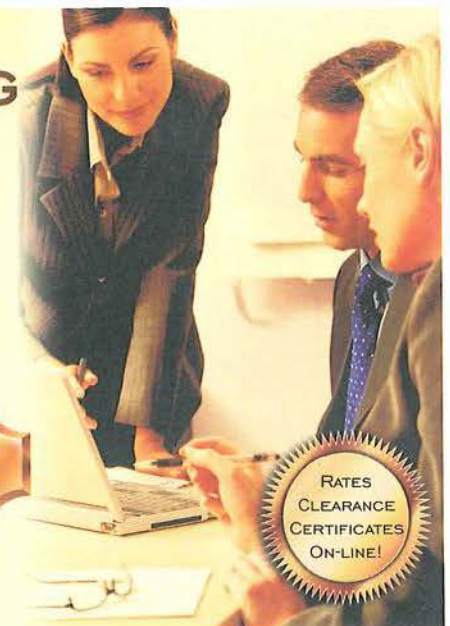
- ✔ Approved by all major financial institutions
- ✔ Electronic instructions & messaging
- ✔ SMS and Email reporting
- ✔ Built-in management reports
- ✔ Own the program - no expensive rentals
- ✔ Competitive upgrade pricing available
- ✔ Fully integrated with LegalSuite Accounting

LEGALSUITE
SOFTWARE

"MAKING COMPUTERS WORK FOR YOU"

CALL NOW FOR A FREE CONSULTATION

0861 711 150



Like a Volvo out of hell

Three years ago Henry Watermeyer purchased a Volvo V70 XC. It's not a cheap car but he was lured by Volvo's reputation for quality and thought it would make a good "last" car. (He was due to retire soon.)

What a bad choice that seems to have been.

It was delivered having been poorly prepared. They couldn't even attach the number plate properly! Within weeks it emptied its radiator for no apparent reason. At 45,000km it needed new tyres. At 60,000km it needed a new engine mount – which was when he discovered that the supplying dealer hadn't bothered to register the extended motor plan.

At 62,000 km it emptied its radiator twice – on two successive Friday afternoons, to make it really annoying. Eventually the complete fan system was replaced as – so the service station advised him – there was a "known problem" with some of them. (More likely a "don't know problem"!)

At 67,000km his tyre dealer diagnosed that the steering rack was worn out and needed to be replaced.

At the 75,000km service the following list of items was reported: rattle under car; rattle from sunroof; continued bad gear changing at low speed/light throttle (this had been reported much earlier in the life of the car); side repeater light fallen off; cover over the luggage compartment torn at the ends due to the substandard quality of the part.

After the service the car is rough and there is noise from the engine.

He's been told the steering rack is on back order as are the sunroof rails which are apparently so worn they need to be replaced! The job card reveals that rear stabiliser links were replaced. When driving in heavy rain there is a demonic howl from under the car.

"My problems have been taken

up with Volvo SA to no avail at all," he says.

On 1 March he asked Volvo: "If these, relatively expensive items are failing at what I regard as a low mileage, what is the prognosis for my vehicle?" Particularly after the motor plan expires.

His odometer was on 80,000km by the time the correct new parts arrived at his dealer, Tom Camphor in Auckland Park. ("They're fantastic!" he says.) Another day without a car!!!

Volvo has still not seen fit to answer his question – or the subsequent ones he sent them on 2 April: "Are my experiences with the rapid wearing out of some components of my car normal?" [*Good question! – Ed.*]

If they are normal, then how can Volvo claim to being a quality car with a high level of reliability?

If the current pattern is to continue, what are the expected costs of future services, once the extended Service plan expires?

Finally, the million-dollar question: "If my experiences are not normal, what is Volvo going to do to ensure that my car becomes reliable?"

Some manufactures, such as BMW, offer an extension to their service plan. Does Volvo offer such an extension and at what cost?

Still no reply.

Any residue of loyalty having gone with the morning fog, Mr Watermeyer now urgently wants to know when the spares on back order for his car going to arrive? "I clearly can't sell it as it is, it won't pass a roadworthy for a start with worn steering."

Clearly buying an expensive car with a good, if boring, reputation does not ensure peace of mind.

■ We always wondered why Volvo never advertise in *noseweek*. Now we know.

Pen & Art®

Cape Town • KZN • Johannesburg • Pretoria

The Specialists!

OVER 20 pen brands in stock

21 branches nationwide

(011) 325 6080

Need legal research?

Contact Tania McNearney

(Attorney focusing on legal research
LLB cum laude)

083 449 6797

legalresearch@mweb.co.za

maxiprop

COMMERCIAL PROPERTY BROKERS

Specializing in Cape Town CBD

tel 021 422-4262

fax 021 422-4268

email reception@maxiprop.co.za

Capetownbookings

Accommodation, car hire, tours,
helicopter flips/tours, yacht and
aircraft charters and more!

Tel: (021) 934 7626

Fax: (021) 934 7627

Cell: 082 225 5332

Email: book@capetownbookings.co.za

www.capetownbookings.co.za

www.aircraft-charter.co.za

"If you visit only two continents in your
lifetime, visit Africa ... twice" – B. Ellis

Where did that beach go?

The sandman could be making regular visits to the Table Bay coast with his convoy of trucks if a dodgy scheme to extend Cape Town's docks goes ahead

The National Ports Authority wants to fill in 42ha of seabed off Cape Town docks, to expand the existing area for stacking containers offloaded from freighters. To be built north-east of the existing container stacking facility, the new "foreshore" will require five or six million cubic metres of sand – which the planners propose dredging from the seabed adjoining Robben Island.

Critics of the scheme suggest that there is no need for the project – that it is simply an expensive cover for the inefficient management of the container facility – and that it could have a catastrophic impact on the Table Bay coastline.

The authors of a 650-page draft environmental impact report, commissioned by the port authority from the CSIR, obfuscate these critical issues, producing what amounts to a public relations document to promote the scheme.

They appear to have concentrated on those factors that might profit the Ports Authority (NPA) and its favoured Waterfront developers, while ignoring the cost to the marine environment and Cape Town rate-payers. (Perhaps they have done so because they are confident that lack of technical knowledge, or the sheer tedium of the data, would deter citizens from asking what's up.)



Colin Danie

A City of Cape Town directorate of Planning and Environment commentary, which is critical of the environmental impact report, has been circulated to various sub-councils and committees of the City Council since January. In the commentary, the City's town planning and environmental management expert, Keith Wiseman, raises a number of serious issues relating to the study and suggests that the city should reject it. He concludes

that it is not "an adequate basis for a decision by the Department of Environmental Affairs and Tourism on whether or not to proceed with the proposed expansion of the container terminal."

A group of Milnerton homeowners is considering legal action if their objections to the project are not heard – the NPA's environmental impact report, remarkably, does not discuss the fact that dredging the seabed and alteration of the harbour coastline could result in changed sea currents and tides washing away their properties!

Previous harbour expansions in the 70s and 80s have resulted in the Milnerton highwater line moving inland by 60 metres and putting several registered city erven under water. And a 1984 report – by the CSIR itself – cautioned that any further expansion [of the docks] will further erode the coast and push back the high-water level to such an extent that there will no longer be a safety factor in the set-back lines designed into developments from Spinnakers to Koeberg nuclear power station.

Environmental advocacy groups lament that as one ill-considered mega-project after another (such as the Coega harbour development) goes ahead, communities lose hope of protecting their health and non-industrial economic interests from the poorly planned mega-projects (such as the Iscor steel plant) of a previous era.

So corrupt has the clearance process become that two environmental scientists consulted by *noseweek* had difficulty in identifying even a couple of environmental impact assessments (EIAs) that met professional quality standards, in the true spirit of the law.

It does not take a rocket scientist to understand the regulations. Just a few principles are meant to rule: EIAs need to be objective and independent, so that environmental dangers come to light before a project happens. The assessors may not assume that the project must, or will, go ahead. Scientists must consider the main areas of likely impact, and ways of minimising that impact. Community consultation must be broad and deep, and not just going-through-the-motions. Poor communities can be particularly vulnerable and may need support in securing their rights.

The Cape Town port expansion EIA, carried out by Environmentek, a division of the CSIR, in many places reads like business advocacy instead of independent environmental research.

The introduction states: "If South Africa's local, regional and national economies are to remain globally competitive for both importers and exporters, the National Ports Authority (NPA) needs to provide effective and acceptable service levels

The loss of coastal property from altered wave action could total R50bn

in its ports.... The NPA is a critical resource for business and industry in the local and regional economy, and it therefore needs to ensure that it has the capacity to deal with the consequences of current and future growth in container traffic." And so on for a full seven pages before the environment – the subject of the report – finally gets a mention. The gist of the message: we've got to have this project; the question of what it might do to the environment is secondary, or even of no consequence. Nowhere in the report is the cost of environmental damage weighed against the claimed economic advantage of the project. At one point it is stated frankly: "The evaluation does

not involve a 'Do-nothing' alternative, as either the 'Do minimum' or the proposed activity must be undertaken in terms of the analysis."

Even the scientific reports (on marine ecology, noise pollution, shoreline stability, etc.) have a distinct whiff of foregone conclusion. Sometimes the compilers predict environmental damage that is unavoidable if the project goes ahead, but they never seem to ask, even in strictly economic terms, what the cost of the damage will be – and who will pay for it. These factors are shamelessly omitted from the calculation of the cost of the project.

One opponent has calculated that the loss of coastal property from altered wave action and erosion alone, over the next 20 years, could total R50bn. The total cost of the port expansion itself, according to the NPA, will be a relatively paltry R400m. If the calculation of the cost of the proposed harbour extension were to include all the "hidden" environmental costs, the project would, of course, not be commercially viable.

The report indicates briefly that the Ports Authority had considered sourcing the massive volume of sand needed to extend the container terminal – six million cubic metres of it – from sand mines in the Western Cape. However, it then goes on to note, trucking that huge amount of sand would require 80 12-ton trucks driving through the city and the Waterfront every hour, every working day, for 20 hours, throughout the two-year construction period. And building sand in the Western Cape is a relatively scarce and expensive resource: it would cost the Ports Authority twice as much as it will to dredge the same amount of sand from the seabed.

So the CSIR "experts" immediately go on to assume that dredging sand from Table Bay is the only economically feasible alternative. The resulting huge hole in the seabed will, by their own calculations, affect currents and wave patterns with devastating and endless cost implications for the

strategy
Tony Manning/Strategist
www.tonymanning.com

Consulting in organisational change, teambuilding & leadership

www.trans4mation.co.za
 Contact Steve Banhegyi

steve@connectit.co.za



**Johannesburg
 International Commodities
 Management**

Leaders in International Treasury
 Foreign Exchange and
 Commodities Management
 for Individuals and Institutions

Jhb ☎ (011) 467-8500

Dbn ☎ (031) 572-3614

Ctn ☎ (021) 425-8377

Email: jicm@jicm.co.za

www.clivesimpkins.com



Marketing and
 communications strategy
 and coaching

coastline and marine environment, tourism and neighbouring communities. But, the CSIR consultants appear to have assumed, since those costs will not have to be paid by their client, the Ports Authority – they don't cost them into the project – and they need not be taken into account in establishing the viability of the project.

For a start, the dredged hole in the seabed will result in erosion of Table

to Big Bay and on to Haakgat, where it is predicted the beach will become 11m narrower and dunes will decline.

What's to be done about it? The CSIR experts have two helpful suggestions: Firstly, "an intensive monitoring programme is recommended" and, secondly, the loss (of beach) can be "mitigated" by "feeding" the beaches with truckloads of sand.

For example, the section of beach from Milnerton to the northern end of Table View is described as "vulnerable" and will need to be surveyed

every two months, and after storms, to assess any erosion trend. If such a trend develops, beach "feeding" will be required to ensure the safety of infrastructure. In a "worst case" scenario, the report predicts that about 834 jumbo (12-ton) truckloads of sand will have to be dumped on this section of beach annually to counter erosion as a result of the dredge pit. (Alternatively, it suggests, 16,600 truckloads of sand dumped there once every five years could also do the trick.)

On the stretch from Big Bay to Haakgat, where it is predicted ero-

sion will be worst, it suggests the beach may have to be "fed" 4170 truckloads of sand each year.

Where will all the sand come from to feed the eroding beaches, year after year? Ah, say the CSIR geniuses: from the same dredge pit that will be causing all the trouble! Or from "terrestrial" sources – the same sand mines which their own client, the Ports Authority, found too expensive to contemplate.

And who will pay for the endless feeding of beaches that will be required as a consequence of the project?

The Mining Act stipulates that a monetary deposit must be made to cover possible environmental damage from extraction activities like the proposed dredging. The Mineral and Petroleum Resources Development Bill, soon to be promulgated, holds that "the directors of a company or members of a close corporation are jointly and severally liable for any unacceptable negative impact on the environment, including damage, degradation or pollution advertently or inadvertently caused by the company ... which they represent."

Various people would like to know who the relevant directors or members are, in case the container terminal expansion happens. But nobody's saying.

The question will become urgent

The dredged hole in the seabed will result in the erosion of Table Bay beaches

Bay beaches and dunes – in some places by as much as 11m – from Woodstock to Koeberg nuclear power station. For the section of coast which includes Woodbridge Island, a townhouse complex built on a dune island just off Milnerton beach, the report rates the anticipated erosion impact as "medium to high", and concedes that "additional erosion resulting from the container terminal could cause dunes to be eroded and property to be impacted."

Erosion worsens on the stretches of coastline north from Small Bay

Stuff the environment and

The NPA's position would be much more comprehensible if the terminal expansion were plainly necessary to accommodate growing freight volumes. Economic growth, jobs – if it's a real and unavoidable trade-off between these and environmental quality, the former might well trump the latter in public opinion and government policy. (In the Cape, though, the environment can be the trump of trumps, because of tourism.) The Woodbridge Island Body Corporate asked for the basis figures arguing a profitable investment from the expansion – but never got them. And they cannot work out the stated "positive" conclusions from the data offered.

Judging by the available documents, the "need" for expansion arises from mismanagement and outdated technology,

"Maximum" container turnover rates for the existing space suggest that the stacking area is being used by companies for storage. It is being cleared once every 18 months only, instead of monthly – the standard minimum at other ports worldwide. Monthly clearance would allow an improvement in efficiency of 1600%.

Another glaring omission from the EIA is any assessment of the technological option – state-of-the-art computerised equipment, such as that used in the Far East. (A single Oriental crane can unload and load a 3000-container vessel overnight.) The Cape Town port's present speed is in some dispute, but the NPA reports it to be 14-15 containers per hour, for cranes with a purported capacity of 25 per hour.

Bewilderingly, the NPA recently

announced proudly to the press the purchase of modern cranes and plans for even more – to increase stacking height and port efficiency, they say. Is the terminal expansion planned to solve a problem that won't exist by the time the project is completed?

Some observers see an explanation for the planned port expansion in the high value of land south, east and west of the port – especially west, where the port merges with the Victoria and Alfred Waterfront. Through a complicated set of relationships, Transnet (parent of the NPA) has some variety of ownership and management of the Waterfront. (This became glaringly apparent when shares were "sold" via a "paper transaction" – which the public is not allowed to see – by Transnet to its pension fund, in a move probably related

if the Department of Environmental Affairs and Tourism, whose decision it is, gives the go-ahead. Neither Billy Cilliers, port manager of planning and development, nor anybody else at the NPA wished to discuss any of this with *noseweek*.

Some hazards won't even be monitored.

The Koeberg nuclear reactor sits on the shore north of Melkbos, facing the proposed underwater dredge pit. Waves are flattened by the friction of bottom sand. No sand, no flattening. The pit could result in dramatically increased wave size, especially during 50- or 100-year storms. A search for "Koeberg" in the text of the EIA did not find a single mention.

Somewhat less apocalyptic: who will deal with the truck congestion in the city and on the Waterfront and carry the cost of damage to roads? Apparently the "scoping process" hadn't covered this matter and, it was also explained to the stakeholders, the NPA isn't responsible for any activities that the NPA doesn't carry out itself. Ya gotta problem with that, bud?

A recent *Business Report* article holds that the government-funded CSIR is moving into the competitive marketplace. Could this make the organisation vulnerable to pressure from developers like the NPA, who pay for EIAs? A key factor in assess-

ing this would be the size of the fee paid for the report. The CSIR would not disclose this sum, despite repeated requests.

What about public participation in the process? Not a single conservation organisation is listed amongst those consulted. The reaction from those participants without a direct commercial interest in the port has been severe all along. The Woodbridge Island body corporate's official response snarls about an array of sources describing erosion from past restructuring of Cape Town harbour, and of dangers from large new structures in the future. The strongest impression made by the document, however, is of the home-owners' exasperation at arrogance they encountered throughout the "public participation" process.

The draft EI Report bears the kindly suggestion that inquiries be addressed to Sakaza Communications for "more information". But Jeffrey Kleinsmith at Sakaza, asked for a response (either his own, the NPA's or the CSIR's) to Woodbridge's criticism, said: "As independent facilitators we have neither a response nor a view on the matter." So much for "more information".

CSIR-Environmentek, repeatedly invited to respond, would not comment either; in fact they became quite testy when pressed. ■

stuff the workers

to a pension fund debt that in 1999 was costing R1.9bn annually to service. (More mismanagement to cover up?)

Victoria Basin, where ship repairs now take place, can be a starting point for speculation on how private development interests could be behind the pressure for container terminal expansion. The basin adjoins some swish real estate, and is potentially pretty swish itself. Billy Cilliers, port manager of planning and development, has emphasised that ship repair facilities should be to the east, away from the "the tourist hub". The noisy, unsightly industrial activities in Victoria Basin are to be moved far away, but they will then crowd the Ben Schoeman Dock.

As an alternative to expanding the container terminal, rehabilitation of the more central Duncan Dock was considered

in the EIA. Among the acknowledged advantages would have been wind protection (often critical in the Cape). But the authors round off their evaluation by stating that this option "does not benefit city tourism" — odd, considering what environmental degradation from dredging and erosion could do to tourism outside the Waterfront. Duncan Dock must be kept quiet, and in the future might be a nifty tourist space as well.

The terminal expansion, with its added stacking capacity, is planned for the far north-east edge of the docks, where noise, air pollution, traffic congestion and unsightly piles of containers will inconvenience "only" working-class residents of the mixed-race district of Brooklyn. Might this indicate special concern for future Waterfront lifestyle

Shot in the arm for man Shot in the back

Ian Hamilton

was shot in the back by a psychotic woman.

We provided Ian with a policy enabling him to see that justice was done in the courts.

And done it was!!

We also assisted Pedro de Lima shot by his cousin who was out on bail for murder when he obtained a gun licence. And we covered the relatives of the Storms River disaster in their claim for negligence.

Need a 'financial' shot in the arm? Contact Legal Protection Services for more information on how we can cover your legal expenses from R50 000 to R10 million!!

For more cases - see our web site
www.lps.co.za

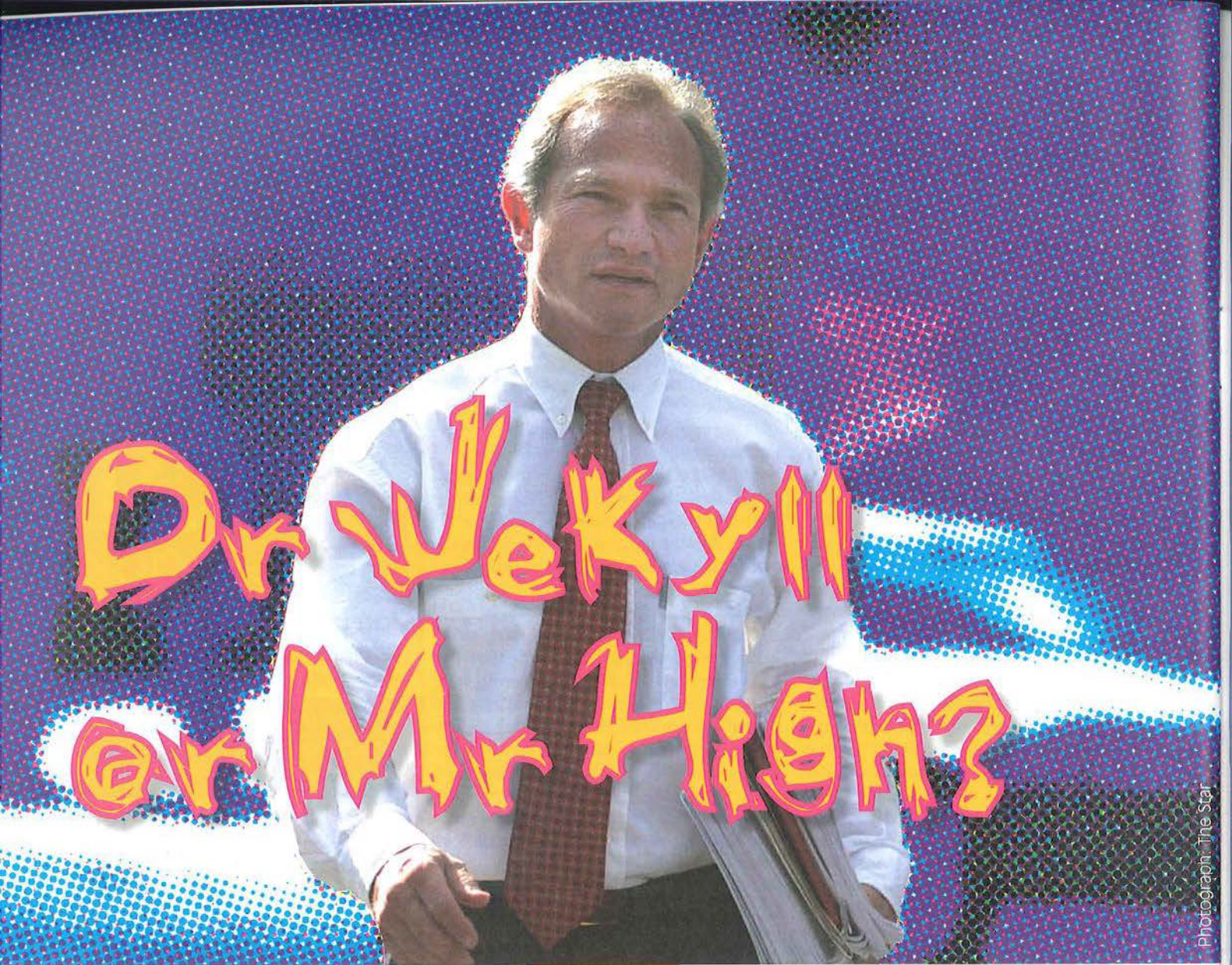
(011) 888-6201 cps@lps.co.za
(021) 689-1538 www.lps.co.za



LEGAL PROTECTION SERVICES (PTY) LTD

All policies underwritten by Constantia Insurance Company Limited





Photograph: The Star

Dr Wynne Lieberthal, a surgeon who has become a controversial figure in Gauteng in recent years, is suing Radio 702 for R13 million. He claims that the radio station and some of its callers defamed him, and that he's suffered R10m loss of income as a consequence.

In 2002, callers to 702 labelled Lieberthal "Dr Death", and the "Butcher of Rosebank". One caller accused him of being a drug addict. Radio 702 is defending the action and a court date is still to be set. (Usually reliable sources suggest Lieberthal has run out of money and consequently out of lawyers.)

To say that Lieberthal is a man with a questionable record is a considerable understatement, considering the amazing series of misadventures and escapades that has characterised his career – and that raises questions

A pill-popping orthopaedic surgeon with Walter Mitty fantasies and a penchant for dubious insurance claims would be enough to send a chill up anyone's spine

about the role of the Health Professionals Council in regulating doctors. The latest controversy involves a bizarre series of medical insurance claims – but more of that anon.

Lieberthal featured in *The Star's* "Top 100" newsmakers list for 2002 and 2003. The reason? This highly accomplished surgeon has had no less than seven different charges of malpractice lodged against him with the Health Professionals Council. Among the charges, as reported in *The Star*: Lieberthal left a scalpel in a patient's back, was too quick to take a scalpel to the backs of others, and overdosed a patient on addictive substances. One patient, Mariska du Plessis, has ended up crippled and in a wheelchair for life, allegedly as a result of his mismanagement.

Wynne Lieberthal was born in Vryburg in 1955. He has said that he was vice-head boy of Milner High

School in Klerksdorp (the school has no record of this) and received a sports bursary to Wits (he says he lost it when he dropped out of the rugby team). He claims to have achieved lieutenant status in the South African Defence Force and was one of two selected from 52 doctors to join 32 Battalion, the SADF's then-famous "Recce" unit. He said the time he spent in Angola made him "more mature and responsible".

Lieberthal's dream of becoming an orthopaedic surgeon was shattered in 1983 at the age of 28, when his back was injured in a car accident. The injury jeopardised his chances of ever being able to practise as a surgeon. That, anyway, is what he claimed in a third-party claim for damages which netted him R400,000.

From 1985 to 1989 Lieberthal ran a general practice in Joburg. In 1988 his practice partner committed suicide. He took on two new partners but, he later claimed, they were inexperienced and he had to take on the bulk of the work. The workload became intolerable, so (he says) he left, without a cent.

His partners, Drs Feinberg and Bloomberg, tell a different story. They told Santam insurance investigators in 1993 that Lieberthal had charged the practice for his personal cars and other assets, and had deposited patients' cheques into his personal account rather than that of the practice. And – they added – Lieberthal had been ordering more pethidine than was being prescribed. They had forced him to leave the practice.

That same year (1989), Lieberthal, a keen wildlife photographer, entered a remarkable picture in the Photographic Society of South Africa's national competition. It depicted a mongoose doing battle with a cobra. But Lieberthal was stripped of his first prize medal and cash when the judges discovered that the mongoose was stuffed. Lieberthal was forced to resign.

At the start of 1990 he became general manager at Netcare's Rosebank (Johannesburg) Clinic. In May he was involved in another car accident. (He had a spinal fusion and recovered well.) This time he submitted a third-party claim for R1.3m. When asked in the medico-legal assess-

ment, in 1992, whether he had suffered drug or alcohol dependency, or depression, prior to the accident, Lieberthal said no. He did say that the accident aggravated the spinal injury he'd suffered in 1983. The Santam investigation found that, contrary to his claim, Lieberthal was physically active – jogging and visiting the gym regularly – prior to the second accident. They also discovered he'd been sequestered, that he'd failed to disclose a drug addiction, that the 1983 damages award was high because he could not become an orthopaedic surgeon. But here he was, claiming

bank Clinic)."

At the time of admission to Riverfield Lodge Lieberthal's daily cocktail consisted of about 20 Stopayne tablets, 24mg of Lexotan, and about 800mg of pethidine by injection. (100mg is considered sufficient to ease the post-operative pain of a large rugby player). He was discharged from Riverfield on 5 June. Four weeks later he rang the doorbell at rehabilitation centre, Phoenix House.

Recovery went well and he was discharged on 27 August, 1991.

The Medical and Dental Council

Lieberthal's daily cocktail consisted of 20 Stopayne tablets, 24mg of Lexotan, and about 800mg of pethidine by injection

for loss of income ... while training to become an orthopaedic surgeon. In early 1993, Santam settled his R1.3m claim for a mere R176,000.

In May 1991, Lieberthal was admitted to Riverfield Lodge rehab centre after his wife, Debbie, a nurse, discovered her husband was abusing pethidine. The South African Medical and Dental Council (now the Health Professionals Council) was informed, and Lieberthal was suspended from practising. In clinical assessments during his stay, he claimed that he had started using the drug earlier that year "due to a financial crisis". (His ex-partners had already sniffed out his pethidine problem in the late 1980s!) He did admit to abusing Stopayne and Lexotan in the 1980s, more or less after his first road accident, but was unable to explain how he accumulated debts of R1.5m. A psychologist's assessment stated: "this indicates an inability to recognise the consequences of his behaviour or deal with his environment".

Numerous unfortunate patients would discover the accuracy of this assessment.

The report also states that "in order to camouflage some of the impaired functioning as a result of his addiction ... he accepted a full-time post as manager of a private hospital (Rose-

allowed Lieberthal to return to "limited involvement" in medicine – as a surgical assistant. He was prohibited from prescribing substances listed in schedules five, six and seven. He also had to continue receiving Phoenix House counsel.

In September 1992 he was to start as a registrar with Professor Erkens of the department of Orthopaedic Surgery at Wits. But there was a problem: If he couldn't prescribe drugs, he would be unable to realise his dream of becoming an orthopaedic surgeon.

Lieberthal applied to the Council to change his conditions of practice. He assured the council that he would always be under the supervision of Professor Erkens, and his elder brother, Mervyn Lieberthal, chairman of the Professional Board of Medical Orthotists and Prosthetists, was prepared to act as referee.

Lieberthal's application was granted – a mere 16 months after he had been admitted to River Lodge as a drug addict.

The June 1991 sequestration revealed interesting aspects of Lieberthal's character: most of the debt he had accumulated related to fictitious instalment sale agreements. He owed Allied Bank R48,296 for medical and

The Boston Doctor

On July 10, 2002, Charles Algeri arrived at Mount Auburn Hospital, Cambridge, Massachusetts for lumbar spine surgery. His doctor, Harvard-trained orthopaedic surgeon David Arndt, arrived late, with dark circles under his eyes. Surgery was to take the greater part of the day, but since Arndt had arrived late, it would be evening before he'd finish.

In March the *Boston Globe* reported what Algeri had been thankfully unaware of at the time. During the operation Arndt asked a nurse to call his practice to see if "Bob" (his pay cheque) had arrived. It was early evening by the time his practice partner, Dr Leo Troy, brought it to him in the operating room. While Algeri's raw flesh lay baking under theatre lights, Arndt immediately popped out for 35 minutes to cash the cheque (the bank closed at 7pm). He was in a financial squeeze and needed to make a few urgent (cash) payments – e.g. to his street drug-supplier.

By September, Arndt had been charged with child rape, indecent assault – and drug possession. A year later he was facing charges of possessing methamphetamine with intention to distribute.

Ex-classmates and colleagues still described Arndt as brilliant and compassionate. An ex-lecturer of his, Steven Lipson, said he was an extremely gifted surgeon, fun to teach and a high achiever.

Looking back, the signs were there from 1998 when Arndt was charged with assault and battery, burglary, and malicious damage to property. That same year he'd pleaded guilty to passport violation after he was caught assisting his Venezuelan lover, Alfredo, submit a passport application under a false name. In all cases he managed to get away with fines and probation.

Hospital staff were concerned over his unexcused absences and inappropriate sexual behaviour, but nobody knew of his past transgressions. And, according to the *Globe*, "hospital management is often hesitant to call doctors on questionable behaviour for fear that they [the doctors] will take their patient base to a hospital across town". (Compare the Kingsbury Hospital and Dr Whitfield – *nose53*.)

Now the drug-peddling charge might change attitudes. He is having to appear in court for that, and he's appealing the suspension of his doctor's licence over the Algeri affair.

Says a med school colleague and psychiatrist: "David wanted people to notice him. At the centre of this all might lie a narcissistic personality disorder, where an exaggerated sense of self-importance masks a chronic emptiness. His needs became more important than his patient's life."

office equipment, WesBank R29,878 for a computer, FNB R699,530 for a property in Houghton, United Bank R499,786 for a property in Norwood, and Investec Bank R200,215 for paintings. Various other banks were owed R122,858 for household furniture and two motor cars.

In reality, there were no paintings, the computer was worth a paltry R300 and the household effects and medical equipment were worth half, or less, of what was owed. When asked to produce records relating to his affairs, Lieberthal was unable – or unwilling – to do so.

Asked by his trustee for a detailed explanation of the causes of his insolvency, Lieberthal failed to give a satisfactory answer.

But by September 1992 he seemed to have put all the mistakes and

eral Hospital. Lieberthal was training at the same hospital at the time. But that's not where they met. Both doctors had been working at the Linksfield Clinic, assisting orthopaedic surgeon Dr Nanny Nainkin. (Szabo's contract restricted him to working in state hospitals only, and he should never have been employed in a private hospital.)

In September when Lieberthal moved to Wits, the restrictions on drug prescription were lifted – but he was only allowed to work under the supervision of Professor Einhard Erkens, head of orthopaedic surgery.

In the course of a later investigation by insurers, Szabo claimed he removed a specimen of the growth in casualty, then popped it in a bottle. Lieberthal completed the paperwork and sent the specimen to the pathology laboratory. The report stated that

Around this time Lieberthal began investing heavily in insurance policies

misfortunes behind him: a new and bright future as an orthopaedic surgeon lay ahead.

Around this time, Lieberthal started investing heavily in insurance policies. In 1991 he had taken out two policies with Fedlife, one for life cover and one against dread disease, each valued at R200,000.

Now he took out two policies (life cover and dread disease again), this time with Time Life. In 1993 it was Liberty Life's turn – also for life cover and dread disease. In total, Lieberthal had R550,000 worth of dread disease cover. In all cases he failed to disclose his drug addiction. His broker was Mike Masail, who was also the owner of the Fedlife dread disease policy.

In July 1993 Lieberthal had a cancerous growth removed from the back of his neck by Hungarian-born Dr Atilla Szabo. Szabo was on government contract, working in the casualty section of the Johannesburg Gen-

eral Hospital. Lieberthal was training at the same hospital at the time. But that's not where they met. Both doctors had been working at the Linksfield Clinic, assisting orthopaedic surgeon Dr Nanny Nainkin. (Szabo's contract restricted him to working in state hospitals only, and he should never have been employed in a private hospital.)

In 1993 Masail wrote six life policies, with dread disease clauses, for Dr Szabo, totalling R1.2 million. In October 1993 Dr Steven Brower (insurance broker Masail's GP) removed a cancerous lymph node from Szabo's groin. Szabo tried to claim on all his policies, but Standard and General asked him to undergo further tests. In response, Szabo decided to withdraw all his claims, and said that he thought the cancerous growth must in fact have been a viral infection.

Masail was also the broker for Hugh

Lieberthal, Wynne's twin brother. In 1992 he sold Hugh three dread disease policies: Sanlam, R50,000; Crusader Life, R100,000 and Old Mutual R200,000. Hugh had a string of judgments against him for debt, totalling over R100,000.

In April 1993 Hugh had a cancerous growth removed from a leg – by Dr Steven Brower. Sanlam refused to pay. (They said the policy had lapsed.) Hugh collected R300,000 from the other two insurers.

Masail arranged a Time Life policy with R150,000 dread disease cover for Hugh's wife, Janine Norma.

On 22 September 1993 Lieberthal did a needle aspiration on Janine at the Linksfield Clinic. He concluded that she had breast cancer. The private consultation occurred while Lieberthal was still under the SAMDC restriction that forbade him to work in private practice. Janine was paid the R150,000 but in December a surgeon did a check on her and found no indication of cancer.

Lieberthal did another private practice operation in May 1993, also

at the Linksfield Clinic. Under local anaesthetic he supposedly removed a cancerous growth next to Bernard Harold Markuschowitz's thigh bone.

Markuschowitz happened to be Hugh Lieberthal's business partner in a company called Design Print, where business wasn't good. He too had taken out a dread disease policy with Masail, for R200,000. Standard and General paid Markuschowitz's claim in full.

In all his policy applications not only did Lieberthal not disclose his drug addiction, but in the Fedlife claim form he declared that he was solvent and his estate had not been sequestered.

Claims worth R2,350,000 were submitted on all these dread disease policies and a total of R1m was paid out. All concerned cancerous growths removed in 1993. All the policies, except for Hugh's Sanlam policy, were written by Masail, and all the claims were paid into Masail's trust account. Obviously there were many creditors

circling the group, waiting to bite at payouts.

In early 1994 some of the insurance companies uncovered the scheme set up by Lieberthal and Masail to defraud the industry. Masail instantly had an asthma attack, and landed in hospital – for just long enough to pack his bags for Israel. He hasn't been seen since.

Lieberthal has not been charged with an offence related to the claims.

Today Lieberthal is defended by his former mentor, Wits Medical School Professor Erken. He is a "caring surgeon, one of the few willing to work in the public sector", says Erken. Interviewed by *The Star* in 2002, Erken described Lieberthal as "one of the most brilliant orthopaedic registrars the department ever trained ... he received (the award for) the best scientific contribution to orthopaedic surgery for 1994 and 1995."

Is Lieberthal a caring star of the public health service – or a butcher of innocent victims and a thoroughly bad egg? Dr Jekyll or Mr High? **W**

WAKE UP WITH FRESH,
THATO AND GP'S BLAZIN'
JAMZ ON 99.2FM.

Y
FM 99.2
YOUR FRESH

TBWA/GAMMA/REDDY/310521

BY HAROLD STRACHAN

BILLY'S SWORD

I ALWAYS DID THINK Sam Palmer was a better painter than Billy Blake, any day, notwithstanding that Blake fills his male figures with even more extra muscles than Michelangelo's hermaphrodite females. Even more than Governor Arnie, whom somebody described as a brown condom full of walnuts. I mean there's more to mystical humanism than mere muscle count.

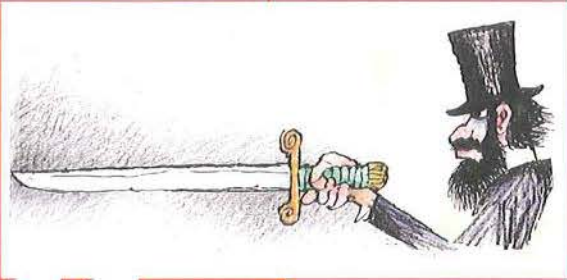
In fact, in Sam's stuff you have to look pretty hard to detect the people at all. But for landscape...!! Here's the chill sickle moon, here's midnight England, spiritual, silent, leafy in the dead still of night and down there in the cornfield the small rustic figures, rolled round in Earth's diurnal course with rocks and stones and trees. And it's all done with technique, of course.

But Billy has the words, man, 'e don't fuck abaht. Bring me my bow of burning gold, he says. Bring me my arrows of desire.

Never to cease from mental strife either, of course. But hell, by '61 we were fair wore out with striving mentally, and all the buggers did was chuck a few more folks out of tenth-floor windows, slam a few more to death in the back of a bakkie, buy better weaponry. All that. All old stale struggle history by now. But then you dear readers out there don't have the details to bring on that chicken-skin rush.

NOR SHALL MY SWORD sleep in my hand, says he. I tell you cdes, you don't need Scoundrel Slovo to fire you up with Leninist mystique when it's time for the sword. Give me Billy Blake every time, and now is the time.

So Max and I drink a certain amount of windscreen-washing dop and think about Industrial Revolution days like anything, esp. how thermite was used to weld railway lines together, and we decide to make some for ourselves so we can melt all the Eskom pylons hereabouts and plunge Port Elizabeth into abyssal night so Ford would shut down their dark satanic assembly plant and depart everlastingly, and so on. The economy would collapse and voila! Dictatorship of the proles.



But let's be modest; Max and I did only the thermite Deep Thought. The philosophicobobble Deep Thought came from Daddy Mbeki and a Lithuanian imbecile in PE, locally known as Plumbin, on the analogy of Stalin's being the man of steel, plus of course the megalomaniac S. Slovo and sundry other left-leaning prophets like Pisa campaniles in Joburg.

Well, then. We get a whole lot of iron oxide, ordinary old rust, and mix it up in a jam tin with a whole lot of aluminium powder from a paint shop, and stick a fireworks sparkler

in the top to give a couple of thousand degrees C to start things off, and light it and stand back with dark glasses otherwise it's going to fry our retinæ with UV.

A raging sort of hiss, and by the time we can see okay we

perceive that the thermite has entirely disappeared the jam tin and it's getting to work on the ceramic soup-plate underneath, and after that the table will be a piece of cake, and the floor too, and this lot is going to arrive straight through the ceiling of the flat below and dead centre over Mr Rapaport's Double Queen-size Couch of Love where he's enjoying a bit of the other with his nice squeezey Mrs on a traditional Sabbath afternoon.

AND MR RAPAPORT being the owner of these flats, the immediate future bodes ill.

Max hastily fetches a big pot of water and sticks it under the table. Phew! But suddenly the physics of it all strikes me. Jesus, Max, when the thermite hits that lot we'll have a steam explosion that'll blow this whole bloody flat apart, man! He yanks it out as I rush into the corridor for a bucket of sand, which buildings had in those days, and dump it under the table just as the thermite arrives.

Phew! The thermite depletes itself, but the stink is indescribable. People are looking up and down the street. I think I'll go and burn some porridge to disguise it all, says Max, but even the Prisons Department couldn't make porridge that smelt like this. We go out and look up and down too.

Anyway, it all served us well in the end: Max and I had veterans' pensions for life bestowed upon us, for starting the People's Selfless Armed Struggle. Fair enough. I know an exile who got one after studying poetry in England.

But I'll bet he never studied Billy Blake. **□**

So Max
and I drink
a certain
amount of
windscreen-
washing
dop and
think about
Industrial
Revolution
days



PAYMENT & TERMS FOR SMALLS

Deadline for smalls is the 10th of the month prior to publication.

Smalls ads are prepaid at R75 for up to 15 words, thereafter R8 per word.

Boxed ads are R130 per column cm (min 3cm in depth).

Payment by cheque should be made to Chaucer Publications, PO Box 44538, Claremont 7735.

Payment by direct transfer should be made to Chaucer Publications; Account No: 591 7001 7966; First National Bank; Vineyard Branch; Branch code 204 209.

PERSONAL

Best wishes To the entire Eastman Family, good luck Lucy for your matric year – Bruce.
Congrats Les! Words fail me in expressing admiration and gratitude. I love you.

Lord Maboya Where is the example for us all?
Westerford High Matric 1984 Reunion!

Contact Marianne van der Valk: 083 767 1046.

Salute Chief Buthelezi He quietly endured great personal tragedy, whilst O' Reilly's hacks yapped at his heels.

HOLIDAY ACCOMMODATION

Sandton self-catering Apartments and B&B at reasonable rates for business or leisure k-hbalzer@iafrica.com; fax (011) 884 8167.

Arniston seafront 4 bedroom home on beach. Breathtaking view 082 706 5902.

Clarens, near Golden Gate in the beautiful Eastern Free State – Rosewood Cottage B&B offers all you want for a break from it all. (058) 256 1252.

Franschhoek 3 Streams Trout Farm self-catering cottage. Sleeps 6. Excellent fly-fishing. (021) 876 2692.

Betty's Bay Whale Station House, sleeps 6 on the water at Stony Point. Call Attela (082) 437 4574.

McGregor House Four-bedrm home with sea views close to beach. www.arniston-etnas.co.za

Uvongo Beach Luxury three-bedroom apartment. 083 635 8008.

PROPERTY TO BUY, SELL OR RENT

Vaal River Properties Hour from Jhb. Buying or selling. Jacques 083 308 9133; www.susstoltz.co.za

Somerset West 20 min from CT and 15 min from airport. Secure properties in all price ranges. Les or Elize Hurwitz at Seeff 083 232 0634.

Pretoria New luxurious two-bedrm house for rent on Silver Lakes Golf Estate. Over 50s only. R6000 pm neg. (012) 809 2036.

Near Kruger Park Excellent properties for sale. Chris 082 870 2801 or campfire@hoedspruit.co.za

Delmas Gauteng Fruit Farm 10 hectares, good house, stores, and water 500 bearing apricot trees. Craig (013) 665 4043.

Homenet Phalaborwa Number one estate agency in town. Tel (015) 781 3921.

LEISURE

Velddrif on the Berg River For birds, wildflowers. Art (and seafood) at West Coast Gallery. www.velddrif.com

Banana Express Scenic narrow gauge, stream train rides. Phone Alfred Country Railway at Port Shepstone (039) 682 4821.

SERVICES

proWRITE provides top-notch writers at affordable rates. From reports to features, scripts to media releases and family histories. Call Suzanne Brenner on (011) 482 1072 or email prowite@mweb.co.za

Caricatures A unique gift idea for a special occasion. James 083 773 3875.

Tanzania and Ghana Economic market, and commercial industrial research undertaken. afrisearch@postmaster.co.uk

Digital video editing and format conversion (MiniDV, VHS, DVD), personal and corporate. Enquiries: info@randomwalk.co.za

Painting & renovating For all industrial and commercial painting in Natal. A.C.T. (031) 777 1900.

Active Plumbers For your plumbing repairs and maintenance. Tel (021) 423 1206

Agr-Africa Consultants For details see our website www.agri-africa.co.za

BP President Sea Point opens 24 hours. Business consulting. Feasibility studies, project work, professional engineer. Jan (082) 553 9705. janventer@3gi.co.za

Executive Medicals Including stress ECG, lung function ETC. Faraday Medical Centre (011) 493 3333.

Geezerduvet Insulate your geyser, save money. Installation Peninsula-wide. www.geezerduvet.co.za or (072) 556 3368.

ISA Components For wide range of furniture fittings, chair components and fabric. (021) 797 8986; fax (021) 797 9740.

Impson Freight Well-established international forwarding and clearing agents. Gerry Robinson (011) 578 0600.

Labour legislation You must know it, accessible & authoritative. www.siberink.co.za
Pest-Ex Pest and weed control Centurion and Pretoria. John (082) 432 9637.

Insurance Motor and home contents insurance, straight talk, good prices. Dale Cavell-Clarke in Maritzburg (033) 394 281.

Project Management Services Mike Moriarty (082) 492 4410; mikemo@mweb.co.za
Financial planning Professional and reliable service. Johan Beukman Tel/fax (021) 712 4352; 083 448 2512.

Proofreading service Specialising in masters, doctoral theses; HIV/Aids labour, educational publications. Di Stuart (083) 449 5998; distuart@telkom.net

Promotional Items/Logos We create your unique image. Corporate Genesis. Dain Hannaford 083 267 4946; www.tygerbergonline.com

PUBLICATIONS

Read SA 'blog comment

www.Williamsonreport.co.za it could be escapist nonsense.

Tax Shock, Horror Irreverent, free monthly newsletter by Costa Divaris designed to keep you up to date with tax changes. Send your email address to lesley@bsp-seminars.co.za

FOOD & BOOZE

New wine cellar Check it out!! www.saronsberg.com

Malmesbury Agricultural Show 7-9 Oct 2004. Yvonne (083) 284 3524.

PE's best Pub & grub – Kilt and Claymore 2 min from airport.

HEALTH & FITNESS

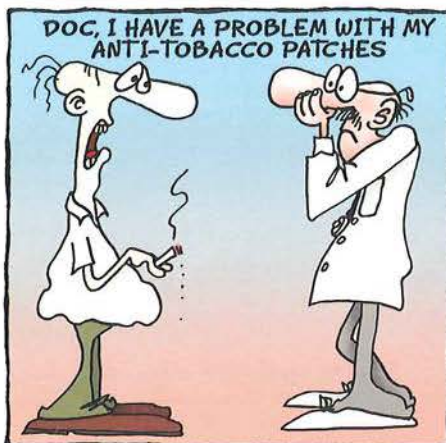
Relief from backache Barbara McCrea, London-trained muscular-skeletal therapist. 083 745 7086 or (021) 788 9626.

Chiropractor Dr David Dyson specialises in back pain, neck pain and headaches. (031) 469 4192.

Alcohol or drug problem? Call Pathways Chemical Dependency Centre at 086 110 2280.

What's up doc?

by Ashley Cooper



TRIPLE DISTILLED.
TWICE AS SMOOTH.



JAMESON
IRISH WHISKEY