

'WRETCHED' RECORD-KEEPING

Relief in sight for tenants

Leanne Jansen

RELIEF may finally be in sight for labour tenants seeking the right to land on which generations have lived and toiled. The Rural Development and Land Reform Department has given itself until June 2017 to process land restitution claims which for more than a decade have been gathering dust. In a reporting affidavit filed in the Land Claims Court, department director-general Petrus Shabane outlines how his staff will go about implementing the Labour Tenants Act.

By the end of this month, the extra senior staff hired to perform this task should have been trained, and by August next year, applications must have been electronically registered. A year after that, the department intends having finalised the processing and referral of applications. Last year Judge Elias Matjane ordered Shabane to file the reporting affidavit detailing the status of all labour tenant applications and plans for further processing.

Shabane was unable to provide the data required, admitting that "the Labour Tenants Act has not been pro-actively managed for the last number of years". The deadline for applications had, in fact, expired 14 years ago and few were ever processed.

The reason the process has now started is because of litigation launched by the Association for Rural Advancement (Afra), assisted by the Legal Resources Centre.

Afra and the centre are pushing for the appointment of a "special master" by the court, who would supervise the department's work. In an affidavit by Afra, director Michael Cowling described the department's record-keeping as "wretched". An estimated 18 000 labour tenants in South Africa have submitted applications to be given land rights.

The application by Afra was brought on behalf of four labour tenants on land owned by Hilton College, who wanted their claims processed, and for the court to issue a "supervisory order" to include all similar claims. Cowling said the "history of broken promises" meant supervision was vital. Shabane opposed the granting of the supervisory order. Meanwhile, the Legal Resources Centre has welcomed the reporting affidavit and the action plan, but was concerned over "outstanding items". While the department seemed only to be focused on KwaZulu-Natal and Mpumalanga, land claims had been made by people living in other provinces. The department had also failed to say how it would process those applications which had been misplaced by its officials. The centre said it was worried about the repeated failures of the department to meet deadlines - including court-imposed deadlines. "The LRC and Afra are still of the view that the appointment of a special master will greatly assist the Land Claims Court and the department in overcoming what appears to be an institutional failure."

SURFING THE NET



Competitors climb the ropes during the Red Bull Beach Patrol event at the Durban beachfront yesterday. Described as a test of full-body fitness across both lifesaving and cross-fitness disciplines, 90 athletes took to the water at North Beach. Wiseman Mvumbu out-swam, out-ran and out-climbed his fellow lifesavers to take first place in the professional division in the first event of its kind in South Africa. The athletes competed in two categories: One for Durban's professional lifesavers and the second for fitness enthusiasts and club lifesavers eager to test themselves against the course. Here Paul van Achterbergh of the Marine club (blue Speedo, top), on his way to victory in the Men's Athlete Division. PICTURE: SHELLY KJONSTAD

All systems go for nuclear procurement process to start

Siyabonga Mkhwanazi

IT'S all systems go for the Department of Energy to start with the nuclear procurement programme, with the Deputy Director-General for nuclear energy Zizamele Mbambo insisting yesterday that everything was on track. Mbambo said the department had done a lot of work on the nuclear project, but he would not give a date for an announcement of the procurement process.

He said Energy Minister Tina Joemat-Pettersson had indicated earlier that the procurement would be launched during the second half of the year. He said they were still within the time indicated by the minister. The successful bidder would be announced at the end of the year, said Mbambo. "Looking at the prospect of the procurement process we do not foresee any delays."

"We are on track, we are finalising the internal work for the government to launch the procurement process," he said. The Russian state energy company Rosatom has been tipped to be appointed to run the project. The government has not yet come up with the cost of the nuclear project, only saying it was financeable. Mbambo said earlier this year that the department had done feasibility studies on the financing side. In June last year Deputy President Cyril Ramaphosa said the government would invite all stakeholders, including business, to help in the funding of the nuclear programme. Mbambo also indicated last

month that there was no figure attached to the project yet as this would be determined by the bidders. However, it has been estimated that it would cost between R400 billion and R1 trillion to build six to eight nuclear power plants. Mbambo said last month that the power plants would have a lifespan of 80 years. The government believes that up to 1 000 jobs may be created. During the energy summit in Cape Town in June, the head of Rosatom in Southern Africa, Viktor Polikarpov, said they would build new industries in South Africa if they won the tender. The other bidding firms are China Guangdong Nuclear Power Holding, Korea Electric Power and US-based Westinghouse Electric.

More doping jolts for athletics

LONDON: Thirty-two medal winners at the world's six top city marathons were among the hundreds of long-distance runners with suspicious blood test results revealed in a leak, a newspaper reported yesterday. The leaked blood tests have jolted the world of international athletics since a German broadcaster and a British newspaper first published reports about them a week ago. Britain's Sunday Times and Germany's ARD say the results from the database of the sport's governing body, the International Association of Athletics Federations (IAAF), show evidence of widespread cheating among long-distance runners. Last week, the news organisations said the data showed that between 2001 and 2012 a third of Olympic and world championship endurance and

middle-distance running medals had been won by athletes who, at some point in their careers, had given a suspicious blood test. The Sunday Times said many of the suspect runners had also won medals in the six most prestigious city marathons: Berlin, Boston, Chicago, London, New York and Tokyo. Seven of the 24 men's and women's winners of the London marathon between 2001 and 2012 had at some point in their careers produced a suspicious blood test result, the Sunday Times said. It has not named the athletes. Last week the IAAF stripped Russian runner Liliya Shobukhova of all her medals since 2009, including three victories in the Chicago marathon and one in London.

The London marathon said yesterday: "We continue to be at the forefront of anti-doping measures for marathon runners as we are determined to make marathon running a safe haven from doping but we cannot do it all on our own and rely heavily on the IAAF." "We are therefore very concerned by the allegations made in the Sunday Times today and we will be discussing the implications with the IAAF." The Sunday Times and ARD say their information came from more than 12 000 blood tests of 5 000 athletes, 800 of whom had at least one "abnormal" result at some point in their career. The IAAF says it is co-operating with the independent World Anti-Doping Agency (Wada) in an investigation into the allegations. - Reuters

Facebook plea gets women up in arms

Lisa Isaacs

THE power of social media helped a woman escape abuse from her boyfriend at the weekend.

A cry for help after the woman had locked herself in a bathroom in an attempt to ward off abuse from her boyfriend had been answered by 700 Facebook users, and police arrived to remove the man from the house.

A Mitchell's Plain woman, whose identity is known to The Mercury's sister paper, the Cape Times, but who asked for it to be withheld, said when she had returned home from work on Saturday, her boyfriend demanded to know why their home had not been cleaned and the children had not been fed. "He started pointing his finger in my face and said he was going to kill me," she said yesterday. This followed the pattern of previous violent fights, which sometimes landed her in hospital, she said.

"My heart started going, and I had a headache from my head being bashed around by him. I grabbed my bag and locked myself in the toilet. I didn't want to call anyone because he would hear me." She duly posted her address on Facebook, asking for help. Soon, 700 responses flooded the post, with many calling police and they arrived to escort her boyfriend off the premises. The woman said she intended taking out a restraining order against the man. "I've laid charges against him in the past and pulled it back... The first time the matter landed up in court. He promised to go for anger management. Clearly it was just to shut me up. It's been going on for about two years now. Every time I accept his apology: I thought people would turn a blind eye. I'm very thankful for what they did. I'm sure he would have bashed the door down," she said. Police spokesman Tembinkosi Kinana said because no official complaint had been lodged by the woman, police could not provide details. Mariam Benn posted in relation to the incident that the woman had united a community of females to stand as one and uplift and support each other.

New league leader takes tough stance on abuse

Baldwin Ndaba

NEWLY elected ANC Women's League president Bathabile Dlamini has asked her party rivals, including her predecessor Angie Motshekga, to help her build the ANC.

Dlamini, who is also Minister of Social Development, warned fathers who defaulted on paying maintenance for their children to do so, or end up in jail.

While she did not mention Basic Education Minister Motshekga and her leadership of the ANC Women's League's leadership, from which she was ousted at the weekend, Dlamini maintained the unity of the ANC remained paramount to individual interests. "Unity is sacrosanct. The ANC Women's League is not an organisation of friends. We are urging all of you to build and protect the ANC. If they want to cry they must cry internally. Afterwards, you must go out and fight for a unified ANC," Dlamini said. Her comments came after reports of vote-rigging in the Sunday Independent yesterday. Dlamini was speaking in her capacity as women's league president at the national



DLAMINI

Women's Day celebrations held at Sasolburg's Zamdela township yesterday. She spoke before the delivering of the keynote address by President Jacob Zuma. Dlamini defeated Motshekga by 1 537 votes to 1 081, which saw her supporters also removing Motshekga supporters from influential positions in the league. The change of leadership had been celebrated with singing and dancing. A song had been composed to honour Dlamini's new role. During her address, Dlamini reminded the gathering of Zuma's remarks at their national conference over the weekend, where he told delegates: "We must bear in mind that no organisation can ever be strong if it is not united." In her reaction, Dlamini said: "We are determined to bring young women and girls to the organisation. "We want to have a new vision in the ANC Women's League. We want to build branches to bring change in the lives of women in South Africa." Dlamini said her leadership would unleash a concerted campaign to recruit women from rural areas and factories to join the league. She also revealed her party's plans to deal with men who abused their partners, including those who defaulted on maintenance. "Men must think twice before they abuse women in South Africa. We are going to mobilise women to fight all forms of abuse. "We are also going to show them the law is not expensive," she said, adding that the league would give legal assistance to women to deal with defaulting fathers.

Exhumation follows Fangio paternity battle

LONDON: The body of the Argentinian Formula One driving legend Juan Manuel Fangio has been exhumed amid a paternity battle. The BBC reports that a judge ordered that his body be exhumed in order for DNA samples to be taken. Two men are currently claiming to be his sons and wanting recognition as such. Fangio was one of the first great Formula One stars of the 1950s. - The Independent

CHEERS TO FAIRER SEX



Guest speaker Prof Quarraisha Abdool Karim, MC Jeannie D, guest speaker Hixonia Nyasulu and Mary-Lynn Muruges, marketing executive for The Mercury, at The Mercury Women's Breakfast, which was held at Coastlands Hotel Musgrave, in Durban, on Friday. The women who attended the event heard from Abdool Karim that there were too few women scientists in the top echelons of research, particularly in research linked to HIV/AIDS. Nyasulu, one of South Africa's most powerful businesswomen, followed with practical advice on how women could further their careers in the corporate sector. PICTURE: JACQUES NAUDE

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Woman murdered in Cape Town buried in US

Carlo Petersen

US BUSINESSWOMAN Gabriela Alban, who was found murdered at an exclusive Cape Town boutique hotel in Camps Bay on July 29, was laid to rest yesterday. Alban, 39, who was known to her friends and relatives as "Gaby" was buried at Hillside Memorial Park in Los Angeles. Alban, who lived in Brentwood and graduated from Beverly Hills High School and Pepperdine University, had been in Cape Town with her boyfriend Diego Novella, 43, who has since been charged for her murder. According to media reports, police had found a large amount of cocaine at the scene and

Novella had been arrested while walking semi-naked on Camps Bay beach. His attorney, William Booth, had expressed concern about "drug-dealing" being reported in the media. A family source - who spoke to the Cape Times on condition of anonymity, said Alban had been an "incredibly talented woman". "Gaby loved her family. She was a ray of light and one of the most genuine people you could have known. "The whole family is struggling. We all want to know what really happened in Cape Town," the source said yesterday. Novella is expected back in court on Friday.

Unions 'prevent hiring of good foreign teachers'

Babington Maravanyika

RESPECTED academic Professor Jonathan Jansen says pressure from trade unions prevents the hiring of qualified foreign teachers who are legally in the country, to fill vacant teaching posts. In an interview with The Mercury's sister paper the Pretoria News, Jansen, the vice-chancellor and rector of the University of the Free State, said: "Union pressures and the nationalist sentiment for local hires will always trump common sense when it comes to hiring the best teachers regardless of where they come from." He said this problem would continue unless "the politics of leadership changes". Last Tuesday it was reported

that the Department of Basic Education employs thousands of teachers who have no qualifications to teach Grade R pupils. This is according to a report by the Auditor-General, Kimi Makwetu. He found there were many loopholes that have allowed the department to employ thousands of teachers with no diplomas or required qualifications to teach Grade Rs. According to Kate Paterson, an attorney with Section27, an NGO involved in education issues, teachers generally did not have enough knowledge of the curriculum they teach. She said there were problems with the content of the Curriculum and Assessment Policy Statement but any change in the curriculum

would worsen the situation because there had been so many changes over the past few years, and this would also require a change of textbooks when some provinces were battling to supply enough textbooks under the current syllabus. Paterson said the quality of education was also sometimes compromised by a high rate of absenteeism by teachers. She said that the poor conditions of school infrastructure make it difficult for teachers to do the work they were supposed to, because they had to contend with overcrowded classrooms, schools without adequate furniture and sanitation, and without the necessary learner and teacher support materials. Commenting on the fact that

provinces like Gauteng were introducing tablets and smartboards in some of their schools while other provinces could hardly provide enough textbooks and critical infrastructure such as classrooms and toilets, Jansen said it was necessary to advance modern technologies in the classroom. But at the same time it was necessary to ensure that basic infrastructure was in place for teaching and learning in every school and classroom. "Doing only the former deepens inequalities, while doing only the latter leaves South Africa behind in the race for global competitiveness," he said. There would have to be heavy investment in security as tablets were targeted by thieves, he said.