

Independent Panel Report

Inquiry into Media Ethics and Credibility Report – Complaints

3. Johann van Loggerenberg

Dear Judge Satchwell and panel members

I address all here based on advice received from SANEF director Ms Skinner to address the panel directly.

I wish for the panel to correct factual errors specifically in relation to me as published by the panel yesterday. My previous emails also refer.

1. The SANEF report (report) reads:

“A unit came into existence at SARS in about 2008 under the name ‘Special Operations’ to investigate illicit trade in tobacco, liquor, counterfeit goods and so on.”

The facts:

This is factually incorrect on a number of aspects which have been public since November 2009. The unit in reference, came about in the year 2007 and not 2008. It was never named “Special Operations”. This is factually incorrect. See below.

The report reads:

“It later changed its name to the ‘National Research Group’ and again metamorphosed into the ‘High Risk Intelligence Unit’ (HRIU), which comprised six members. According to the Trengove Opinion on the Sikhakhane Report, the function of what it called the ‘Special Projects Unit’ (SPU) was to supplement SARS’ conventional functions with advanced investigative and intelligence gathering capabilities required to counteract the sophisticated operations of organised crime syndicates.”

The facts:

This is factually incorrect on a number of aspects which have been public for over half a decade. The unit in reference, came about in the year 2007, initially with no name, and soon after was named “Special Projects Unit (SPU)”. The next change in name occurred in May 2008 to be the “National Research Group (NRG)”. The later name, from October 2009 was “High-risk Investigations Unit (HRIU)”.

The report reads:

“It was headed by Mr Andries Janse van Rensburg (known as ‘Skollie’) until 2009, when he was succeeded by Mr Johan Hendrikus van Loggerenberg.”

The facts:

This is factually incorrect. The unit was headed by Mr Andries Janse van Rensburg for the year 2007 to March 2008. I was the manager of 5 units from then on, of which the unit in reference was but one that came to resort under me. This has been public information since November 2009 when SARS made it known.

Mr Rob Rose:

The report claims that his name never appeared on any byline regarding the Sunday Times fake news "rogue unit narrative". This is factually incorrect. His name appeared in the byline in December 2014 in this regard. He and I have discussed this on occasion before.

Furthermore, he was intimately involved in the editing process of the initial 10 August 2014 article and was not away in the United Kingdom on study leave. He was in Cape Town on that weekend, communicated with me the following week via email and we had a meeting at my request that Wednesday in my office. Mr Rose and Mr Malcolm Rees were both present. On this day, I raised my disputes with both in person. Neither explained the "insert" by Ms Phylcia Oppelt at the time, and Mr Rose accepted my dispute unreservedly. The report claims otherwise and is factually incorrect on this.

The report reads:

" Within weeks of the appointment of Moyane, an article appeared in City Press in August 2014 purporting to expose a 'rogue unit' within SARS with the headline 'Sex, SARS and rogue spies'..."

The facts:

This is factually incorrect. Mr Tom Moyane was announced as SARS Commissioner by then President Zuma on 25 September 2014 only, and took office days after. The 10 August 2014 City Press articles only made mention of rogue intelligence operatives in the State Security Agency and certainly not SARS. As stated in my earlier email, the fake news "rogue unit narrative" of SARS only commenced on 12 October 2014. It has always been my point that following the City Press exposes, on this day, much of their investigations and questions to subjects lead to the attacks on me and the same day Sunday Times article which made absolutely no mention of a unit at SARS. It was a personal attack on me.

In addition:

a) The report incorrectly claims that the 10 August 2014 Sunday Times article “Love Affair Rocks SARS” related to the defamatory and fake news “rogue unit” nonsense. It did not in any manner or form relate to this. Up to and until that date, Ms Belinda Walter made absolutely no claims of any unit whatsoever, nevermind a “rogue unit”. The first such reference in the media was in fact on 12 October 2014, in the headline Sunday Times article “SARS bugged Zuma”.

b) The suggestion that the so-called “Khanyane panel” made enquiries into or conducted any investigation or made any findings or expressed any views about the lawfulness or legality of the establishment of the impugned unit is factually incorrect - it did not, it wasn’t a claim made yet, and it wasn’t in their terms of reference or findings. The so-called “rogue unit narrative” publicly commenced on 12 October 2014 in Sunday Times, after Mr Tom Moyane had just started as Commissioner.

c) The claim that Sunday Times relied on the reviewed and set-aside Inspector General of Intelligence report dated 2014 is factually incorrect - it did not and nobody had any idea that it even existed then. It came to light in 2019 only. At no stage at any time in the series of articles was it identified or referred to as a source of content. The media attacks on me and Mr Ivan Pillay that started on 10 August 2014 was a prelude to warm up what was to come for many at the South African Revenue Service. Others then jumped on the bandwagon after this article and the following “Tax sleuth set to be sidelined” fake news ran for a while before the “rogue” propaganda matured.

2. Kindly correct the relevant facts in the best manner possible. The report is now public and available to anybody who wishes to perpetuate the propaganda and harm started by them - facts matter as the report itself ultimately advances. My name is specifically mentioned within the context of these matters and the misrepresentation of facts affects me and my family. The report has been published on the internet and will remain there forever. I wish to mitigate the harm to me and my family as well as any potential future harm to me and my family.

3. The issue around the “apartheid agent” claim, I still wish to consider before I address you on that and will do so once I have obtained necessary advice. Suffice to say for now, I do not consider the report’s references sufficiently representative of what I had said to the panel. No mention is made of the fact that on the date I joined the police, the National Party was no longer in charge of the country, the Transitional

Executive Council was, as per statute, which I explained to the panel. My service as police agent, was in fact to the democratic government of South Africa until November 1998. The head of the Organised Crime Intelligence Unit (OCIU) which was part of the Crime Investigations Division of the police and remained so, where I joined and served, was not Mr Hernus Kriel. There must have been at least 10 levels of management between the ministry and this unit at that stage. I fail to understand the reference and purpose of stating this in any event. I consider the reference gratuitous as it would apply to every single police member that may have joined and still serve the police since October 1993. By then, the country was in transition, preparing for democratic elections and a constitutional state. Mr Sydney Mufamadi was appointed as the first Minister for Safety and Security in the new South Africa. He was assisted by Deputy Minister Joe Matthews.

4. Kindly acknowledge receipt hereof at your convenience.

5. My rights are reserved.