

# Independent Panel Report

## Inquiry into Media Ethics and Credibility Report – Complaints

### 1. Paul O’Sullivan

#### WASTE OF FUNDS ON A BOTCHED ENQUIRY AND REPORT

I am somewhat disappointed to see from your so-called report, that you have completely missed the opportunity to get to the bottom of the repugnant media ethics in South Africa, which has been supported and protected by SANEF for many years. I will give some examples of the publicly false statements in your report, which I REQUIRE that same are now retracted and corrected:

8.66 It must be made clear that Booysen made no submission to the Panel. O’Sullivan did make a written submission and the Panel attempted to arrange meetings with him but he advised that he was overseas and unavailable and by the time he finally made contact with the Panel to indicate his availability, the time periods allowed for consultation had long since expired.

The above is simply UNTRUE and you are required to publicly correct the above false report.

Let us look at the facts, as is clear from the e-mail chain evidenced below:

DATE	EVENT
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2019-09-12	Detailed submission by myself to the ‘panel’ in writing.
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2019-09-12	My submission is acknowledged and you say you will be away for some time, but will get back to me, probably mid-November. Needless to say, you did NOT get back to me in Mid-November.
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2019-09-12 I respond by saying I look forward to hearing from you, and attach two very important factually researched documents. I will come back to those documents later, but for the avoidance of doubt, attach them to this mail.

2020-01-07 Having ignored me for three months, I get an e-mail from you giving me the following Monday, Tuesday, or Wednesday to meet with your so-called panel.

2020-01-07 I immediately respond (within two minutes) that I am overseas, but will be able to meet with you on or after the 2020-01-19, some FOUR days after the date unilaterally set by yourself, with no diary consultation whatsoever. As a possible solution, I offer Sarah-Jane Trent to attend on behalf of Forensics for Justice, to ensure the points we wanted to raise, would be raised. You ignore the mail and the offer of Sarah-Jane Trent to come to the panel.

I DID NOT RECEIVE THE COURTESY OF A RESPONSE THEREAFTER – NB: You totally ignored me!

2020-04-25 I write to you again, asking if my views are not considered relevant.

AGAIN, I DID NOT RECEIVE THE COURTESY OF A RESPONSE THEREAFTER – NB: You totally ignored me - AGAIN!

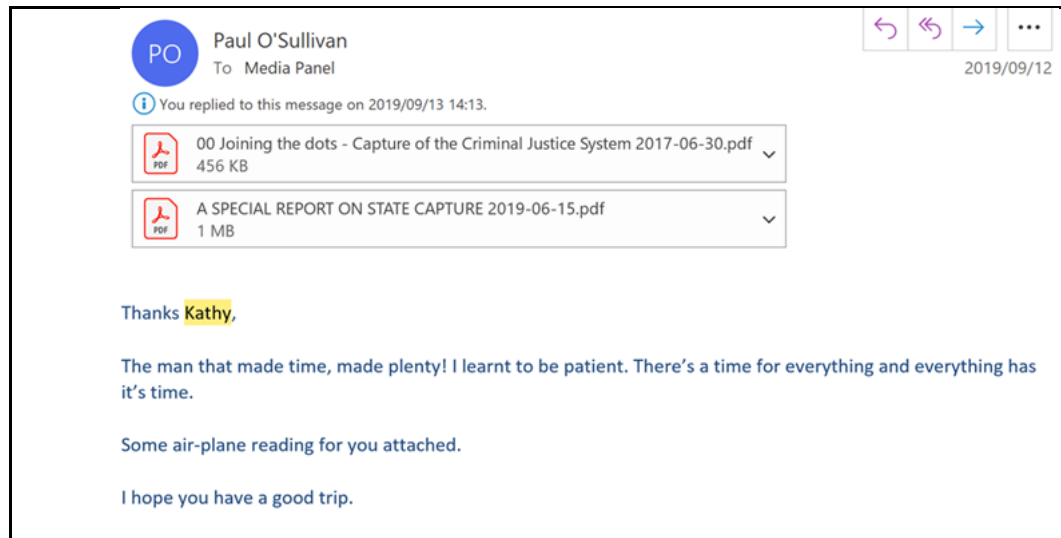
From the above, it becomes apparent that the expression “... *and by the time he finally made contact with the panel to indicate his availability, the time periods allowed for consultation had long since expired.*” This is nothing more, or less than an outright false statement. How in anybody’s dreams can ‘two minutes’ become “... *by the time he finally made contact....*” It is either an intentional lie, ie, intended to mislead the reader, or it is a genuine mistake. Either way, it is false and dishonestly conveys the impression that it was me, not you or the panel, that were lacking in diligence.

As such, you have published a report that is not only false, it implies that I did not attend to my submission with any degree of diligence, which is clearly not the case. I now hereby REQUIRE you to rectify the false allegation mentioned above, in your report and to do so publicly.

But that is not all:

8.67 However, in his written submission, O’Sullivan wrote to the Panel: “I have said plenty about the shocking state of affairs at the *Sunday Times*. The story is most informative. In October last year, I gave them a seven-day ultimatum to come clean or face the music.” It seems that this ultimatum relates to the Cato Manor/SARS series of stories. Not one of the very many complaints of media misinformation and malevolence to which he referred in the written document have been presented to this Inquiry.

The above statement on your so-called report is also 100% devoid of the truth. In this regard, I again refer you to my written submission and in particular, the mail of 2019-09-12, wherein I attach two very important documents, which we had long ago published on our website. Proof of the mail is again set out below, along with proof of the attachments:



Notwithstanding the above evidence, your report untruthfully infers that I have made a complaint and not bothered to substantiate it. Patently this false comment / allegation is intended to protect SANEF, who during the period of State Capture wantonly protected dirty journalism, whilst making me out to be a dishonest purveyor of false allegations.

Once again, you are REQUIRED to publicly correct this untruthful allegation in your report.

But that is not all:

8.69 The Panel was told that the activist organisation, AfriForum, had funded the legal costs of certain of the criminal and civil litigation to which Booysen had been a party. AfriForum had commissioned a booklet from O'Sullivan, a private investigator who campaigns against corruption. It was suggested to the Panel that O'Sullivan has links with many members of SAPS, with whom he works closely, and relies on them for information as well as having connections with persons alleged to be involved in the Zimbabwe Renditions articles. O'Sullivan alleged in the booklet that the *Sunday Times* journalists had been bribed to write some of their stories. The editor of the *Sunday Times*, Ray Hartley, investigated these allegations of bribery and found no substance therein.

Of the above, the following are factually incorrect and therefore FALSE and defamatory:

1. Afriforum did NOT commission any booklet from me. I produced the booklet myself and Afriforum published it.
2. I am not now and never have been a 'private investigator'. I am a Certified Fraud Examiner and a Forensic Specialist, as well as being the 'Founder' of a charity called 'Forensics for Justice', a fact that would have been clear to you if you had bothered to read the e-mail signature of my initial and subsequent mails to you, yet a fact that you have chosen to ignore, in further of your desire to protect SANEF from being exposed for their role in shoring up and facilitating State Capture.
3. I have NO links with members of SAPS with whom I work closely and rely on for information. This allegation is not only false, it is highly defamatory and suggests that I obtain information illegally. Nothing could be further from the truth and it is now apparent to me that, rather than get to the truth, your panel has set out to avoid the truth coming out, in order to protect SANEF.

4. I did NOT make the allegations of bribery to Sunday Times Journalists, as you falsely allege, I uncovered the allegations which were included in a High Court Application by Freedom Under Law, as is clear from a reading of page 5 of the 'Joining the Dots' report. Obviously a document you have chosen to ignore where it suited you, despite me pointing out its importance to you, or you chose to intentionally misinterpret the report, in order to protect SANEF. An extract of page 5, could not be clearer:

### The Role of the Media

On **15 May 2012**, Freedom Under Law launched an urgent application to stop Mdluli from returning to work. At paragraph 85 and 86 of Annexure 'FA1' to the application, an internal memorandum from Colonel Roelofse it said the following:

85 *The investigating team have also been informed on **10 October 2011** by the member that on the same evening that he was taken to Major General Lazarus's house he heard them discussing the placement of a newspaper article relating to Lieutenant General Dramat and Major General Sibiya. He stated that the Major General Lazarus wanted to use sources within the media (journalists paid by CI) to write a story in order to take the focus away from them. This according to the member this is a strategy employed to cast suspicion on those they perceived to be a threat.*

86 *This newspaper article was published in the Sunday Times on **23 October 2011**. Lieutenant General Mdluli has made representations to the National Prosecuting Authority earlier that*

In your report you go on to clear the journalists of any wrong-doing, by claiming that Ray Hartley, could find nothing wrong. I assume that the expression “ the mice guarding the cheese” would not be lost on you here. But for this so-called SANEF panel, to give a clean bill of health to dirty journalists and media organisations, including SANEF itself, smacks of a cover-up of enormous proportions.

Another lie, for want of a better expression:

8.88 The Panel did not meet with all those involved. Some journalists did not respond to our approaches; some subjects made no approach, notwithstanding publication by SANEF that all interested persons should approach the Inquiry; others, such as O’Sullivan, sent in written documents but were simply unavailable, while there seemed little point in pursuing every member of the *Sunday Times* board and management.

It is completely UNTRUE that I was ‘unavailable’. I made my submissions, the submissions were intentionally misunderstood and I was given six days notice of proposed dates for meeting and in return I tendered a date some four days later. It is therefore dishonest to say that I was ‘unavailable’. I was so concerned at being ignored, I wrote again in April 2020 and was still ignored. This proves your report is a dishonest lie.

Then we come to this:



8.119 The Panel had been informed by other sources of the central involvement of O'Sullivan, described above. This was confirmed at the meeting with the *Sunday Times*. O'Sullivan had also encouraged another journalist, Alec Hogg, to publicise his cause and was perceived to be damaging the publication's brand. The Panel was told that senior members of the *Sunday Times* management encouraged the editor to meet O'Sullivan. Accordingly, van Loggerenberg was enlisted by the *Sunday Times* editor to contact O'Sullivan and persuade him to cease his negative campaigning and a meeting was arranged with O'Sullivan through van Loggerenberg to this effect. He was told that the *Sunday Times* was dealing with the issues involving Booysen and van Loggerenberg. O'Sullivan's response was that he would give the *Sunday Times* five months and if they did not resolve these various issues, "the axe would fall". The Panel understands that O'Sullivan continued his campaign and told the meeting with the *Sunday Times* management that "other media houses were giving him space for stories on the *Sunday Times*". The *Sunday Times* then made contact with Booysen and told him that O'Sullivan continued to threaten a boycott and had therefore "gone back on his word".

**It is completely untrue that I went back on my word. In fact it is a blatant LIE! Your allegation is not only false, it is defamatory and you are REQUIRED to retract it. I understand that the Sunday Times do contribute financially to SANEF's coffers, but this continuous support of dishonest journalism by SANEF is simply unacceptable.**

8.168 In a written submission, O'Sullivan of Forensics for Justice, claimed that: "The media played a significant role in this capture of the criminal justice system, because there are too many journalists and editors that do not know the difference between a scoop and a planted story, and quickly fall into the trap and then proceed to destroy good people's lives." Unfortunately, O'Sullivan failed to provide details of the planted stories and who did such planting. Further, O'Sullivan wrote: "The same proceeds of crime has been used to pay off journalists, such as those at the *Sunday Times*, to help bring the country to its knees by clearing the path for evil in the criminal justice system," but again without providing any substance to the allegation that any journalist in the employ of the *Sunday Times* received any funds or other financial inducement to write or slant any story or cover up any story.

The above false allegations amount to nothing more than blatant lies. Defamatory lies at that. It is crystal clear that the submissions I made contained sufficient details. Had you of not deliberately crowded me out from giving evidence at your white-wash panel, you would have had further ample evidence. However, you unlawfully chose a path to keep me from giving evidence so you could protect dirty journalists and protect SANEF, who themselves stood by and watched whilst dirty journalists took South Africa down a dangerous road. Not only did SANEF watch, they openly supported dirty journalism, by protecting some of the dirty journalists involved, as is further exhibited by the so-called report they have sponsored and published, almost a year after refusing to let me tell my version of events.

8.213 The *Sunday Times* failed to indicate that there had been lobbying, threats and discussions that resulted in the apologies. The apologies were not simply the result of reflection and merely settlement of litigation. The actions of Booysen and van Loggerenberg were understandable because they were central to the stories. But the campaign publicly orchestrated by O'Sullivan, who made threats of financial pressure (which threats were acknowledged to the Panel by the *Sunday Times*), is less understandable, and the power he apparently exerted in these matters is difficult to fathom. It is unclear for whom, if anyone, he acted as proxy.



What bothers me about this dishonest statement, apart from falsely implying that I had a hidden agenda, is that you had my e-mail signature all along, clearly showing who and what Forensics for Justice are, including a link to our website. You also have the knowledge that you took deliberate steps to keep me from attending and giving damning evidence at your white-wash panel. You also had my e-mail address, so if you had any queries, you could have written for clarity and asked questions. Likewise, you could have invited me to the panel by Zoom, or Skype, or four days after the date you unilaterally set without consultation with my PA, or my diary. Instead you chose to totally ignore me, produce a dishonest report where you defame and vilify me, without actually understanding where I come from and what I was doing.

As is clear from my mail to Yusuf Abramjee back in May 2012, I was already onto the role of the media NINE years ago. I was the only one and SANEF have chosen to protect those dirty journalists, by cobbling a white-wash panel together!

During the ensuing nine years, there were no fewer than SIX attempts to murder me, two of which involved criminals from Crime Intelligence, who are now in prison and awaiting trial. I was unlawfully arrested TWICE, by dirty cops. I was dragged off a plane to London with two of my small children and my passports were seized so I could not travel. The Executive Director of Forensics for Justice was kidnapped at gunpoint by dirty cops, who themselves are now on trial for all sorts of crimes including kidnapping and torture. Her phone was stolen and sent to Israel for hacking by a foreign intelligence agency. Some of the contents of the phone were doctored and shared with a dirty journalist at the Sunday Times, who published a false and defamatory story at the instance of those dirty cops and SANEF, when I exposed that dirty journalist and his bosses to scrutiny, leapt to the defence of them both.

How many of your dirty journalists were kidnapped, tortured, had their passports seized, were subjected to conspiracies to murder them? How many SANEF board members were subjected to that?

This is the ONLY reason you intentionally kept me from giving evidence and also why you intentionally chose to ignore the documents I sent you, was so that you could arrive at these false findings.

You are therefore REQUIRED to put together a plan of action to rectify this self-made mess, which should include (at the least) a full retraction of the lies contained in your report.

If you do not come up with an acceptable plan, I will do what I said I would do to the Sunday Times.

1. I shall start a process to expose SANEF for what it is.

2. Whilst doing that, I will publish this e-mail on our website AND launch a High Court Application to have your report withdrawn.
3. I shall also approach those gullible enough to fund the very existence of the morally bankrupt SANEF.

Fianlly, you should accept that your report is living proof that you simply cannot trust the mice to guard the cheese.

I await your detailed reponse and would caution you against fobbing me off again, because I have had enough of the dishiensty of SANEF and will gladly teach you a lesson that is long overdue, that your morally bankrupt arrogance and dishonesty has no place in South Africa today.