1. NON-FICTION DRESSED UP AS THE TRUTH

On **4 August 2018** a so-called 'shocking' exposé was published in the non-fiction book **THE LOST BOYS OF BIRD ISLAND**, (in Afrikaans "DIE SEUNS VAN VOËLEILAND"), wherein **3** cabinet members of the NP government, were accused of sexually molesting underage boys. The book, which was published as non-fiction, by NB Publishers, a division of MEDIA24 Boeke (Pty) Ltd under the publishing imprint "TAFELBERG"¹, was nothing but a fabrication, and a web of lies weaved by the co-authors of the book, Mark Minnie and Chris Steyn.

Mark Minnie, in a telling e-mail to his co-author and editor, advised them that he is bothered by the fact that: "We have no concrete evidence to the effect that any of the three ministers sexually molested a victim. We need a victim to come forward and make an accusation followed by an identification". This e-mail was sent 3 days prior to publication, and despite not having any form of concrete evidence, to prove any of the allegations contained in the book, the two co-authors, decided to continue to lie to the public, and to warp facts for their own gain.

Following this 'exposé', months of investigation and collecting of evidence ensued. This evidence was relayed to NB Publishers, in the hope that they would see the clear error of their ways. Unfortunately, NB Publishers refused to recant, but have recently admitted to being prepared to publish a general press release, as a form of an apology to the parties wronged:²

"Press Release - for immediate release"

In the book The Lost Boys of Bird Island and its translated version, Die seuns van Bird Island, statements are made which may suggest that Mr Barend du Plessis, though not mentioned by name, might have been involved in the sexual abuse of underage boys. While attempts were made to conceal his identity, NB Publishers accepts that the books contain sufficient information to identify Mr DU PLESSIS as an involved party.

The contested statements could not be verified independently.

NB Publishers unreservedly apologises for the publication of these allegations to the extent that may implicate Mr Du Plessis, and for the attendant infringement of his dignity and impairment of his reputation, as well as the emotional distress this caused him and his family.

NB Publishers has withdrawn unsold copies of both the Afrikaans and English editions of the book from bookshops and the e-book has been removed from online e-trade platforms."

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² <u>20-02-25.LTR FROM OPP ATTRN.pdf</u>

2. EVIDENCE COLLECTED

The evidence collected clearly confirms that there is no concrete evidence indicating that any of the ministers perpetrated any form of paedophilic act, at BIRD ISLAND, or elsewhere. It is shocking that in today's climate, NB PUBLISHERS allowed for such an unsubstantiated book to be printed. This book, does not vindicate any victim of sexual molestation, it rather makes small of their suffering, and can be a deterrent for true victims to come forward.

The firm of Attorneys acting on behalf the families of the two deceased and one living minister, and after many back channel discussions to get the publisher to retract the book failed³, sent a formal PAIA (Promotion of Access to Information Act) request, by way of the prescribed Form C to Media 24 Boeke (Pty) Ltd.⁴ The Form was accompanied by a whole list of items requested from the publisher such as the initial correspondence from the writers to the publisher, other correspondence, the authors' contracts, the various iterations of the drafts of the book as well as the written opinion of the attorney advising the Publisher as to possible action for defamation.

In the ensuing months more attempts followed, in the background, via the offices of the parties respective legal representatives, to come to an agreement to have the book withdrawn and to obtain redress for Du Plessis and the families of the other two ministers. In the meantime, and in order to clear his name, Barend du Plessis solicited the help of a forensic investigator who previously had been tasked by the Human Rights Foundation to investigate the circumstances of the death of Mark Minnie. This investigative work highlighted the lack of proper and substantive research by the authors and the publisher.

Amongst others the following persons have come forward to provide irrefutable information that disproves the content of the book.

- 2.1. Shortly after publication of the book the helicopter pilot who was interviewed by Rapport said that due to all the control and flight management issues, which would have had to be overcome to have ferried the parties to and from the island as was allegedly the case, the logistics would have just made it impossible to do it unnoticed.
- 2.2. Thomas William Case on **27 June 2019** deposed to an on-camera affidavit, wherein he,⁵ stated under oath that he had read the book and immediately identified himself as William Hart. "I was shocked because every word is a lie. I highlighted certain portions in orange and made notes for Wouter [the forensic investigator] in the book, but I couldn't make notes of all the lies, because then you would have to dip the whole book in ink"

³ 19-07-26.LTR TO TAFELBERG.fini.pdf

^{4 19-08-18.}J752 paia Form C.pdfprint.pdf

⁵ CASE TW AFFDVT.pdf

2.3. Hans Christian Benecke stated he is the chairman of Atlas Organic Fertilisers (PTY) LTD since **1966**. He stated under oath that:

"The company won the concession to scrape guano on Bird Island Algoa Bay on open tender. Any visitor to the island who was not in the employ of the company had to have permits from the Department of Sea Fisheries to go there. These permits were always organized by me. No senior members of the Government could have visited the island without my knowledge and approval. I was personally present on Bird Island when any senior minister of the Government visited the island, and specifically when the Cabinet Ministers Barend du Plessis, Magnus Malan, and John Wiley were there. During any visits of senior members of the Government, there were never boys of under 21 on the island, regardless of race."

2.4. Advocate John Scott, now retired, but former senior State Prosecutor in Port Elizabeth, during the period of **1980-1986** deposed to an affidavit.⁷ He states, amongst others, the following:

"During the last months of my employment there (I cannot remember the exact date) a police docket in which a David Allen was the accused on a charge of possession of pornographic material was brought to me in my office by a court ordonnance. It was reported to me that the accused, David Allen, committed suicide. I, within my full right and authority to do so and after verifying the facts and for reasons none other than that the accused had passed away and cannot therefore be prosecuted, closed the docket as "nolli prosequi".

The approximately thirty years later in 2018, a book "The lost boys of Bird Island" was published in which allegations were made against certain cabinet ministers of the old National Party and furthermore alleged by one of the co-writers named Mark Minnie that I – as Senior Public Prosecutor at the time – instructed him to stop all investigations into the case. This is false.

During the course of June 2019 copies of certain pages of the book "The lost boys of Bird Island" (the Afrikaans version called "Die seuns van Bird Island") was given to me in which Minnie described how I summoned him to my office and supposedly instructed him to stop all further investigations into the case. This is false.

A few other random statements made in the book pertaining to me are also false: I am not of above average height. I never in my life used English Blazer aftershave. I never as a rule used red ink to make notes on police dockets. Minnie most certainly did not have my direct phone number – only the Attorney General had that. I most

⁶ HANS BENECKE - Copy.pdf

⁷ 19-10-09.ADV J SCOTT AFFDVT.pdf

certainly did not leave a message with anyone for Minnie to contact me as I did not know him. Most importantly I never knew or met Mark Minnie ever in my life. His name and image became known to me only this year after I was approached for comment."

2.5. Willem Maritz, deposed to an affidavit stating that he was furthering his studies as marine biologist in the period 1986 to 1988. Maritz had attended both primary and high school with one of Du Plessis's sons (Jean) and therefore knew him (Du Plessis) quite well. He states under oath that for a period of 3 years he stayed over on the island for a week at a time every 6 weeks. One of his stays coincided with the one and only visit that Du Plessis ever made to the island. He recalls the arrival of the ministers on the island by military helicopter and that they recognised each other immediately upon arrival. They spent a lot of time together during the visit as Du Plessis was very interested in his research and also wanted to know where the best fishing spot would be. He also unequivocally states that there were no boys on the island and the Rapport report dated 5 August 2018 upset him so much at the time that he called the newspaper and spoke to one Llewellyn Prince to voice his objections as to the falsehoods published.⁸

3. ERRORS OF JUDGMENT

Note should be taken of two serious errors of judgment by the co-authors, the publisher and the legal advisor regarding:

3.1. Ministers' Security Clearance

It is unfathomable that the publisher overlooked the fact that before their appointment and periodically thereafter the head of state or government subject potential appointees to intensive background scrutiny. The purpose thereof is to be completely comfortable sharing with them all appropriate sensitive information and to avoid them being compromised by any character or behavioural shortcomings and flaws.⁹

3.2. The shot in the anus incident:

It is incomprehensible that the story that a youth survived a pistol shot in his anus could be true since it is simply medically impossible.¹⁰ This fictitious incident was designed to construct a whole series of consequences to implicate Magnus Malan and his security detail in a massive cover-up scandal. Furthermore it sensationalised the book.

⁸ WILLEM MARITZ AFFDVT - Copy.pdf

^{9 20-02-23.}SECURITY CLEARANCE. V2.docx

^{19-05-23.}Skoot in anus Mollet .docx

4. FLOGGING A DEAD HORSE AND APOLOGISING FOR IT

It should be noted that *Huisgenoot* and *You* [as long ago as **1996**]) had to publish retractions after complaints laid with the then "Press Council of South Africa" about, amongst others, a front page report in the Huisgenoot of **18 Mei 1995** titled "Die pedofiel, die seuntjies en die eiland Minister se donker geheim".¹¹

For the sake of brevity, we will not deal with the full content of those reports here, but it is noteworthy that the main source for those reports was the now deceased fraudster Mark Minnie – a man so brazen he had a matric certificate falsified in order for him to put South Africa behind him.¹² The apology published in Huisgenoot (**7 March 1996**) reads as follows:

"In die uitgawe van 19 Mei 1995 het Huisgenoot 'n artikel gepubliseer oor wyle mnr. John Wiley (foto regs), gewese Minister van Toerisme en Omgewingsake. Mnr Wiley se familie het by ons beswaar gemaak oor bewerings wat in die artikel en op die voorblad gemaak is, met die strekking dat mnr Wiley homoseksueel en 'n pedofiel was. Huisgenoot aanvaar daar is geen feitelike basis waarvan ons bewus is, om te beweer dat mnr. Wiley óf homoseksueel of 'n pedofiel was nie. Huisgenoot betreur enige pyn of verleentheid wat die publikasie van die artikel vir die familie van wyle mnr. John Wiley kon veroorsaak het."

Despite these retractions, and once more, without an iota of evidence, the publishers persisted with this disgraceful book (and ironically have now proffered an apology by way of the press release).

5. LEGAL ADVICE REQUESTED AND IGNORED

Two late ministers were named in the book. The publisher's legal advisor, in his written opinion to the publishers (dated **20 March 2018**)¹³ made the following suggestion and related remark:

"There is a real risk that, if du Plessis takes action, the publisher would be unable to produce enough evidence to justify publication of the allegations relating to him.

I therefore suggest that du Plessis not be identified as the "other/second/third minister" implicated as having accompanied Malan and Allen on at least one trip to Bird Island, but in the context of the book and several mentions of the "other cabinet minister, that reference is the key to linking him to the allegations. Precisely how du Plessis is excised from the manuscript is the authors' and publisher's prerogative but I am happy to be part of any discussion on this."

¹¹ BJDP2..95-05-18.HUISGENOOT ISSUE 891 18 MAY 1995.pdf

^{2017-08-12 -} Re Its urgent 911911dispatch@gmail.com.pdf

^{13 &}lt;u>18-03-20.W DE KLERK LEGAL OPINION.pdf</u> – see in particular 2nd last para on page 2.

This legal advisor, Willem de Klerk, is the same person, who after the news about Willem Breytenbach broke, in a Podcast said that it is important to have at least one affidavit from a victim before someone can be openly identified as a paedophile. However, in the case of **THE LOST BOYS OF BIRD ISLAND** this maxim clearly did not apply and to this day, NB Publishers vehemently defend their position on the former ministers, differing so fundamentally for their stated position in the Breytenbach saga.¹⁴

6. WILLEM BREYTENBACH

The reason for drawing your attention to this latest, and factually based, "shocking exposé" is that in a matter of weeks, dozens of Breytenbach's victims came forward. In the first few days after the broadcast of the **3**rd Podcast¹⁵ at least **16** (sixteen) confirmed and verified victims – according Netwerk 24's reports and sources came forward.

In contrast to the Breytenbach matter, in the **18** months since the publication of the **THE LOST BOYS OF BIRD ISLAND**, not **one single** witness came forward to give substance to the allegations that **3** erstwhile cabinet ministers sexual molested young boys.

This despite all the Media24 publicity in an attempt to garner public interest. There were various newspaper articles written about the book and the 'third minister', as well as countless TV and radio talk shows. This media exposure about the **THE LOST BOYS OF BIRD ISLAND** is considered to run into thousands of centimetre columns and hundreds of air minutes, prominently featured for maximum exposure of the contents of the book.

Despite the above, and to this day not one single person came forward stating under oath that he was the victim of the alleged sexual molestation or had any interaction of a sexual nature with any of the three ministers.

7. ATTEMPTS TO MITIGATE

As a sign of collegiality and good faith, various attempts were made with the Publishers to retract, and to admit fault. 16

8. **CONCLUSION**

The inescapable fact, is that **24** years since the first reports, featuring the same sleazy allegations appeared in some of Media24's most prominent publications, and **32** years since the alleged

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PODCAST.Basson De Klerk.mp3

^{19-11-25.}LTR TO OPP ATTRN.fini.pdf

acts would have occurred, there has been no evidence whatsoever from any of many investigations, that implicates any of the ministers in the despicable crimes alleged in the book.

It is clear that the authors, and definitely Mark Minnie, knew full-well that not one single person had come forward claiming to be a victim of the deeds of which the ministers are accused. His writings were false, and completely baseless, which was known to the publishers, prior to the publication of this work of fiction.

The book has since been labelled the worst character assassination in South African publishing history and a blemish on the good name of Naspers (Africa's largest listed corporate giant) and its numerous subsidiaries (amongst which Media24). A number of newspapers, amongst other the Rapport (in the Netwerk24 stable)¹⁷ have distanced themselves from the book and apologised for their reporting, shortly after publication.

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