

# Death-truck owner ducks crash blame

Boss claims driver was at fault — but fines paint picture of repeat offences

**MATTHEW SAVIDES, BONGANI MTHETHWA and MANDLA ZULU**

TRUCKING boss Gregory Govender this week vowed to clear his name in the Field's Hill truck accident that claimed 23 lives two weeks ago. But police figures reveal a company that has many traffic violations.

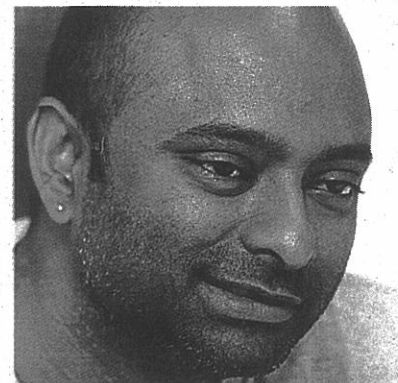
A heavy truck belonging to Govender hurtled down Field's Hill in Pinetown on September 5, ploughing through four taxis and two cars and killing 23 people.

It has emerged that Govender's company, Sagekal Logistics, has been fined R54 400 since 2006. Some fines have been paid. Johannesburg Metro Police spokesman Wayne Minnaar would not disclose Sagekal's fines.

On Thursday night, one of the company's 18-wheelers was impounded by Road Traffic Inspectorate officials for allegedly operating with defective brakes. It had run out of fuel and was obstructing traffic near the Hammarsdale off-ramp, about 47km west of Durban and 18km from the scene of the Field's Hill crash.

The eThekweni Metro Police database shows that eight trucks owned by Govender were fined R11 000 for offences ranging from worn tyres to failed roadworthiness on Field's Hill since July 2011. The records also show that a driver was fined on April 25 for driving without a professional driver's permit on the M13 highway, of which Field's Hill is part.

Another Govender truck, used on a different route, had received R20 250 in fines and was stopped four times for an expired licence. This contradicts Govender's claims in an affidavit this week that "not once [has his business in its 12-year history] received a fine



**IN DENIAL:** Gregory Govender has hired experts to clear his name

to cause damage or danger". Six of the trucks — travelling between Durban and Johannesburg — had tyres that were either deemed a "danger" or showed less than 1mm tread; and

- Were issued 21 fines amounting to R11 000 between July 7 2011 and May 12 for various offences on the M13 between Pinetown and Durban.

One of the trucks, with the registration ND 605930, accumulated R20 250 in fines between June 7 2006 and June 4 2013 and had been stopped at least four times for an expired licence. In each incident, Sagekal Logistics was fined R1 500.

Govender has hired a forensic collision expert, Stan Bezuidenhout, who said driver error led to the crash.

KwaZulu-Natal transport authorities' preliminary investigation found that the truck's brakes were faulty.

On September 6, driver Sanele Goodness May was charged with 22 counts of murder and one charge of reckless and negligent driving. He is due to appear in the Pinetown Magistrate's Court for a bail hearing on October 8.

According to the metro police records, the truck that was driven by May had R3 700 in outstanding fines, including one for failing to produce a professional driver's permit.

Govender's team has blamed May's inability to operate the truck and for driving with an allegedly fraudulent driver's licence and driver's permit.

May's attorney, Professor Lindokuhle Mdletshe, said Bezuidenhout had

The vehicle was checked before it left on that trip. There was nothing wrong with the truck

for operating an unlicensed vehicle because it is simply not our practice".

**THEKISO ANTHONY LEFIFI**

GEORGE Bizos, renowned human rights lawyer, had a number of run-ins with South Africa's notorious former prime minister John Vorster when they were advocates on opposing sides in court battles.

Vorster went on to become minister of justice, a post he occupied when Bizos's most famous client, Nelson Mandela, was tried for treason in the Rivonia Trial in the early 1960s.

Mandela and his co-accused faced the death penalty but were sentenced to life imprisonment — thanks in large part to an intervention by Bizos.

At the time, Bizos, who had come to South Africa as a World War 2 refugee from Greece, had no idea his intervention would earn him a place in the history books.

The 85-year-old — who is representing Marikana miners at the Farlam commission — said that although he had been honoured for his work, he had not sacrificed as much as the freedom fighters who were imprisoned and prepared to die for a nonracial, free and democratic country. He said his legacy should not be elevated to their level.

Having helped to save Mandela from the gallows, today Bizos is reliving the dread of

# Crucial words in the fight for Mandela's life



**'IF NEEDS BE':** George Bizos during the photo shoot for the 21 Icons project

Picture: GARY VAN WYK

losing his close personal friend: "As you grow, friends become fewer."

In 1964, Bizos convinced the fiery young Mandela to add a crucial three words — "if needs be" — to his statement from the dock.

"I said to him, Nelson, you know this business that you're prepared to die was a slogan from the '50s — slogans like 'the road to freedom passes through jail' and 'you must be prepared to die for freedom'. I don't think that

the occasion is appropriate to say in an unqualified way that you are prepared to die.

"You will be accused of challenging the authorities; you will be accused of seeking martyrdom. It will be counterproductive. He said: 'I hear

what you're saying, but I must say that I'm prepared to die. I'm not going to take that out.'

"So I said, well, let's throw in an alternative. Just put the words 'if needs be' before the words 'I'm prepared to die'.

And he did that." Mandela thus told the court: "During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But, if needs be, it is an ideal for which I am prepared to die."

Those three words serve as the inspiration for the concept behind the portrait of Bizos taken by photographer and filmmaker Adrian Steirn, creator of the 21 Icons project, which is distributed in the R16 edition of Sunday Times today. We also republish Mandela's portrait today.

SABC3 will broadcast a short interview with Bizos at 6.57pm tonight.

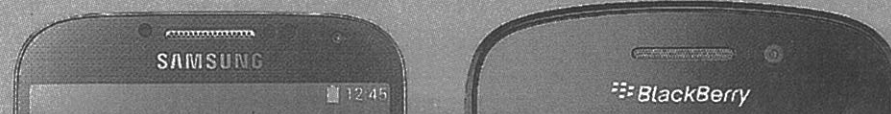
The original photograph, signed by Bizos, will be auctioned at the end of the series and the proceeds donated to the scholarship and bursary fund of the South African Hellenic Educational and Technical Institute, a school in Johannesburg. The institute was founded under Bizos's leadership in 1974.

The fund supports financially needy pupils of outstanding ability.

# Rethink Limit(less)

SA's first **Completely Unlimited** mobile contract for **ultimate** peace of mind.

Now with **Unlimited Calls, Data and SMS**



63708/PRV/E