

27 February 2020

To: Advocate Erasmus
Deputy Director of Public Prosecutions
North Gauteng, Pretoria
Per: Email (cjerasmus@npa.gov.za)

Dear Sirs,

THE STATE V AURORA EMPOWERMENT SYSTEMS (PTY) LTD & OTHERS
YOUR REF: 9/2/15/4-03/2013
OUR REF: WE/AUR01/002

1. The above-mentioned matter refers.
2. As you may be aware the Organisation Undoing Tax Abuse (OUTA) is a proudly South African non-profit civil action organisation, comprising of and supported by people who are passionate about improving the prosperity of our nation. OUTA was established to challenge the abuse of authority, in particular, the abuse of taxpayers' money.
3. We are sure that you will agree that the Aurora-matter is of national importance. In 2011, the then Minister of Water and Environmental Affairs, in response to a question, stated *inter alia* that: "...the investigation into the transgressions by the mine [referring to the Aurora mine] has been completed by the investigating officer of the South Africa Police (SAPS)".
4. It has been approximately nine years since the above-mentioned statement was made.
5. We believe it is not necessary to bring to your attention the detrimental effects the closure of this mine had on the surrounding area and the population of Springs. Said turmoil is evident, but not limited, by the following:

ORGANISATION UNDOING TAX ABUSE NPC

Reg No.: 2012/064213/08

Directors: W Duvenage (CEO), Adv. S Fick, G Gulston, Dr H Volmink

Non-Executive Directors: F Adam (Chair), P Majoji, W Modisapodi, LP Pauwen, T Pillay Van Graan

ADDRESS: O'KEEFFE & Swartz Building, 318 Oak Avenue, Randburg, Gauteng

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- 5.1. Approximately 5200 employees lost their jobs, resulting in increasing desperation for the concerned.
- 5.2. 548 families were fed daily by a charitable organisation, Helping Hands. We are unsure whether this still persists or not.
- 5.3. Families lost their homes and are residing in informal settlements. Since then, this number may have increased significantly as their situation became dire and continues to deteriorate¹.
- 5.4. Around April 2011, a former employee, Marius Ferreira, aged 52, committed suicide, after ingesting ant poison. He is survived by his wife and daughter².
- 5.5. In May 2011, the very next month, a former miner and his 11-year son attempted suicide because of the family's mounting debts³.
- 5.6. Since the mine closure, these families have known nothing but worry and hunger.
6. Charges were laid against the accused in May of 2010. However, today, approximately nine and a half years later, no successful prosecutions have been made. The saga of Aurora played itself out in the glare of the media, casting South Africa in a poor light internationally and giving the impression that environmental laws can be flouted without repercussion.
7. We trust that you appreciate the seriousness of a high-profile complaint such as this and

¹ <http://censorbugbear-reports.blogspot.co.za/2010/07/aurora-slave-goldminers-in-suicide-bids.html> accessed on 28 March 2018

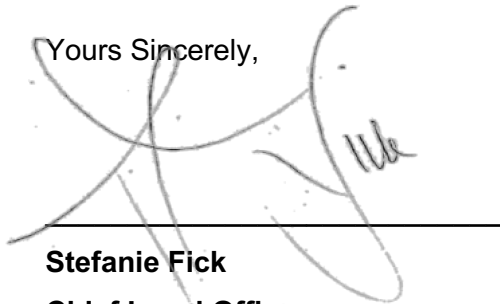
² www.news24.com/SouthAfrica/News/Aurora-miner-commits-suicide-20110408 accessed on 28 March 2018

³ <https://www.iol.co.za/business-report/companies/auroras-forgotten-miners-cling-to-life-1285515> accessed on 28 March 2018.

that justice delayed is justice denied.

8. It has come to our attention through public platforms that this matter has been “removed from the roll”.
9. We would like to seek some clarity and humbly request that the NPA furnish us with the reasons for the delay in prosecuting the matter. As indicated previously, OUTA has a vested interest in the prosecution of the Aurora matter and would like to assist the National Prosecuting Authority (hereinafter referred to as the NPA) insofar as it is able to. However, should the NPA for some reason decide not to prosecute, we will request a *nolle prosequi* certificate so that we can privately prosecute the matter.
10. We trust you find above in order and eagerly await your response.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Stefanie Fick', is written over a horizontal line. The signature is stylized and somewhat cursive.

Stefanie Fick

Chief Legal Officer

OUTA – Organisation Undoing Tax Abuse

E-mail: stefanie.fick@outa.co.za