

<http://mg.co.za/article/2015-08-20-police-question-forensic-supplies>

## Police question forensic supplies

21 Aug 2015 00:00 [Mkhululi Ndamase](#)

A leaked police report suggests a SAPS chemicals supplier is possibly guilty of tender collusion.

A confidential police report leaked to amaBhungane has pointed a finger at a supplier of vital chemicals to the South African Police Service's forensic division, suggesting it might be guilty of tender collusion. It also recommends that the South African Revenue Service and the treasury should investigate alleged irregularities.

The report says some of the chemicals supplied by the company, **Crimetech Laboratories**, might have been of a questionable standard and that the police should test them independently.

“The importance of this is obvious when taking into account the detrimental effect such products could have on the proper administration of justice,” it says.

It also reveals that at least 35 delivery notes for chemicals invoiced and paid for amounting to R12.8-million could not be found. Although this did not necessarily imply that the products were not delivered, it raised serious concerns.

Crimetech's directors, **Jolanta Komodolowicz** and **John Henry Deale**, strongly denied any wrongdoing. Komodolowicz also said, if the investigators had contacted her, she could have corrected their “misconceptions”.

### Findings

The investigation, by CPN Forensic and Accounting Services, was ordered by national police commissioner Riah Phiyega after the police union Popcru levelled wide-ranging allegations against the forensic division.

Other findings of the investigation were that:

- All local criminal record centres nationwide were overstocked with chemicals;
- The KwaMhlanga record centre received large quantities of chemicals despite not having a laboratory, and faulty chemicals at Zamdela were removed by the supplier;
- At another record centre, in Modimolle, chemicals were found with two different expiry dates. Komodolowicz said this could have happened because the product was retested and found to be still effective;
- There was a dramatic increase in orders over three years from R9-million in 2010-2011 to R33.8-million the following year and R22.9-million in 2012-2013, and that orders multiplied before the expiry of contracts.

“It was noted during the analysis that the same items were ordered within very short intervals even before the previous order(s) have been fulfilled.”

Komodolowicz said: “The contract value increased due to offtake and not price increases. This is not in our control ...”

Deale said everything the company had done was above board.

“I think they should go ahead with the [report’s] recommendations because that will clear up everything,” he said. “The fact that some delivery notes couldn’t be found at the time was because they were only put on record after the reconciliation with [Colonel Elro] Hanniball of the forensic services.

“Prior to that, a lot of documents got lost and we had to resupply ... You can’t do business with the SAPS if everything is not in order.”

### **‘Misrepresentation’**

The report calls for further investigation into possible tender collusion between Crimotech and another company, **Kriminalistik**.

It notes that, in 2011, the two companies provided the treasury with the same contact details and physical and private bag addresses. It adds that, on a quotation on March 14 2013, submitted by Kriminalistik, the registration of both companies was reflected, which, “in the absence of proof of an error, constitutes a misrepresentation”.

It also notes that Komodolowicz resigned as a director of Kriminalistik on February 7 2013 – the same day as her then 19-year-old daughter, Karolina Ewelina Dlugosz, took over from her.

In reply, Komodolowicz said: “I just gave it [Kriminalistik] to her because it was either for me to close the company or sell it to someone and here she was available.”

Komodolowicz said there could be no collusion because Crimotech and Kriminalistik had never tendered for the same contract.

“Crimotech is the only manufacturer of crime investigation products chemicals used in our forensic laboratories and on crime scenes in Africa,” she said. “Kriminalistik does laboratory repairs and supplies equipment.” She said the only contract that Kriminalistik ever had with the police was for the supply of batteries and CD and DVD disks in 2008.

Last week, police spokesperson Solomon Makgale said Phiyega was still waiting for input from the parties implicated by the report before deciding on what action to take. He did not reply to questions emailed to him this week.

# Firm fed toxic waste to pigs, claims government

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A supplier to the police forensic laboratories faces charges of dumping dangerous chemicals. *[Dumping charges were laid after environmental management inspectors, the Green Scorpions, raided company premises in the two towns in October 2012. \(Getty\)](#)*

The directors of Crimotech Laboratories, a supplier of vital chemicals to the police forensic division, have been charged with illegally dumping dangerous chemical and medical waste in two rural towns, amaBhungane has established.

Among other offences, the accused allegedly disposed material due for incineration to wild pigs and stored the schedule-six medication thalidomide, notorious for causing birth defects in humans.

Jolanta Komodolowicz and John Henry Deale, with their companies Dealetech WasteXpress and Komodealeowicz Domy, have been charged with illegally transporting, storing and disposing of hazardous waste in the North West town of Brits and Parys in the Free State.

Four other individuals – Deon Venter, Langton John Wolhuter, Hein Lategan and Sebastiaan Paul William Siebert – also face charges in the Brits case, which was postponed this week until September 17.

The alleged offences carry a maximum sentence of 10 years in jail or a R10-million fine on each of the 10 counts.

## **Fraud and tender collusion**

A confidential report on the police forensic division, ordered by national commissioner Riah Phiyega, suggest that Crimotech Laboratories might have been guilty of supplying expired chemicals, as well as value added tax (VAT) fraud and tender collusion, in its dealings with the South African Police Service.

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Komodolowicz and Deale denied any wrongdoing in that matter.

The dumping charges were laid after environmental management inspectors, the Green Scorpions, raided company premises in the two towns in October 2012.

Deale and Komodolowicz had both resigned as Dealetech WasteXpress directors on March 15 that year.

Among the materials allegedly discovered were Crimotech Laboratories' chemicals and pharmaceutical products from clinics and doctors.

### **‘Environmentally sound’**

The charge sheet says the accused contravened sections of the National Environment Management Waste Act 59 of 2008 and Section 332(1) of the Criminal Procedure Act, which makes it possible to charge a company with acts or omissions of a director or employee.

It states that the accused also failed to take reasonable measures to ensure that the waste is “treated and disposed of in an environmentally sound manner”; that Komodolowicz and Deale failed to prevent an employee under their supervision from breaking the law; and that they unlawfully incinerated waste on the property.

The unlawful disposal allegedly took place on “at or near Portion 1137 of a farm 410 (in) Hartbeespoort”.

Komodolowicz declined to comment.

In its 2012-13 national environmental compliance report, the department of environmental affairs says the Green Scorpions raided the Brits and Parys sites simultaneously.

### **Criminal case**

Contraventions uncovered allegedly included “storage and incineration of chemicals, pharmaceutical and medical waste; [and] disposal of waste destined for destruction by incineration to wild pigs held on the Brits property, and storage of medical waste including schedule-six medication such as thalidomide”.

Although Dealetech WasteXpress was ordered to stop unlawfully storing, disposing and treating the unsafe waste on both properties, the report says: “the instruction ... has not been complied with fully and the noncompliances that were detected will ultimately be included in the criminal case against Dealetech WasteXpress”.

Last week two former Dealetech employees, who asked not to be named, told amaBhungane that when they enquired about the legality of the company’s waste disposal methods, they were told everything was legal and that they should not worry.

“Crimetech Laboratories had a contract not only to supply chemicals to SAPS but to remove expired chemicals from police labs and blood from crime scenes,” one said.

The source alleged that the Green Scorpions discovered two years of waste at the sites.

### **Further investigations**

Last month, amaBhungane revealed that forensic auditors appointed by Phiyega, CPN Forensics and Accounting Services, had suggested in a confidential report that Crimetech Laboratories might have supplied the police with expired chemicals and could be guilty of tax irregularities. The report recommended the South African Revenue Service (Sars) should investigate further.

The report also suggested that Crimetech and another company of which Komodolowicz had been a director, Kriminalistik, might be guilty of tender collusion.

Komodolowicz resigned her directorship in February 2013, and was immediately replaced by her 19-year-old daughter.

Last week amaBhungane spoke to a former bookkeeper of Kriminalistik, who asked not to be named. She said she had alerted Sars about the company not being registered for VAT.

Last month Komodolowicz dismissed the allegations of possible tender collusion, saying Crimotech and Kriminalistik never tendered for the same contracts.

On the allegations of not being a registered VAT vendor, she said the company had instructed its bookkeeper to apply for VAT registration when they anticipated they would achieve R1-million turnover.

“If we filled in any documents pertaining to VAT during this time, we would state ‘pending’ and if we tendered, we would assume that we’d be VAT-registered by the time the contract was awarded, which takes six months to a year,” she said.

**‘All elements can be proven’**

Asked whether the revenue service is investigating, Sars spokesperson Luther Lebelo said the agency was prohibited by the Tax Administration Act from disclosing names of taxpayers under investigation or any information about taxpayers.

Department of environmental affairs spokesperson Albi Modise said the department is confident of winning the case because “it was thoroughly investigated and all elements of the crime can be proven beyond reasonable doubt”.

“The state has, however, experienced certain challenges in obtaining a Polish interpreter, as one of the accused is of Polish descent,” he said.