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Triad Societies and Chinese Organised Crime in South Africa

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INTRODUCTION

The relatively small Chinese community in South Africa has a history that is intertwined with the economic and political development of the country. It is a law-abiding community that has maintained a low profile throughout the country's changing political fortunes. It does not constitute a prominent party-political constituency and was therefore left to advance economically through its own hard work and resources without the benefit of state assistance or the involvement of political benefactors.

The Chinese criminal elements who caught the attention of the police during the 1970s were mainly those active in the shark fin trade from fishing fleets that used South African harbours. In what is now Gauteng, some individuals were involved in the smuggling of products from endangered species, such as rhino horns, and with illegal gambling.

Police investigations into such offences were dealt with in the ordinary course of business by allocating a docket to a detective. The conventional approach to investigating crime at the time was to focus on individual suspects. The concept of organised crime had not yet been introduced into detective training nor was there an appreciation by police management that a different investigative approach was necessary to deal with crimes involving organised criminal groups.

By 1990, it became clear to police management that organised criminal groups were a major contributing factor to the rising crime rate. At a police conference held in April 1991, a serious attempt was made to assess national crime patterns and to develop strategies to combat crime more effectively.¹ One of the outcomes was the establishment of a national Organised Crime Intelligence Unit. For the first time, crime intelligence was to become central to investigations into organised crime. Organised groups as a whole and the manner in which they operated were to be investigated in addition to individual group members suspected of crimes. This constituted a move away from the conventional reactive approach towards a more proactive and holistic investigative approach. Organised crime units were subsequently established in all the provinces.

Detectives in the Western Cape had been aware since the early 1980s that Chinese criminal groups and triad societies were more involved in criminal activities in South Africa than previously thought, and that their activities were expanding. When the Western Cape provincial organised crime unit was established, it immediately prioritised the activities of these groups. It was already well-known that large quantities of dried shark fins were being exported by Chinese-linked groups from Cape Town via Johannesburg to Hong Kong and other destinations in South East Asia. Trading in shark fins did not constitute a criminal offence under South African law, provided that the sharks were not caught in South African territorial waters. Because Chinese fishing fleets operating in the rich waters of the South Atlantic Ocean were not properly monitored, South African authorities had difficulty in countering their claims that the shark fins they landed in Cape Town were caught outside territorial waters.

Further police investigations during 1992 and 1993 confirmed for the first time that individuals

linked to at least three different triad societies were actively involved and that their illegal activities were much broader than the trade in shark fins. With the assistance of the Hong Kong Police, with whom informal contacts had been established, police established that individuals operating from Cape Town were members of the Hong Kong-based 14K triad, and the Wo Shing Wo triad. The Taiwanese-linked criminal group active in Cape Town was referred to as the 'Table Mountain Gang' at that stage. Police soon discovered that members of these triad societies were also operating in the Johannesburg/ Pretoria area, as well as in every harbour city in South Africa.

Police investigations also revealed that the illicit trade in abalone constituted a major component of the business of Chinese organised criminal groups. According to detectives who were monitoring their activities, at least 30 to 40 tons of dried abalone had been exported illegally from South Africa by 1993. Abalone, a delicacy and an aphrodisiac in China, could only be legally harvested off the shores of the South African coast by those who had obtained a quota or a permit to do so. The large quantities smuggled to Hong Kong, Singapore and elsewhere were harvested illegally, usually with the assistance of South African criminal organisations. In Hong Kong, where the possession or sale of abalone is not unlawful, astronomical prices are paid for South African abalone.

During 1993, police discovered for the first time abalone-canning factories operated by members of Chinese triads. They were located, usually in large homes, in Atlantis (Western Cape), as well as in Durban and Johannesburg. Clear links were established between Cape Town-based triad members and Chinese criminal organisations operating from Johannesburg, Pretoria and Durban. Significant improvements were made in gathering information on Chinese criminal organisations during the period from 1991 to 1995. Profiles of approximately 20 leading Chinese suspects, a number of whom were members of the above triad societies, were compiled and their networks were scrutinised. However, the progress made during those years was not sustained.

THE IMPACT OF POLICE TRANSFORMATION

The transformation and restructuring of the former South African Police that followed the first democratic election contributed to the disruption of focused investigations into Chinese criminal organisations. The 11 autonomous police forces of pre-1994 South Africa had to be amalgamated into one new South African Police Service (SAPS). White police officers were anxious about their future and their black counterparts had high expectations of rapid promotion. Provincial police structures were established in the nine new provinces that came into being in 1994. Police were being exhorted to adopt a completely different proactive, accessible style of policing that was in line with the new democratic Constitution. The resultant uncertainty and anxiety among many members of the police, combined with the reluctance of some to accept the new political dispensation, led to morale problems and a lack of focus. There was a widespread 'wait-and-see' attitude among police members. During 1995, the specific attention focused on Chinese criminal groups waned considerably.

ORGANISED CRIME AS A POLICE PRIORITY

By 1997, the situation had changed. With many of the more complex restructuring tasks concluded, police management gave renewed attention to organised crime. The Annual Police Plan for the year 1997/1998, submitted to parliament by the national commissioner of the SAPS, listed the investigation of criminal organisations as the second highest policing priority for the year.² Government embarked on initiatives that aimed at strengthening both legislative and operational measures against organised crime. By 1999, the new Prevention of Organised Crime Act was in place and specialised investigation units, including the élite Scorpions unit, were established to combat organised crime in a more professional manner. State capacity and commitment to combat organised crime had made significant advances.³

However, all these steps aimed at bolstering the fight against organised crime, in general, appear to have bypassed Chinese criminal organisations operating in South Africa. Compared with other organised criminal groups such as South African motor vehicle theft syndicates or Nigerian drug-smuggling groups, the Chinese organised groups have not been regarded as a priority target or as constituting a serious threat to South Africa. The SAPS, for example, has not established a permanent desk to focus on the investigation of Chinese

organised criminal activities, nor is there any specialised group focusing on the role of triad societies in organised crime in South Africa. One reason for the relatively low priority given by the police to these groups is that their main criminal activities — the illicit harvesting and export of abalone, the importation of counterfeit goods, and the trafficking in illegal immigrants — do not fall within the five priority categories of serious transnational organised crime identified by the SAPS. These categories are theft of motor vehicles, drug-related offences, fraud, motor vehicle-hijacking, and offences relating to illegal weapons and ammunition. However, the recent increased involvement by Chinese groups in drug-trafficking and an increase in the interception of illicit abalone may contribute to a higher media profile for such groups, leading law enforcement authorities to start paying more attention to them.

By 2000, there was still no dedicated police unit in place to monitor and investigate the activities of Chinese criminal organisations. In the Western Cape, the Marine Investigating Unit, a small unit of six police officers, was tasked with monitoring and investigating the illicit harvesting and trading in abalone until it was disbanded and incorporated into the Organised Crime Unit of the Western Cape during 2000. The unit had become aware that Chinese criminal groups were involved in an expanding number of criminal activities including the trafficking in narcotics, prostitution and money-laundering. However, as the Unit had no mandate to investigate offences other than those linked to marine resources such as abalone, this information was not used in wider criminal investigations. The police appear to have accumulated relatively little information about the broad nature and impact of the activities of Chinese criminal groups in South Africa.

A brief reference to the history of triad societies in Hong Kong and China is useful for an understanding of Chinese organised criminal groups in South Africa.⁴

TRIAD SOCIETIES IN CHINA AND TAIWAN

The secrecy and popular myths surrounding triad societies have a long history. Modern triads trace their history to secret political societies formed in China during the 17th century to overthrow the Ching Dynasty and to restore the Ming Dynasty to power.⁵ The term 'triad', later coined by British authorities in Hong Kong, is based on the triangular symbol found on flags and banners of the early secret societies. The symbol represents the three essential elements of heaven, earth and man.

Because the early triads were attempting to topple the ruling elements of the day, and, in fact, had been persecuted in the past, they developed secret forms of identification and communication. Triads today remain obsessively secretive and closed criminal fraternities. The triads also developed highly ritualised initiation ceremonies that were meant to instil a strong sense of secrecy and, more importantly, loyalty to other triad members.

The existence of triads is most extensively documented in Hong Kong, where the number of triad members is estimated to be in the tens of thousands, and to a lesser extent in Taiwan. Triad societies all display some degree of hierarchy, and a typical triad has members organised by rank. Each rank carries a title and a numerical value, based on triad ritual. The leader of a triad is known as the 'Dragon Head', and carries the rank '489'. Other 'office bearer' positions also exist, including '438', which is the second highest rank in a triad, and may be held by several different officials. Other triad members are known as ordinary members or soldiers, and hold the rank of '49'. The relationship among individual triad members are based on ties between 'Dia-Los' (big brothers) and 'Sai-Los' (little brothers), where the Sai-Los give loyalty, support and sometimes money to their Dai-Lo in exchange for protection and advice.

Although hierarchical in nature, triads tend not to be strictly controlled from the top, in contrast to more familiar crime groups such as La Cosa Nostra. Instead, triad members frequently branch out into their own criminal enterprises. While the triad leadership does not always initiate and direct the activities of all triad members, triads clearly serve as international networking associations that facilitate such activity. Moreover, monetary profits from the criminal activities of triad members often flow to the top in indirect ways, such as through gifts. A member of the Hong Kong-based 14K triad explained these relationships as follows:⁶

"I was not required to pay any percentage of profits to the 14K leadership. Triads do not work that way. Triad members do favours for each other, provide introductions and assistance to each other, engage in criminal schemes with one another, but Triads generally do not have the kind of strictly disciplined organisational structure that other criminal groups like the Italian mafia have. For example, a Triad member would not necessarily be required to get permission from the dragonhead of his particular Triad in order to engage in a particular criminal undertaking — even if the particular deal involved an outsider or even a member of another Triad. On the other hand, on the occasion of traditional Chinese holidays such as Chinese New Year, Triad members traditionally give gifts to their 'big brother' or 'uncles' who often are office bearers in the Triads."

Triad membership is therefore a valuable asset to the new international criminal. It facilitates criminal activities in a manner similar to the way membership in business associations facilitates the activities of a legitimate businessperson.

Prior to Hong Kong being reincorporated into the Peoples' Republic of China, the police estimated that there were about 50 triad societies in Hong Kong, with about 15 of them being very active. While it is difficult to determine the exact number of triad members in Hong Kong, most authorities agree that there are at least 80 000. Some triads are thought to have as little as 100 members while Hong Kong's largest triad, the Sun Yee On, is believed to have at least 25 000 members.

The National Police Administration in Taiwan recognises two major Taiwan-based triads. The best known and largest of the two is the United Bamboo Gang, also known as the Chu Lien Pang, with an estimated membership of over 20 000. The second group is the Four Seasons Gang, also known as Sei Hoi, with an estimated membership of over 5 000.

CHINESE CRIMINAL GROUPS IN SOUTH AFRICA

From available information, it appears that, since the mid-1980s, Chinese criminal groups have become well-organised entities, modelled on the triad societies of Hong Kong and China. They are now active in a number of South African cities and have branched out into a range of criminal activities such as various forms of fraud, drug-trafficking, firearm-smuggling, extortion, money-laundering, prostitution, illegal gambling, the smuggling of illegal immigrants, tax evasion, and the large-scale importing of counterfeit goods. The illicit harvesting and exporting of abalone, although still an important component, no longer constitutes the core activity of these groups. Gauteng has become the hub of their activities — far more members of Chinese criminal groups are now active in the Johannesburg/Pretoria area than in Cape Town. They are now also active in all South Africa's harbour cities and have recently been observed in as small a seaside resort as Port Alfred in the Eastern Cape. They also have a presence in Bloemfontein and Bronkhorstspuit and in most of South Africa's neighbouring states.

At present, the SAPS are aware of seven major Chinese organised criminal groups. All of them have members in Cape Town and Johannesburg. Four of them, mainly Cantonese-speaking, originate from and have links with Hong Kong and China, and the other three, mainly Mandarin-speaking, originate from and have links with Taiwan. The four groups that model themselves on the triad societies of Hong Kong and China are, in the order of their prominence in South Africa:

- the Wo Shing Wo group;
- the San Yee On group;
- the 14K-Hau group; and
- the 14K-Ngai group.

These groups act independently of Hong Kong and from each other in South Africa. However, this does not exclude occasional instances of co-operation when the utilisation of specific expertise or resources is mutually beneficial to the different groups. The positive identification of some members of these four groups as triad society members was possible as a result of close police co-operation between Hong Kong and South Africa. The same cannot be said about police co-operation with Taiwan. Members of the SAPS have complained that, due to the reluctance of the Taiwanese police to assist South African authorities with information about individual suspects and their criminal activities, relatively little is known about the three

groups with links to Taiwan.

The Taiwan-linked groups appear to be less structured and sophisticated than those with links to Hong Kong. Some of them were linked to the Table Mountain Gang in the past, but it appears that the use of this particular name has now fallen away. One of the three groups — consisting of approximately 10 members — still concentrates on shark fins. It is a loosely knit group that has no particular name and that has managed to retain the shark fin trade monopoly. The second Taiwan-linked group — consisting of between 10 and 15 members — is mainly active in illegal gambling and prostitution. It has been involved in bringing holidaymakers from Taiwan to South Africa and is also linked to the exporting of illicit firearms from South Africa to the East. The third group is also loosely knit and concentrates mainly on the illegal abalone trade. Because there is insufficient information to confirm that the three Taiwan-linked groups are linked to triad societies, the discussion in the remaining part of this paper will relate mainly to the four Hong Kong and triad-linked Chinese criminal groups.

The particulars of the structures within each of the above four Hong Kong-linked groups in South Africa are not known. In general, however, they appear to base their structure on the more modern triad structures in Hong Kong and elsewhere. Although the structures vary from group to group and are more simple than those of the traditional triad societies in China, they retain a hierarchical structure headed by what is often referred to as the 'chairman' or the traditional 'Dragon Head'. He tends to be the most influential office bearer with the largest group of followers within his organisation. Under the chairman, a number of senior office bearers (also referred to as 426s) carry out specific organisational responsibilities. These could be the accountant, the liaison person, or the person who initiates new members. The leader of the group, the chairman, tends to control promotions within the group. Together with his committee of senior office bearers, the chairman supervises internal discipline and attends to and settles internal and external disputes and conflicts. The chairman and the office bearers tend to keep their hands clean and leave the more risky criminal activities to junior members. The junior members, the so-called 49-ers, constitute the third layer within the structure. They are the foot soldiers of the group who have to perform tasks such as the safe transport and storage of illicit abalone and the storage and distribution of narcotics.

Significant use is also made of aspirant members, often referred to as the 'Blue Lanterns'. They hope to be inducted as members of the criminal group at some stage and participate in high-risk criminal activities in order to prove themselves and to win the favour of senior office bearers. They face the greatest threat of detection and arrest. The aspirant members, members and office bearers of a particular group do not necessarily reside in one centre in South Africa. They operate from various cities such as Johannesburg, Cape Town and Durban. A strict code of conduct, based on a detailed oath of loyalty, provides the necessary cohesion and discipline within a group, irrespective of where members might find themselves. The benefits of being a member of one of the four Chinese criminal groups are high. The financial rewards, increased security and status of membership ensure that the groups have no problems to recruit new members from the growing Chinese community in South Africa or from outside of the country.

METHODS OF OPERATION

Many of the members of the four groups have followed a long and patient route to establish themselves in South Africa. Individuals from China sometimes visit South Africa as tourists in order to scout around and familiarise themselves with the terrain and with possible contacts for legitimate or illicit business opportunities. They then head home to Hong Kong and China and return with sufficient capital for investment in South Africa to obtain a work or residence permit. Upon entry, a portion of the capital is invested in a legitimate business such as a restaurant or import/export company which is then used as a front to enable the newcomer to settle down and slowly build up contacts. Some of the funds brought into the country are then invested in the illicit activities of existing criminal groups within South Africa, thereby gradually enabling the newcomer to become part of their activities.

There are also examples of individual members who were born in South Africa and are South African citizens, who have followed the arduous route of slowly building up capital from small beginnings through illegal and legal activities. Many members of the four organised criminal

groups are therefore involved in both markets. Legitimate businesses consist of textile factories, nightclubs, retail outlets such as electronics or clothing shops, import/export agencies and restaurants. In Cape Town, for example, there are restaurant owners who are known members of one of the four triad groups. The more successful members own and live in large homes in expensive suburbs.

The expansion of illicit activities often necessitates the establishment of legitimate businesses to facilitate them. Some Chinese-owned import/export companies facilitate not only the legal export of abalone to the East, but also the illicit trade in this commodity. For example, during September 2000, police arrested the alleged leader of a Chinese criminal group for attempting to smuggle 603 kilograms of abalone from Johannesburg International Airport to Hong Kong. The suspect ran a legitimate abalone-exporting business from his warehouse near the airport where the illegal abalone for which he was arrested was recovered. The abalone formed part of a consignment of 14 tons worth more than R10 million that the police recovered over a 12-week period in one operation.⁷

A conservative estimate by the police puts the illicit export of abalone, a market that is totally dominated by Chinese organised criminal groups, at about 500 tons per annum. At a retail price of about US \$65 per kilogram in Hong Kong, the gross income of illicitly exported abalone is therefore approximately US \$32.5 million. Although the South African groups that export abalone will have earned only a portion of this amount, it remains a lucrative business. Vast tracts of the South African coastline have been stripped of abalone through illegal poaching. This has prompted the Department of Marine and Coastal Management to reduce the annual quota for legal abalone harvesting from 530 tons in 1998/99 to 327 tons for 2000/2001.⁸

The growth in the illicit importing of counterfeit goods is also facilitated through companies owned by members of the criminal groups. Although it is not possible to confirm that Chinese organised criminal groups dominate this market, it has become a substantial trade that involves counterfeit watches, clothing, shoes and electronic equipment. Another criminal activity pursued by Chinese criminal groups that has seen a marked increase is drug-trafficking. The San Yee On group focuses more on narcotics than the other three. During 1999, South African law enforcement authorities intercepted two containers containing about 2.9 million mandrax (methaqualone) tablets valued at about US \$14.4 million. In both cases, the origin was China and the destination Johannesburg.⁹ However, Chinese groups in South Africa are not yet dominant in the mandrax trade as there are South African, Indian and Pakistani groups that also traffic in substantial quantities of the drug.

The nature and extent of the above criminal activities provide an indication of the extensive professional expertise that exists within the four triad organisations in South Africa.

THE USE OF VIOLENCE

The strict hierarchy and the code of conduct that applies to membership of the four triad groups are probably the reasons why there appears to be very little intergroup violence. However, ruthless violence is sometimes used to eliminate competitors or to persuade debtors to repay money owed. During the past year, there have been a number of what appears to be contract killings of Chinese businessperson in different cities in South Africa. The police have not yet been able to solve these murders, but it is thought that organised Chinese criminal groups might be behind the deaths. A more recent development has been incidents of kidnapping persons for ransom money. Although only a few cases have been reported, the brazen violence associated with this crime was not typical of Chinese organised crime in past years.

Violence aimed at settling turf battles or at extorting money is perpetrated primarily by members of the respective groups themselves and generally not by contracted 'hitmen'. Some contract killings have been performed by professionals brought in from China, but this cannot be regarded as a typical feature of the Chinese criminal groups. Access to firearms is not difficult in South Africa. There is a vast illegal market for firearms, primarily as a result of the steady supply from ongoing conflict areas in the region. Many members of the four triad

groups have South African citizenship and are engaged in legitimate business activities that also enables them to obtain legal firearms.

CORRUPTION OF STATE OFFICIALS

Corruption plays an important role in facilitating the activities of all organised criminal groups. The Chinese criminal groups are involved with corruption aimed mainly at lower level officials in the Department of Home Affairs in order to facilitate activities such as illegal immigration. Officials from the Department of Customs and Excise have been targeted for the purpose of clearing illicitly imported counterfeit goods, often with forged documents, as have airport officials to facilitate the export of illicit abalone. Present indications suggest that corruption has not involved senior level officials or elected politicians. Nor are there any indications that these criminal groups have infiltrated the police or the judiciary. There have been relatively few arrests and trials of members of the four triad organisations. This may explain why any attempts at such infiltration would probably not warrant the risk involved at this stage. They presumably perceive themselves as operating in a low-risk environment.

The Chinese community is a relatively closed society, which tends to refrain from involving itself in the country's political life. The Chinese criminal organisations similarly avoid any political involvement or positioning. There are no indications that they have been involved in attempts to influence political parties at any level or to stand for political office. Nor are there any indications that they have links with any armed opposition or terrorist groups. However, it must be assumed that, should the illegal activities of the Chinese criminal groups expand, they will target higher echelons for corruption and possibly individual senior politicians for favours.

THE CULTURAL ENVIRONMENTS

The Chinese community in South Africa consists of approximately 100 000 citizens/residents. The police estimate that, in addition, there are between 100 000 and 200 000 illegal immigrants from China and Taiwan. The members of Chinese criminal organisations associate themselves with their community and with the cultural life of their fellow Chinese and, because of the relatively small size of the community, have wide contacts and extensive kinship bonds within the community.

The particular cultural, physical and linguistic characteristics of members of the Chinese criminal groups make them more difficult to infiltrate by police undercover agents than, for example, indigenous South African organised criminal groups. A cultural/ethnic loyalty, or perhaps fear, among members of the Chinese community as a whole, provides a measure of protection and a safe haven for the criminal elements among them. For example, the police find it more difficult to recruit informants from within the Chinese community than is the case with other communities in South Africa. It is also very difficult for the police to obtain assistance with translations from within the Chinese community when a member of a Chinese criminal group has been charged with an offence.

CONCLUSION

South African law enforcement agencies should expect a considerable expansion of criminal activities by Chinese triad-based criminal groups. The most recent success in intercepting a shipment of narcotics from China says it all: on 10 January 2001, the authorities in Durban recovered one million mandrax tablets (methaqualone) in a Durban warehouse, with a street value of R40 million.¹⁰ This is a significant volume of drugs by any standards, and it appears that the police have been unable to identify and arrest the senior persons who organised the shipment. The fact that South Africa now has diplomatic relations with the People's Republic of China has led to a significant increase in trade and interaction between the two countries. These growing links will undoubtedly be of major benefit to South Africa, but they will also make it easier for Chinese criminal elements to operate in the slipstream of the expanding exchanges between the two countries. The activities of organised Chinese criminal groups deserve increased scrutiny. The South African authorities should anticipate their expansion and accord a greater priority to the investigation of their criminal activities.

ABOUT THIS PAPER

Since the 1970s, Chinese criminal groups have been engaged in activities such as the illegal trading in shark fins and rhino horn. In the 1980s, this extended to the harvesting and export of abalone, the importation of counterfeit goods and trafficking in illegal immigrants. When South Africa's law enforcement agencies moved towards investigating organised crime, the picture of Chinese organised criminal groups with links to the Triad societies of China and Taiwan became clearer. These groups also branched out into serious crimes such as drug-trafficking, prostitution, money-laundering, fraud and kidnapping. Police work has been hampered by, among others, the difficulty of infiltrating Chinese criminal groups and the lack of a dedicated investigation unit.

ABOUT THE AUTHOR



Peter Gastrow, (B Com, LLB), practised as an advocate before being elected to the South African parliament where he focused on policing, justice and defence issues. In 1993, while serving as a member of the National Peace Secretariat and the Police Board, he was awarded a Fellowship by the United States Institute for Peace. Prior to the 1994 election, he chaired the Sub-Council on Law, Order and Security of the Transitional Executive Council. He joined the ISS in November 1997 as head of its Cape Town office after spending three years as special adviser to the Minister for Safety and Security.

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NOTES

The information in this paper relating to Chinese criminal groups and triad societies in South Africa was obtained primarily through interviews with a number of police officers on various occasions during 1999, 2000, and 2001. They all had first-hand experience of criminal investigations involving Chinese criminal groups. Their names are not published, as they preferred to remain anonymous.

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5. This description of triads was obtained from a 1992 report of a United States Senate subcommittee and appeared in an edited form in Asian organised crime in Australia, A discussion paper by the Parliamentary Joint Committee on the National Crime Authority, February 1995, <www.aph.gov.au/senate/committee/nca_ctte/ncaoc2.htm>.
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