

That's a red card!

**Danny Jordaan court saga continues
as forensic investigator turns tables on Sifa
by demanding disclosure of financial records**

Fifa financial records 'must be disclosed'

Forensic investigator facing a R4.5m defamation suit has asked a court to force disclosure of documents related to his corruption allegations

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The South African Football Association (Safa), its chief executive Danny Jordaan and chief financial officer Gronie Hluyo are facing a legal showdown over the disclosure of financial documents related to an alleged \$10 million bribe paid to Fifa in exchange for the country hosting the 2010 World Cup.

Forensic investigator Bart Henderson, who faces a R4.5 million defamation suit launched against him by Safa and its executives, has escalated the legal battle by filing a motion at the Pretoria high court 19 June to compel them to disclose financial records tied to the Fifa Legacy Trust. Henderson's motion pivots the tables in the defamation lawsuit filed against him on 14 August 2023, in which the local football association accuses him of tarnishing its reputation with claims that it paid a \$10 million bribe to secure hosting of the 2010 Fifa World Cup and misappropriated over R600 million from the legacy trust.

Henderson's pursuit of the matter has once again thrust Safa's stewardship of funds meant for football development into the spotlight, exposing an alleged governance crisis that threatens to unravel the legacy of South Africa's 2010 World Cup triumph.

According to court papers, Henderson is demanding that Safa produce critical documents including "all bank statements from the Fifa Legacy Trust's accounts at First National Bank (FNB), Amalgamated Banks of South Africa (Absa), Nedbank and Standard Bank". He also wants "a thorough and itemised report from Safa detailing how the funds from the Fifa Legacy Trust were disbursed".

Henderson's motion states that these records are essential to verifying whether the trust's funds, intended for grassroots football, youth academies and social projects, were used appropriately or diverted for unauthorised purposes, such as "security services for Jordaan and salaries for Safa staff".

"These documents are the key to verifying whether the funds were used appropriately or siphoned off," Henderson said in court papers.

Safa's refusal to comply, he alleges, suggests a deliberate effort to conceal financial irregularities, fuelling public suspicion about the organisation's integrity.

The defamation lawsuit stems from an article by Henderson, published online as part of a Change.org

petition, which Safa claims falsely accused it of "severe governance failures, financial mismanagement and unauthorised payments for personal benefits". The petition calls for Jordaan and Hluyo's suspension.

The plaintiffs — Safa, Jordaan and Hluyo — contend that the statements are "wrongful and misleading", and are demanding damages and an apology for reputational harm.

"The article was deliberately malicious, designed to tarnish Safa's standing as the custodian of South African football," Jordaan said.

Jordaan, a prominent figure behind South Africa's 2010 World Cup success, and Hluyo, have argued Henderson's allegations "have eroded public trust in the organisation".

In a 44-page high-level report — which he linked to the petition and which now forms part of the court bundle — Henderson detailed what he alleges are "unprecedented" governance failures at Safa.

"I have been a forensic investigator for 28 years, but I have never seen this many governance, risk, compliance and transactional red flags in a single organisation before!" he wrote.

In the petition he alleged that the Fifa Legacy Trust "has been systematically plundered of over R600 million, starting in 2013 when Danny Jordaan was elected Safa president".

"Arguably, only two people have ever seen the financial records of Safa, being Jordaan and the Safa CFO, Gronie Hluyo," he alleged.

The Fifa Legacy Trust, funded by profits from the 2010 World Cup, was established to support football development, from youth academies to infrastructure and community projects. Safa, as its steward, was tasked with ensuring these funds reached their intended beneficiaries.

Henderson's report alleged the trust was "irregularly dissolved by Jordaan before the trustees ever had sight of its financial statements and records".

He states in the report that Fifa itself voiced alarm at the time, with trustee Federico Addiechi stating that, "We would like to express our surprise and concern with the decision to remove the three Safa representatives from the trust, including the trust's chairperson...".

"Safa's decision is worrisome and sheds a very negative light onto the more than 10 years of work and impact of the 2010 Fifa World Cup Legacy Trust."

The irregular dissolution and lack of transparency added fuel to allegations that the trust's funds were

Safa and the missing money

A timeline of the South African Football Association's financial and legal woes



Counter attack: South African Football Association chief executive Danny Jordaan. Photo: David Harrison

being misused and Henderson's report has raised "significant questions as to whether trust grants reached intended beneficiaries in part or whole".

Henderson filed a Public Access to Information Act inquiry in February 2023, in a bid to force Safa to disclose the trust's financial records, including bank statements and a comprehensive breakdown of disbursements. However, the association did not provide the documents.

Henderson said Safa's failure to do this had only deepened suspicions of a cover-up. His petition demands an "independent forensic investigation into Safa and the Legacy Trust" from 2013 onward.

The motion to compel disclosure is a pivotal moment in the case, transforming a defamation spat into a broader fight for accountability.

By invoking the Public Access to Information Act, a cornerstone of South Africa's post-apartheid commitment to transparency, Henderson positioned himself as a defender of public interests, arguing that South Africans deserve to know how funds meant to uplift communities through football were managed.

The allegations extend beyond the Trust as Henderson's report highlights an alleged R67 million Fun Valley property purchase using

Trust funds, despite a R30 million valuation, with disbursements unaccounted for.

Henderson also raises the issue of Hoy Park Management Soccer Development Academy, a training facility in KwaZulu-Natal which was funded by Safa via the 2010 Fifa Legacy Trust.

Claims were made by the Hoy Park Management chief financial officer that R10 million meant for the academy was never paid by Safa, causing its collapse and the loss of R15 million of legacy trust money already sunk into it.

This agreement with Hoy Park gave Safa a 50% ownership over the commercial rights of successful players from the academy.

Henderson also noted Safa's financial distress in that "total liabilities exceeded assets by R1 940 141 in 2021-22, raising going concern doubts", offset by a "R22 097 250 Fifa loan". He raised concerns about governance, noting that the association had had "nine CEOs since 2009, averaging one year and eight months". It also had an unstable national executive committee, he said, with "11 vice presidents from 2013-2023" and its membership swelling to 47, exceeding Fifa's global maximum of 15.

"Frequent CEO turnover can create a chaotic and unstable environment that makes it easier for fraud to occur," Henderson wrote in his report.

Safa's auditors, PwC, resigned abruptly on 10 July 2019, citing "reputational and liability risks misalignment with Safa" according to court documents.

In addition, the association's 2019-20 financials were not presented to Safa Congress "further obscuring transparency", Henderson alleged.

He said investigations added weight to the allegations, pointing to a media report in 2021 where Lieutenant Colonel Philani Nkwalese, spokesperson for the Directorate for Priority Crime Investigation (the Hawks) confirmed the unit was investigating "allegations of theft" regarding Safa.

Jordaan and Hluyo had faced charges of theft, fraud and corruption filed by a Safa national executive committee member, yet they were not suspended by the local football association, Fifa or government authorities, Henderson's petition alleged.

Safa, Jordaan and Hluyo had not responded to the Mail & Guardian's requests for comment by the time of publication.

In an unrelated matter, both Jordaan and Hluyo are facing three criminal charges of fraud and one more for conspiracy to commit fraud amounting to just over R1.1 million in relation to services rendered by a public relations company.

The company was allegedly paid to repair Jordaan's public image after former ANC MP Jennifer Ferguson opened a case against him in October, alleging he had raped her 24 years ago at a hotel in Port Elizabeth, now Gqeberha.

Jordaan has claimed in the media that the fraud case against him is "baseless".

He survived a motion to step down over the ongoing court case at Safa's congress last month after the four regions that had proposed it withdrew the bid due to sufficient numbers in support of it.

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