



PAY FOR PLAY

During the course of 2009, SI received a tip-off that illegal pay-for-play was becoming a problem in schoolboy rugby, with particularly dire consequences for the Eastern Cape region. **Here's what we found...**

BY RICHARD ASHER

IMAGINE that you're not particularly well off. Your 15-year-old son comes home from school and says he's been offered R12 000 to play for a top school in another province. Never mind about tuition and boarding, that'll be taken care of too. The money can go in his/your pocket. What would you do?

This is not mere hypothesis. This scenario has played out in real life. Following an anonymous letter from a teacher at a top school in the Border region, *Sports Illustrated* began investigating and found some paperwork that may interest readers who labour under the illusion that schools rugby is a bastion of amateur cleanliness.

An excerpt from that letter reads: "Having spent eight years teaching in Johannesburg, I am well aware of the ethics that happens in the larger 'economically friendly' centres of the country with regards to 'recruiting' kids to your school.

"We've seen letters from schools in Durban, Jhb and Bloemfontein offer free tuition and some include free boarding. Others merely state that they would 'welcome' you into their school or, in one case, receive free tuition, boarding, plus a stipend from the respective union. Is that boy not being paid to play? There is trouble brewing in schools sport with kids receiving money..."

Since the dawn of TV coverage and major commercial backing, schools rugby in SA has become big business. The history, traditions and long-standing rivalries mean school showdowns have plenty in common with the average Bok-All Black Test match, which gives any marketer plenty to work with. Given how much of South Africa's wealth is in the hands of proud ex-students, it's little wonder that sponsorship has made such inroads at this level.

Another *SI* investigation in May 2008 revealed that drug use had become an issue in schools rugby. Even then it was clear that winning was becoming an extremely big deal at a level where it's not meant to be the be all and end all. That exposé also showed that players and coaches were going to increasing lengths to secure victories – all for pride, of course.

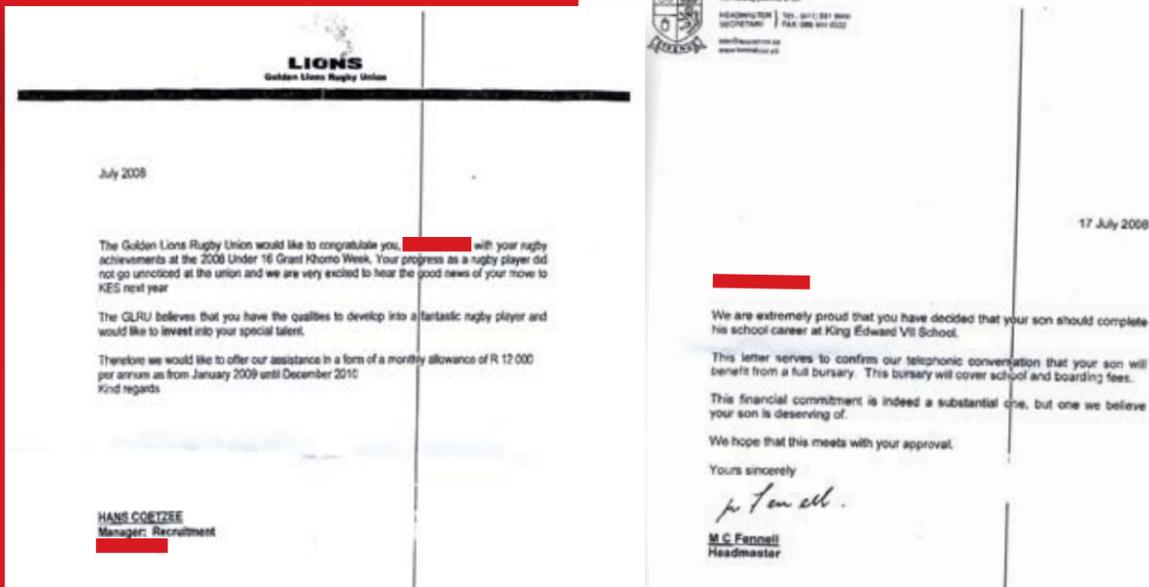
If there's one school in the Eastern Cape

that had been particularly affected by these 'recruitment practices', it's Dale College in King William's Town. Not only does this 149-year-old school groom plenty of the region's dynamite rugby talent, but much of that talent is black – something that's appealing to the quota-conscious rugby unions in other parts of the country. For example, the Golden Lions Craven Week side in 2009 featured no less than four ex-Dale boys who had moved to King Edward School in Jhb during their school careers. Clearly such moves were of benefit to Golden Lions rugby as a whole – former Dale boy Wandile Mjekevu's recent arrival in the Lions Super 14 side is a case in point. Could it be, then, that such a union would get financially involved in 'encouraging' school transfers such as these?

WHAT THE LAW SAYS

Although the South African Rugby Union does not claim direct jurisdiction over schools rugby, it does have a regulation regarding payments being made to players under the age of 18. The following extract from the *Player Status, Player Contracts and Player Movement* section of its regulations.

- 1.1 No Club or Province shall enter into a written agreement with any Player which enables the Player to receive Material Benefit unless:
 - 1.1.1 such Player has reached the age of 18 years; or
 - 1.1.2 in the case of a Player between the age of 16 and 18 years, such Material Benefit takes the form of a non refundable financial grant to be applied only for the purposes of a Player's academic and/or vocational training for a period of 12 months or longer.



The regulations specifically define 'material benefit' as 'money, consideration, gifts or other benefits whatsoever promised or given to a player... in respect of such player's participation in the game.'

Let's note that this regulation would not actually cover payments made by schools themselves.

"Only players over 18 years of age and within our club system are under our control," says SARU legal man Christo Erasmus. "So we've got a rule about having no players under 18 in the club system, but we can't regulate the school systems. The SA Schools Association is not under the direct control of SARU and it's very difficult for SARU to make binding regulations over schools players."

"The [regulation above] does not regulate the actions of the 16-18 year olds, but rather the actions of those who want to contract them. In other words, that's the agents or provinces."

The SA Schools Rugby Association may or may not have its own regulation regarding player payment, but since *SI*'s month-long attempt to get its chairman Lindsay Mould to answer his phone or return a call proved fruitless, we can only speculate on that.

Nonetheless, the SARU regulations are enough to tell us that payments by provinces to players under 18 years of age – most school-goers, in other words – are not on, unless the money is applied for the purposes of the player's 'academic/or vocational training'.

WHAT WE FOUND

SI tracked down copies of two letters sent to a Dale boy in July 2008. The name had been deleted in our copies, but we subsequently learned that they were addressed to an under-16 inside centre by the name of Andile Jho. One was an offer of a full scholarship from KES. The other was from the Golden Lions Rugby Union and offered an additional "monthly allowance of R12 000" per annum, were he to accept the KES bursary.

Jho did not accept the offer, citing loyalty to his coach and his school. He remains at Dale, having gone on to represent SA Schools last year and earn himself Player of the Tournament award for his efforts in Border colours at the Craven Week. He is also captaining the Dale First XV this season.

"Both of my letters arrived in one envelope," Jho told *SI*. "The offer sounded good, and the money got me excited since I'm very young. Also, you can't make a rugby career here in the Eastern Cape, so I did want to leave.

IN WRITING These are the letters in question sent to Dale schoolboy Andile Jho – one from the Golden Lions Union, the other from KES high school.

"I thought about it for two or three weeks before I decided to stay. It would have impacted too much on my coach [Grant Griffith]. He'd coached me since Grade 1 and really relied on me."

But that only postponed the inevitable: Jho will move north after he completes matric at the end of this year. And it looks like he'll be wearing blue and not red, because the promising youngster has signed up to a junior programme at the Blue Bulls.

For others it has been a simpler matter. *SI* understands that one of Jho's team-mates, Lonwabo Ntleki, received that same pair of letters in July 2008. Ntleki is now in matric at KES, also playing for the First XV.

RESPONSE FROM GLRU AND KES

At first glance, the letters appear to be a straightforward pay-for-play offer. With school and boarding fees covered, there seems no valid reason for the GLRU to have offered Jho any extra cash.

We first contacted Hans Coetzee, whose name appears at the bottom of the GLRU letter. "I do the identification of talent but I'm not involved in the administration," said Coetzee, suggesting we speak to GLRU legal representative Marius Hurter. "But I know that it clearly states in any contract such a player would sign that he can't receive any cash. Anything being offered is to be used towards his educational needs. Nothing prohibits money going towards things like boots.

"We're only keeping up with the other unions. It's a trend at a couple of them: you should take a look at some of the schools players in Pretoria and find out how many of them were born and bred there!"

We then sent the GLRU letter only to both Hurter. His explanation ran as follows: "It is standard practice, as part of our talent identifying and recruitment process, to recruit players from all over SA. The identified talent will then be accommodated in and by rugby playing schools that are based in the district of the GLRU, if the player and parents wishes to accept that arrangement.

"During this period, if the player proves to be a good player and/or shows potential to grow and mature as a good player, the GLRU will assist the player with a material benefit/allowance/bursary

paid to the parents of the player, should the player be younger than 18 years.

"The GLRU further stipulates that the material benefit, as defined by the South African Rugby Union Regulations - Player Status, Player Contracts And Player Movement, be applied only for the purposes of a Player's academic and/or vocational training."

As for KES, First VX coach Carl Spilhaus was not prepared to talk to us about the letter. Their Headmaster Mike Fennell, however, gave this written response to the GLRU letter – we didn't mention that we had the KES letter in our possession too...

"We are aware that Golden Lions Rugby have a programme

when they look at some of the vague and buck-passing responses we've had in this case.

Kevin Taylor, Head of Rugby at Selborne, another top Eastern Cape rugby school, puts the common sense view into words thus: "It's quite clandestine, but the kids get approached and they try to get players from under our noses. The Lions or the Bulls can say 'here's a stipend' and Border can't compete with that."

There is some evidence, however, that the fad may be on the way out, as even Dale's Griffith allows: "The guys from up country stood on a lot of toes a year or two back. I'm not blaming KES, but it was done behind our backs. There was nothing said to us by the

boys or parents that they were thinking of going. It was a case of pitching up for the new year and simply finding our players had gone to another school.

"But now it seems they're thinking it's easier not to unsettle the guys before they leave school. It's much easier to let us look after the guys through school and then take them later..."

"The Lions or the Bulls can say 'here's a stipend' and Border can't compete with that." Kevin Taylor

to market the province and attract talented young players. If they are successful in their endeavours, they may ask KES amongst other schools to accommodate such a learner.

"If we have space in our school and the learner is suitable as well as qualify for entrance according to our admissions criteria, he will be accepted. If cash is involved, it has nothing to do with the school but an arrangement between the learner and the respective province. I do believe that this arrangement is not unique to Gauteng and the Golden Lions. I personally am not aware of any arrangement that Lions Rugby presently has with a King Edward learner."

Asked for a clarification on whether 'acceptance' of such players implied a full bursary, Fennell said: "Seldom would a learner be offered a full bursary unless due to serious financial need."

SI VERDICT

What our investigation seems to boil down to is this: in the case of an offer made to a boy such as Jho, a province such as the Lions can legally make payments to his parents and claim that this is being used towards his 'academic and/or vocational training.'

However, the details of how the Lions see this cash being used as such are non-existent in their response. And where a full scholarship has simultaneously been awarded by a school – in this case KES, and in the same envelope, remember – it's hard to guess where another R12 000 per annum might be needed for 'academic/vocational training.' Hans Coetzee used 'boots' as an example when we questioned him on this, but surely not even Shane Williams could spend that much on footwear...

This being so, the intuitive response is that paying the parents is as good as paying the boy, and the legal wording is simply a convenient-sounding justification. It may well be justifiable in court, but the greater rugby public is unlikely to care for that



YOUNG TALENT Despite a substantial offer from KES, Andile Jho decided to stay and play for Dale College until he'd completed matric.

no other country takes rugby as seriously, full stop. While unions may have their own motives for paying for schoolboy talent – the struggling Lions need all the help they can get! – they must surely be doing all those rabid Bok fans a favour in the process?

If we're going to take the moral high ground, fine. But then we shouldn't be cheering if Mjkevu scores five tries on his Bok debut one day. And if we do, then it would only be fair to thank Coetzee and his fellow recruiters.

The drain of Eastern Cape talent is another debate entirely – and it's political too, of course. We'd all like to see good old Eastern Province in the top flight again, perhaps even in Super Rugby. And yes, of course it's not fair on the region's schools and teachers. But let's remember, too, that it's rare for any country to have all its franchises as winning machines...just look at the Highlanders. A Bulls or Crusaders-style concentration of talent seems the best recipe for Tri-Nations glory. And we don't complain about that, do we?