

**RESPONSE TO IOL ARTICLE – “JMPD GOES TO COURT IN BID TO REMOVE ‘JUSTICE FOR PASTOR MUKHUBA’ BILLBOARDS”- 4 FEBRUARY 2022**

On the evening of 4 February 2022, the Unity Fellowship Church (“the church”) came across IOL news article on the internet and have the following remarks to make after perusing the article;

**PUBLISHING THE STORY WITHOUT HEARING THE CHURCH’SIDE OF THE STORY**

1. The journalist who published the story, as usual, never contacted the church or its leadership for comment or to hear its side of the story. It would appear that what the JMPD spokesperson, Wayne Minnaar says is always regarded as the gospel truth and as such, the media deem it not necessary to contact the other side and verify the truthfulness of the story. This is unfortunate and extremely disappointing, to say the least. At the outset, the church denies all the allegations and remarks said against it as untrue, incorrect, misguided and a desperate attempt to continue to hide the unlawful and abuse of power by the JMPD towards the church.
2. Be that as it may, it is important to set the records straight so that the South Africans can know the truth of what really transpired, which the JMPD now seek to sweep under the carpet, namely; the gross violation of human rights perpetrated by the JMPD against the innocent members of the church mostly, women; children and the elderly, amongst others.
3. It will be interesting to see as we anxiously wait, what the JMPD will say in their court papers as the basis of wanting to remove the billboards and/or messages thereon which seek to commemorate and call upon those enjoined by law to inquire into the massive brutal attacks of the innocent Christians at the church on the 28 February 2021.
4. It is also untrue as alleged by Mr Wayne Minnaar that there is a loud noise that emanates from the church. At this juncture, it is worth pointing out that the church is situated at the property zoned as industrial 2. In terms of the prevailing town planning scheme and by-laws applicable to the property, namely; industrial 2, the church is permitted to and can produce noise levels in accordance with its zoning.
5. The real issue here is that the City of Johannesburg is refusing to own up to its blunder of permitting the residential houses to be built on what was supposed to be a buffer zone, thereby permitting the two conflicting zonings, namely; industrial 2 and people's residential houses to abut from one another by just a mere fence wall. This is contrary to the acceptable universal town planning scheme and standards which demand that residential housing should not be anywhere near industrial 2 where a whole lot of activities, such as noxious gases, air and noise pollution can be produced.
6. Perhaps, this is an opportune time for the City of Johannesburg to answer the following question: why did it approve the residential housing to be built on what was originally a buffer zone separating the residential zoning from industrial 2? Due to this irregular development of residential housing abutting industrial 2 zoning, innocent people are now unlawfully residing so close to the industrial area.

7. In terms of the court order obtained against the City of Johannesburg, the JMPD is interdicted from harassing and intimidating the church, removing or damaging the property of the church, and to measure the noise levels when responding to the so-called noise complaints in terms of Regulations 5, 6, 10(2), 14(a) and 14(b), 16, 18 and 20 of the Gauteng Noise Control of Regulations, 1999, which court order is still binding as granted by the Honourable Justice Tsoka on 2 June 2015.
8. At no stage did the JMPD attend to measure the noise levels or issue any notice saying that when measured, the noise levels allegedly by the church exceeded those permitted in an industrial 2 zoning where the church is situated.
9. It is further incorrect that the court ruled in favour of the actions of the JMPD. What the City of Johannesburg purported to do in that application, which is now the subject matter of the review application pending before the court, was to revoke the consent to use the property as a place of public worship as initially granted by the City of Johannesburg permitting the church to use its industrial 2 zoned property as a place of public worship. In fact, the actions of the JMPD are interdicted in terms of the court order as granted by Judge Tsoka in 2015, which order is still binding to this day, and was in force when the JMPD acted in disregard and contempt of the same order at all the material times.
10. Therefore, and as it is clear from the above court order, the confiscation of the church property was declared unlawful, what the JMPD spokesperson Wayne Minnaar is saying that the court ruled in favour of the JMPD actions is a fanciful fallacy and further from the truth. The court order speaks for itself in this regard.
11. It is further incorrect that the parliamentary committee was prohibited from entering the church premises. The meeting was held at church and an inspection *in loco* was conducted wherein the City of Johannesburg's blunder of approving the residential area to abut the industrial 2 zonings, causing friction as the zonings are conflicting with one another was noted and frowned upon by the committee. Thus, the parliamentary oversight committee did its work and made recommendations to the parties on the resolution of the issues, which the City of Johannesburg up to the present moment, refuse to recognize. Instead, the City of Johannesburg continues with the harassment of the church and continues to drag the church on every gullible excuse, such as the current one, to court merely because it has the Goliath financial muscle to bully the poor church out of its property.
12. It is also incorrect that the church was found to be in contravention of Covid-19 in 2021. On the contrary and as contained in the police docket in the court case before the court, the JMPD officers who deposed to various affidavits and statements contradict one another, some saying there were 500 people, 1000 or so. It is not clear where Mr Wayne Minnaar gets his 2000 figure. We confirm that the church has at all material times, been compliant with the Covid-19 regulations, including on the 28 February 2021. Furthermore, the church does not have confined space as falsely and purposefully alleged by Mr. Wayne Minnaar, on the contrary at the property, the church has various big venues and/or facilities with capacity that can easily accommodate its members in strict compliance with all Covid-19 safety protocols.

13. Setting the records straight members of the church were arrested as a cover-up by the JMPD to hide the atrocities they committed at the church are charged, and further alleged to have committed crimes of public violence, assault GBH, and malicious damage to property. It is, therefore, again not true what the JMPD spokesperson Wayne Minnaar is saying that those members are charged with contravention of the Covid-19 regulations. The media is referred to the charge sheet in this regard which is self-evident by its self-explanatory contents which disproves what the JMPD is trying to do in misleading the nation with an aim of diverting the attention away from the injustice faced by the church at the helm the JMPD
14. It is amazing to note that the very same JMPD who are now admitting to have confiscated the sound system belonging to the church, amongst other things, on 28 February 2021 despite the court order interdicting them from doing so, is planning to run to the very same court which they have no respect of, and have disregarded its orders, to be aided to have the messages and/or billboards advertising the commemoration of the incident of their barbaric acts. This shows a sheer and yet, unashamedly stance of power abuse and waste of financial State resources in a desperate attempt to shy away from the sinful actions of police brutality and gross human rights violations of the church members by bringing trivial meritless and unfounded legal proceedings, which further tantamount to abuse of the court process.
15. Regrettably, the writer or editor of IOL who published the above story did not bother to contact the church to hear its side of the story in accordance with generally accepted standards of good and sound journalism and reporting. Consequently, the society is now fed with lies and the church continues to be victimized and painted in a bad light in the public eye due to this dismal failure by the media houses such as IOL to do what is proper journalism work, namely; verifying facts before running with the story. The church now suffers injustice in the hands of the IOL who seem to push an agenda and propaganda of unknown origin, which is distasteful and should be condemned with the strongest terms possible as it has the tendencies of spreading the poisonous lies and one sided story line to the nation.

Disappointedly with the IOL article

Unity Fellowship Church

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