

PUBLIC SECTOR-GOVT.-POLICE

1988

JANUARY — FEBRUARY

R600 damages after boy killed in SA Police van

By STAN MHLONGO

THE family of a Sebokeng youth who was shot dead in the back of a police van will be paid R600 damages by the Minister of Law and Order, Adriaan Vlok

The family originally hoped to be granted R150 000. But because the boy was not yet earning a salary and had no dependents such an amount was seen as unrealistic under South African law.

The R600 was granted to cover funeral expenses and other costs resulting from the death.

In September 1986, the Vanderbijlpark Circuit Court found that Jacob Moleleki, 16, was shot dead by Constable Anton Perreira during the 1984 Vaal unrest.

Judge Van Dyk found Perreira guilty of culpable homicide and fined him R600 or 12 months' imprisonment. A three-year sentence suspended for three years was also handed down.

Perreira had told the court that a shot accidentally went off while he was cleaning his gun. Moleleki was hit by the bullet.

A lawyer acting for the Moleleki family said the South African legal system tended to be "unique" when it came to children.

He said, "A child of school-going age, as in the Moleleki case, is according to SA law, a dependent and is still under the care of his parents.

"Therefore, the situation is such that the Moleleki family would be in a position to claim for a greater amount only if their son had not died and was injured. In such a case they would be able to claim for pains suffered and medical expenses.

"Because he was killed, his family will only get a amount of R600 for funeral expenses," said the lawyer.



Adriaan Vlok

C/men 251
1/10/88

Shock film baffles journalists

C/press 3/1/88

CP Correspondent

BAFFLED Natal journalists have questioned whether the Department of Law and Order has become a sales outlet for horror movies

On Monday, the South African Police screened a by-invite-only short colour video of an alleged UDF attack on an Inkatha family in the Henley Dam area, 27km southwest of Maritzburg.

The camera pans over the burnt and bleeding forms of three bodies still smoking from a petrol-bomb attack minutes before. A police spokesman said shots of "a totally burnt-out" adult male were omitted because "they were just too gruesome".

Most of the video consists of an interview with the sister of an Inkatha member, Janet Dlamini, who was writhing in agony while waiting for an ambulance.

Dlamini was critically injured in a petrol-bomb attack last week. The attack left two women, a 16-year-old youth and a man, dead. She is still in hospital.

A Pretoria police spokesman said Dlamini was interviewed because she was their first on-the-scene survivor.

"Ninety percent of Maritzburg attacks leave no survivors," he said.

Although Dlamini is on tape blaming members of the UDF for the attack, a police spokesman denied using the video to charge and sentence the UDF of the crime without a trial.

Police said the video was an attempt to show the local Press what was happening in their townships.

"So much has been written about the Maritzburg violence and a lot of people don't know what is going on there. We decided that we must show the Press what is the actual situation there," said a police spokesperson.

UDF co-president Archie Gumede criticised the police for providing a biased view of the violence, especially in view of statistics from monitoring agencies and even the government's own unrest reports which indicated that most of the victims of the violence belonged to

the UDF-Cosatu coalition.

"It's the same old story," he said.

"The violence has been going on all year, but the police only paid attention when members of the UDF finally started defending themselves. They didn't seem to care when it was just Inkatha on the rampage.

"Now they're doing it again. There are lots of opportunities to interview survivors of Inkatha attacks and we want to know why they deliberately didn't do this," he said.

Sixteen people died in violence in Maritzburg townships from Christmas eve to Tuesday, according to police unrest reports. — Concord.

BAIL PLEA BY GOP

Murder charges after 2 shootings

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AN urgent bail application by the suspended head of the East Rand Murder and Robbery Squad who is facing murder charges following the slaying of two well-known businessmen, has been postponed to today.

Captain Jack le Grange, who is presently being held at the Pretoria Central Prison, has been accused of murdering Mr Barney Ogle, managing director of Andiro Import and Export and Mr Peter Pillay, an Eldorado Park businessman

He has also been accused of attempting to murder Mr Ernest Tsetetsi Malokoane of Soweto.

The hearing was postponed last Thursday to give counsel for Captain le

Grange time to prepare replies to affidavits from the Attorney-General's office.

In a sworn affidavit in support of his application, Capt le Grange says he believed his superior, Brigadier Basie Smit, had "ulterior motives" for wanting to keep him in jail

He said he was told by the investigating officer, Colonel Sinker Brits, that Brig Smit had given instructions that he be transported wearing leg and hand irons because he "was a second André Stander"

Capt le Grange's co-accused, Sergeant Robert van der Merwe (30), of Brixton Murder and Robbery Squad, has been refused bail and is being held at the Johannesburg prison.

Attack injures 13th 'kitscop'

By CHRIS STEYN

A SPECIAL constable was seriously wounded in an attack in Guguletu on Sunday night, bringing to 13 the number of special constables injured in attacks and ambushes in Peninsula townships in the past month

This week's attack was confirmed yesterday in the police's overnight unrest report which said "At Guguletu (Cape Town) a group of black men attacked a special constable and fired several shots at him. He was seriously

wounded in the attack"

A Police Public Relations Directorate spokesman later told the Cape Times that there was no evidence that these attacks had been carried out by "terrorists"

"The special constables have carried out their duties very successfully, and it is logical that elements may exist which would not approve of their success, and that attacks will be launched on special constables from time to time

"And it must be remembered that the special constables daily operate in areas where sporadic incidents of unrest occur," the spokesman said

Last month, 12 special constables were wounded and one murdered in Peninsula townships

On December 18, 10 special constables and two civilians were injured when a handgrenade was thrown and shots fired while a group of special constables were marching in Great Dutch Road next to the police station

A week earlier, on the evening of December 10, two special constables were wounded, one seriously, when they were ambushed by an unknown gunman while travelling in a police vehicle in New Crossroads

Confirming the attack, a police spokesman said "An unknown black male fired several shots at the vehicle which was carrying about 30 special constables at the time"

Five more killed in Maritzburg violence

Capl Tom 5/1/88
MARITZBURG — Police yesterday reported five people, including a seven-year-old girl, killed in political violence that has already claimed 16 black lives around Maritzburg this year.

The attacks coincided with racial incidents on the beachfront of the nearby Durban resort and clashes between police and blacks who vandalized trains after a tense day at the seashore.

Those murdered included a father and his seven-year-old daughter. Police said a group attacked the man's dwelling at Shange and stabbed the two to death. Police arrested two men in connection with the killings — Sapa and UPI

Wednesday January 6 1988

(51) CAPM 6/1/88

La Grange's bail application: judgment later

By Lesley Cowling

Judgment was reserved yesterday in an application by the imprisoned head of the East Rand Murder and Robbery Squad, Captain Jack la Grange, to set aside a certificate issued by the Attorney-General refusing him bail.

Captain La Grange has also asked the Rand Supreme Court to hear his application for bail.

Captain La Grange and a fellow policeman, Sergeant Robert van der Merwe, have been accused of taking part in the murders of Mr Barney Ogle and Mr Peter Pillay and attempting to murder Mr Ernest Malokoane.

The two men were refused bail in the Johannesburg Magistrate's Court last month after the Attorney-General issued certificates forbidding their release.

NOT ENOUGH DETAILS

Yesterday Captain La Grange's counsel, Mr C W Jordaan, argued that his client should have been given more information about the grounds on which the decision to refuse him bail was made.

Although Captain La Grange had been allowed to make representations to the Attorney-General's office before the certificate was issued, he had not been given enough details of the information against him to be able to present a convincing case, he said.

In papers before the court, the deputy Attorney-General, Mr Andries de Vries, said the evidence against Captain La Grange was not just circumstantial. The reasons for opposing bail were highly confidential, he said.

ANONYMOUS LETTER

Captain La Grange has denied that there is more than circumstantial evidence against him. In an affidavit in court yesterday, he said he had seen the dossiers of the three cases when he went to Brixton Police Station to make a statement in connection with the death of Mr Pillay. He said a policeman had handed them to him, asking him to make his own statement.

The dossiers had contained no eye-witness accounts, he said.

He said he had heard that an anonymous letter had been sent to the Minister of Law and Order which accused him of being involved in the murders. This was not evidence, he said.

opposed calls
South Africa.

BOYCOTS of

Cape Times 6/1/88
City constable attacked

FOUR people have been arrested after an attack on a special constable in Khayelitsha on Monday evening. Western Cape police liaison officer Major Jan Calitz said Special Constable Lindumzi Maholwasie was attacked by a group of men near B block at 7.30pm. He was taken to hospital.

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Policeman loses bid for bail

Own Correspondent

JOHANNESBURG. — The Rand Supreme Court yesterday dismissed an urgent application for the setting aside of a certificate prohibiting bail to Captain Hendrik Johannes la Grange, who was suspended as head of the East Rand Murder and Robbery Unit after being charged with the murder of two drug dealers.

Mr Justice Flemming dismissed Captain La Grange's application with costs — including the costs of two counsel.

The Attorney General had issued certificates prohibiting bail in terms of Article 61 of the Criminal Procedure Act to Captain La Grange and his co-accused, Sergeant Robert van der Merwe, when they appeared in

Johannesburg Magistrate's Court last month.

Both policemen have been charged on two counts of murder and a third of attempted murder.

It was argued on Captain La Grange's behalf that the audi alteram partem principle (right to be heard) should apply and that the captain had not been given enough information to put his case forward properly before the certificate was issued.

Dismissing the application, Mr Justice Flemming said the audi alteram partem rule applied only to a limited extent.

He said the aim of the legislator in formulating Article 61 was to prevent certain information being made known and not so much to prevent bail being granted to an accused.

The judge said the legislator obviously had in mind information which could identify witnesses.

La Grange to pay costs of dismissed application

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Court denies bail to suspended policeman

THE Rand Supreme Court dismissed an urgent application yesterday for the setting aside of a certificate prohibiting bail to Captain Hendrik Johannes La Grange, who was suspended as head of the East Rand Murder and Robbery Unit after being charged with the murder of two alleged drug dealers.

Mr Justice Flemming dismissed La Grange's application with costs, including the costs of two counsel.

La Grange at first brought the urgent application against the attorney-general of the Witwatersrand on December 24.

The attorney-general issued certificates, prohibiting bail in terms of article 61 of the Criminal Procedure Act, to La Grange and his co-accused, Sergeant Robert van der Merwe, when they appeared in the Johannesburg Magistrate's Court last month

SUSAN RUSSELL

Both policemen have been charged with two counts of murder and a third count of attempted murder.

Article 61 empowers the attorney-general to prevent an accused's being granted bail if he tells the court he has information which, in his opinion, cannot be disclosed without prejudice to public interest or administration of justice, and shows the accused's release is likely to affect the administration of justice adversely or constitute a threat to public safety or the maintenance of public order.

La Grange claimed in his founding affidavit the attorney-general had acted in bad faith in issuing the certificates.

It was argued on his behalf that the *audi alteram partem* (right to be heard) principle should apply and that La Grange had not been given enough information to put his case

forward properly before the certificate was issued.

Dismissing the application, the judge said the *audi alteram partem* rule did apply but only to a limited extent.

He said the aim of the legislature in formulating article 61 was to prevent certain information being made known and not so much to prevent bail being granted to an accused.

The judge said the legislature obviously had in mind information which could identify witnesses.

He said the attorney-general had said in his affidavit he had given all the information that did not fall within the ambit of article 61.

The judge said the legislature had given the powers contained in article 61 to the attorney-general and not to the court.

He said it would be "shooting article 61 in the back" if the court were to order that information available to the attorney-general be given.

(55) 572 7/11/88

Court rejects police chief's application

La Grange won't be released on bail

By Lesley Cowling

The imprisoned head of the East Rand Murder and Robbery Squad, Captain Jack la Grange, will not be released on bail.

Yesterday, the Rand Supreme Court dismissed with costs the suspended police chief's application to set aside a certificate by the Attorney-General refusing him bail.

Mr Justice Flemming found that the Attorney-General had been empowered by the legislature to issue the certificate without revealing all the information about his reasons for doing so.

Captain La Grange and a fellow policeman, Sergeant Robert van der Merwe, have been accused of taking part in the murders of Mr Barney Ogle and Mr Peter Pillay and attempting to murder Mr Ernest Malokoane.

PROTECT INFORMATION

The two men were refused bail in the Johannesburg Magistrate's Court last month after the Attorney-General issued the certificates.

Captain La Grange's counsel, Mr C W Jordaan, argued that his client should have been given more information about the grounds on which the decision to refuse him bail, was made

Mr Justice Flemming found yesterday that the aim of Article 61 was not to prevent bail, but to protect information. The legislature had seen that revealing such information could lead to the identification of witnesses.

He said it would be "shooting the Article in the back" for the court to order disclosure of information when the Article was designed to protect it.

HAD SEEN DOSSIERS

The Attorney-General had said in affidavits that the information the decision was based on fell into the ambit of the Article.

Captain La Grange has denied that there is more than circumstantial evidence against him. In an affidavit in court, he said he had seen the dossiers of the three cases when he went to Brixton Police Station to make a statement in connection with the death of Mr Pillay. He said a policeman had handed them to him, asking him to make his own statement.

The dossiers had contained no eye-witness accounts, he said.

He said he had heard that an anonymous letter had been sent to the Minister of Law and Order which accused him of being involved in the murders. This was not evidence, he said.

Justice Minister Coetzee has nothing further to say

Row over appointment of Chief Justice grows

By Janine Simon

The Minister of Justice, Mr Kobie Coetzee, has refused to answer further questions about the appointment of Mr Justice Rabie as Acting Chief Justice — a move which comes after growing legal concern that his appointment, in January 1987, may be ultra vires (beyond the scope of authority).

Legal sources, who do not wish to be named, have criticised the failure to appoint a permanent Chief Justice as a breach of constitutional practice

The position carries enormous powers — in legal practice the holder is the most senior judge in the country and, constitutionally, he is second only to the State President

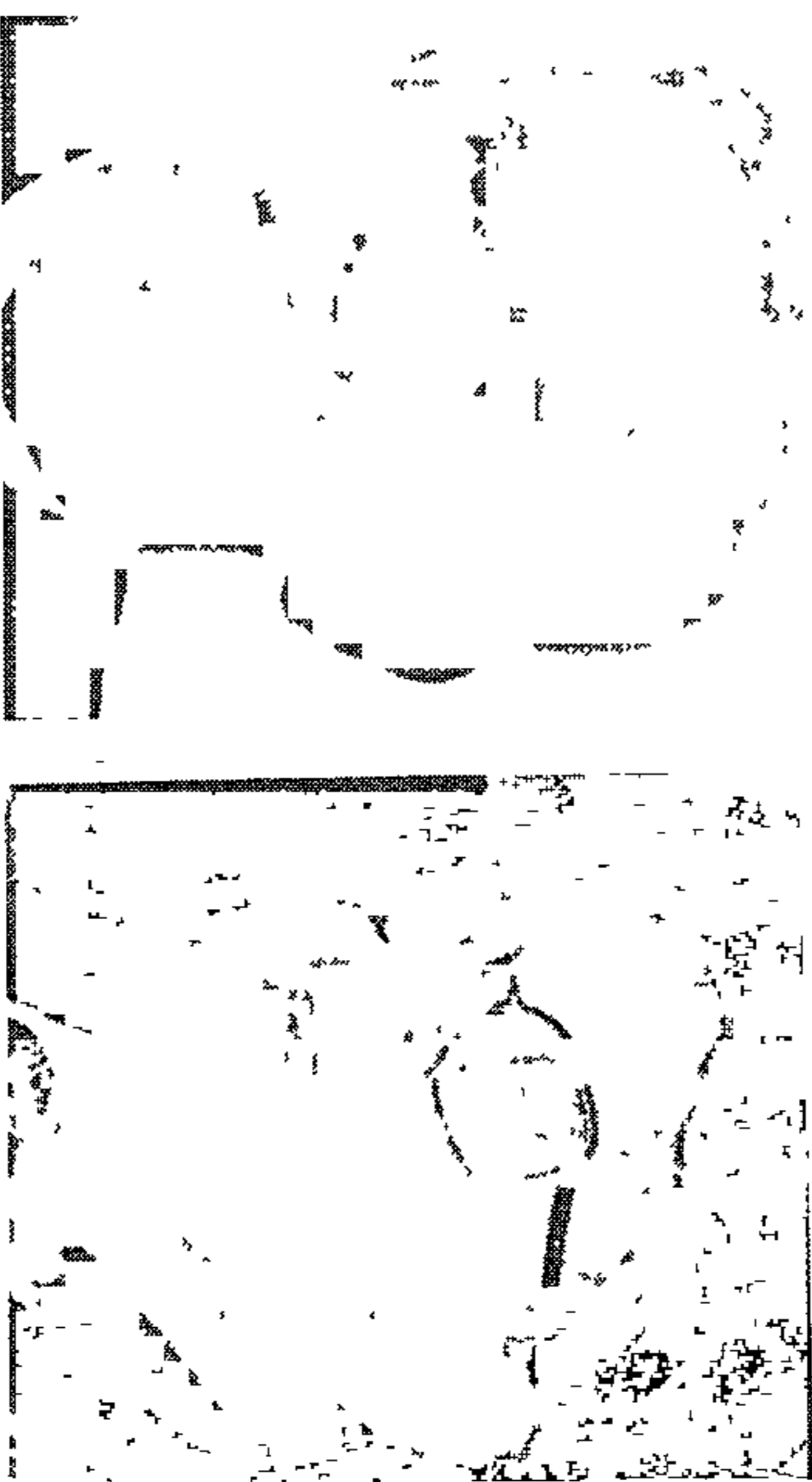
Attempts to reach the Minister for comment at his Cape Town office yesterday were referred to a spokesman for the Department of Justice in Pretoria

NOTHING TO ADD TO EARLIER STATEMENT
The spokesman said, on behalf of the Minister, that Mr Coetzee had nothing to add to a statement given to a Johannesburg morning newspaper this week

He reiterated Mr Coetzee's statement that Acting Chief Justice Rabie's appointment was "legal" and that he could not be expected to reply to arguments challenging "actions and/or a status quo which are obviously legal and legitimate"

Acting Chief Justice Rabie's reappointment was effected when the Government extended his term of office by two years even though he had passed the mandatory retirement age of 70

In July 1987, MP Mr David Dalling (PFP) expressed the first public misgivings about the appointment in questions to the Minister in Parliament



Acting Chief Justice Rabie . . . past the mandatory retirement age.

Justice Minister Kobie Coetzee . . . will answer no further questions.

Later last year, Mr Edwin Cameron, an advocate, drew a biting personal attack from the Minister after he published a lecture criticising the conduct of top judges and the Government's failure to appoint a Chief Justice

In response to the Minister's attack on Mr Cameron, Johannesburg attorney Mr Peter Leon published a legal argument explaining how, in his opinion, the Government's action was unconstitutional

But the president of the Transvaal Law Society, Mr Cyril Jaffe, said yesterday that the society had not considered the matter

Judge puts curb on 'kitscops' in E Cape township

Supreme Court Reporter

A SPECIAL constable unit has been restrained from unlawfully harrasing an Eastern Cape township

In terms of a court order granted by Mr Justice Kanne-meyer in the Grahamstown Supreme Court yesterday, the 1 500 residents of Thembalesizwe township near Aberdeen have been protected from illegal assault or harassment by 14 policemen — including 12 special constables

The Commissioner of Police for South Western Districts and the Aberdeen station commander gave an undertaking to instruct and ensure that the policemen did not act unlawfully against Thembalesizwe residents.

The 14 policemen gave the same undertaking

The undertaking has the same effect as an interdict and

policemen could be committed for contempt of court if it is breached.

It is believed to be the first time that an entire special constable unit has been curbed

Community leader Mr James Tutu Nonnies, one of five residents to bring the application, said police had refused to accept complaints and charges from residents who reported alleged misconduct by special constables and their supervisors, a Sergeant Lategan and a Constable Gouws

He said although alcohol abuse was common in the township as a whole, it was unacceptable that the special constables, who were supposed to uphold the law, were often under the influence of liquor while acting in the execution of their duties.

DEATH THREATS

Summarising the incidents listed in more than 30 supporting affidavits, Mr Nonnies, 52, alleged that several people, including lawyers assisting the residents, had received death threats from special constables

He alleged that special constable Simon Mahane had shot dead the Rev Boy Jantjies in July last year and a witness was handcuffed and held upside down with his head in a bucket of water and threatened

Priet Desha, another resident, was allegedly forced to do exercises while being beaten with a quirt

Mrs Evelyn Jack, who tried to intervene after her six-year-old child had teargas sprayed in her face, was arrested and assaulted in the charge office, Mr Nonnies alleged.

Mr Nonnies alleged that Special Constable Siyolo Snoek had

(Turn to page 3, col 6)

Judge rules on 'kitscops'

(Continued from page 1)

his gun taken away for a few days after telling a resident he had shot her sister and was later apparently arrested for drunkenness after assaulting and arresting another resident

It was alleged that a woman who tried to lay a charge of rape was propositioned for sex by a special constable

Mr Nonnies said he had witnessed several merciless beatings by special constables and had seen people being forced to climb over their handcuffed hands so that these would end up behind their backs

"NO IDEA"

"People are scared to go out at night because there are no street lights and they fear the patrolling special constables," he said

"From the abovementioned incidents it is clear to me that the special constables — all bar one who have grown up in front of me — have not been

properly trained and have no idea of how to arrest, enter premises, and use force, if necessary

"I have no doubt that if there is no court order the same pattern of behaviour will continue. There is tension in the area and the special constables' behaviour can only give rise to more serious problems."

Mr J Froneman, instructed by the State Attorney, appeared for the Minister of Law and Order and the commissioner Mr J Pickering, instructed by the Legal Resources Centre (Port Elizabeth), appeared for the applicants

onight.

ANBUS 15/1/88

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'Jailed' for refusing to pay R50, court told

Staff Reporter

A LANGA man said he was locked up in the Guguletu police cells for a crime he did not commit after he refused to pay R50 demanded by his arresting officers.

Mr Eric Mxhamle, of Zone 20, Langa was giving evidence in the Wynberg Magistrate's court at the trial of three policemen charged with extortion and assault.

The three, Mr Nyaniso Ngcwayi, Mr Lucas Zwane and Mr Wingate Nduna pleaded not guilty to the charges

The State alleges that they extorted R300 from Mr Hennett Dzulame by threatening to arrest him for the theft of a radio unless he paid them R300

ASSAULT

Alternatively, the State alleges they got R300 from Mr Hennett Dzulame in a corrupt manner while acting as agents for the South African Police.

It is also alleged that they attempted to extort R50 from Mr Eric Mxhamle by threatening to arrest him on a charge of theft unless he paid them

They are also charged with assault against Mr Mxhamle. The fourth charge against the

three is the theft of a radio cassette player from Mr Dzulame.

Mr Mxhamle said the accused arrived at his house on June 11 last year with a man who had sold him a radio

They put him in the back of a police van and took him to his uncle, Mr Dzulame, who had the radio

"They told my uncle they wanted R500 from him. My uncle told them he could only get R300," Mr Mxhamle said

The policemen then followed his uncle to his work and handed them an envelope

"They took me to Langa and told me to give them R300. I said I didn't have any money, so they asked for R50," said Mr Mxhamle

"They said they were going to lock me up because I couldn't pay for myself."

Mr Mxhamle said he was taken to Guguletu police station where he was assaulted

Mr Mxhamle said that after four days in the cells he appeared before an Athlone magistrate on charges of theft but was later found not guilty and discharged

Aberdeen township protected from kitscops

Own Correspondent

GRAHAMSTOWN. — Thembalesizwe township in Aberdeen was yesterday protected by the Supreme Court against possible unlawful acts and assaults by special constables (kitscops) and the police.

Mr Justice Kannemeyer made an order of the court an undertaking by 12 special constables and two policemen that they would not unlawfully assault or act in any unlawful manner towards the inhabitants of the township. An undertaking by the Divisional Commissioner and the Aberdeen station commander that they would ensure that policemen would not commit any unlawful assaults against the residents was also made an order of court.

Some 35 allegations of assault, shooting, intimidation and harassment by kitscops were presented in court yesterday.

Father in court after man is stabbed to death

C/P News
17/1/88

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CP Correspondent

THE father of a girl allegedly assaulted by notorious Oudsthoorn "kitskonstabel" Bangi Salman has appeared in court in connection with the municipal policeman's death.

Salman, who had been accused in papers before the Cape Town Supreme Court of assaulting Bhongolethu residents, was stabbed to death at the weekend.

A spokesman for the Oudsthoorn police, Colonel HM du Toit, confirmed the incident. He said Salman died shortly after he was stabbed following an argument.

Residents said Salman and others had assaulted the accused, Eddie Majola, who had been protesting the alleged harassment of his daughter, Linda Majola.

It was alleged that the deceased hit Majola with a rifle butt during a street confrontation.

Salman was then stabbed and Majola gave himself up to the police.

The case has been postponed to February 12. Majola is being held in custody.

Meanwhile, the police have denied any knowledge of allegations that Salman was harassing residents.

In July last year, the Divisional Commissioner of Police for the South Western Cape undertook in the Cape Town Supreme Court to instruct police, specifically 16 "kitskonstables", not to unlawfully arrest, assault or threaten residents. - Ecna.

THE police undertook in the Grahamstown Supreme Court last week to try to prevent members of the SAP from assaulting or acting in any way unlawfully towards residents of the Thembalesizwe township at Aberdeen in the eastern Cape.

They did so without admitting liability for any of the allegations of assault contained in papers before the court.

The undertaking followed an urgent application by Aberdeen community leader James Tutu Nonnies and five other Thembalesizwe residents alleging that inhabitants had been assaulted by "kitskonstabels".

Vow to stop unlawful SAP action

B1 Day 18/11/88
(251)

SUSAN RUSSELL

The application — against the Minister of Law and Order, the Divisional Commissioner of the SAP for the southern Cape, the Officer Commanding the SAP at Aberdeen, 12 "kitskonstabels" and two regular policemen — was withdrawn after the police undertaking and no order as to costs was made.

The 14 policemen involved also undertook not to assault unlawfully or act in any unlawful manner towards Thembalesizwe residents.

Nonnies and the other applicants alleged that assaults and other unlawful activities were committed by "kitskonstabels" in the presence of ordinary policemen, and when residents attempted to lay charges against those responsible, they were chased away.

Nonnies said in his affidavit that shortly after the death of the Reverend Boy Jantjies, allegedly at the hands of the "kitskonstabels", community leaders wrote to the authorities pleading with them to intervene. In spite of this, the unlawful activities had continued, he claimed.

Thirty-five affidavits filed in support of the application gave examples of the alleged activities of the "kitskonstabels".

Case 7111/08

Court order restrains SAP from killing

Staff Reporter

AN ORDER was granted yesterday afternoon in the Supreme Court, after an urgent application by a Council of Churches field worker and six other residents of Bongulethu township at Oudtshoorn, restraining the police from unlawfully shooting at, killing, arresting, detaining or assaulting residents.

The police were further restrained from "seizing possessions, entering into homes, threatening, insulting, harassing and intimidating in any manner whatsoever and interrogating in any manner other than that prescribed by law any inhabitant of Bongulethu".

Yesterday's application was filed separately to an application filed in July last year requesting relief for all Bongulethu residents against unlaw-

ful behaviour by members of the SAP. Oral evidence will be led in that case on February 18.

In the previous application an undertaking by the Divisional Commissioner of Police was accepted and not made an order of court.

Mr Justice Rose-Innes held yesterday that the undertaking by the commissioner and 17 special constables be made an order of the court pending the final adjudication of the main application.

Mr Justice Rose-Innes included in the order an "undertaking not to commit murder".

Mr Mzukisi Skosana, a Council of Churches field worker, said in an affidavit that a teacher, Mr Moses Mvimbi, had been assaulted and shot.

Mr Les Rose-Innes and Mr Jeremy Gauntlett were instructed by Mr Kobus Plenaar of the Legal Resources Centre, Port Elizabeth. Mr R van Riet, instructed by the State Attorney, appeared for the respondents.

'Kitscops' curbed in Oudtshoorn township

Supreme Court Reporter

RESIDENTS of Oudtshoorn's Bhonguletu township told the Supreme Court they feared being killed by special constables after seeing three people killed at the weekend.

An undertaking by the Minister of Law and Order, the South-Western Districts divisional commissioner of police and 16 special constables serving in Bhonguletu not to act unlawfully against any township resident was made an order of court yesterday.

In terms of the order they will not unlawfully shoot at, kill, arrest, detain, assault, threaten, insult, harass, intimidate, interrogate or seize possessions or enter the home of any resident.

Stabbing

The application for the order was brought by Mr Mzukisi Skosana, Mr David Mvimbi, Ms Magdalena Tsholombela, Mr Mzukisi Mooi, Ms Miriam Hlazo and a 16-year-old girl.

Mr Skosana said the stabbing to death on January 10 of Special Constable Bangi Salman sparked tension in Bhonguletu.

He said "Last Saturday I tried to contact our attorney after I heard that Mr Soyisile Dose had been shot dead in a

field, allegedly by special constables"

Some residents and special constables had gathered near the scene of the shooting and when he arrived the driver of his car, Mr Mzukisi Mooi, was told to take off a T-shirt bearing a picture of Mr Govan Mbeki.

"Mr Mooi refused

"The attention shifted to where a resident, Mr Rabase Rei, asked Special Constable Skumbuzo Kotlana why he had assaulted his sister.

"I remember that another resident, Mr Moses Mvimbi, intervened when Skumbuzo slapped Rabase.

"Moses and Skumbuzo started to fight. Two white policemen, one called Frazer, hit Moses with sjamboks and the other special constables hit him with their rifles.

"Special Constable Nkululeko Zicima then started shooting at Moses. I could not face what was happening."

Mr Skosana said a shot aimed at him missed and he ran off and hid among houses. Later he learned that 10 people had been injured and that Soyisile Dose, Selvin Botha, 23, and Kareise, 17, had been killed.

Mr Mzukisi Mooi, a shop assistant, said there was no reason for special constables Zicima and Kotlana to open fire

251 SNA 22/1/88

Police fired in fear and killed two, inquiry finds

Staff Reporters

Police who were afraid, overreacted and fired birdshot without justification at a dispersing group of youths at the kaBokwemi Magistrate's Court, near Nelspruit, two years ago — killing two people and wounding 51 — a committee of inquiry has found

The committee, appointed by the kaNgwane government, found that one of those shot, Mr Jeremiah Mhlanga, was on a ladder painting the court buildings and had nothing to do with the youths. He was hit in the leg.

The committee was appointed on April 4, 1986 to investigate and report on the shooting at kaBokwemi on March 11, 1986. Its members were a Durban advocate, Mr Gardner van Niekerk, and attorneys Mr G M Pitje and Mr C Sibande.

Witnesses included officials and employees of the kaBokwemi Magistrate's Court, two medical doctors, employees of kaNgwane's Department of Public Works, bus drivers and students. Members of the South African Police responsible for the shooting refused to

attend. Yesterday, a spokesman for the police directorate of public relations said a judicial inquest had absolved the SAP of blame.

He said the SAP had not had any insight into the commission of inquiry and was not in a position to comment.

The committee found that in March 1986 there was unrest in kaNyamazane township and police arrested 27 youths on charges of public violence. They were to appear in the kaBokwemi Magistrate's Court on March 11.

That morning about 1 500 youths marched to the court to show solidarity.

Some told the commission they would have been assaulted had they refused to go.

The crowd became angry when confronted by a locked security gate at the magistrate's court and demolished a 20 m section of security fencing. Youths threw fruit at the magistrate.

Findings were never made public

The findings of a police investigation ordered by the then Minister of Law and Order, Mr Louis le Grange, into shootings at kaBokwemi were never made public.

At the time of the investigation, opposition parties and human rights groups said it was "wrong and pointless" for police to investigate the incident themselves. The official police

statement after the shootings was that police had been forced to fire into the crowd of youths in self-defence.

This was supported by the magistrate, Mr G L S Engelbrecht, who said that at the time the police had had "no alternative".

Mr Laurence Tonkin, an advocate who was on the scene, said in a signed affidavit that the shoot-

ings were unjustified. He said the crowd had been "angry but not violent".

Calls for a full and independent inquiry were made by the Progressive Federal Party and the United Democratic Front.

But Mr le Grange opted for an internal inquiry rather than an independent or judicial inquiry.

Mr Gideon Engelbrecht, and danced around him. Some of the crowd carried sticks, sjamboks and bricks.

Mr Laurence Tonkin, who was to represent the 27, assisted the police in drawing six leaders from the crowd to discuss the problem.

While he and a police officer attempted to negotiate, the students sang freedom songs and waved sticks.

About eight policemen — armed with shotguns and teargas apparatus — arrived in three vehicles and rammed the gate to enter the grounds.

Although the crowd was not uncontrollable the police apparently became frightened and opened fire, the inquiry found.

The crowd immediately dispersed. Police pursued the youths and shot at them in the area between the magistrate's court and Themba Hospital, the committee said.

Commenting on the committee's report, kaNgwane's Chief Minister, Mr Enos Mabuza, said "While some criticism may be levelled at the students' conduct, it is tragic that a crowd of boisterous young people could have been seen and treated as a riot."

Inquiry into police 'beating' claims

Cape Times 23/1/88
251

By CHRIS BATEMAN

A SENIOR police officer has been appointed to investigate claims by two Nyanga high school pupils this week that they were assaulted and electrically shocked by policemen who arrested them in connection with pamphlets they were carrying.

A police spokesman for the Western Cape, Lieutenant Attie Laubscher, said yesterday that "a docket" had been opened after police were handed documentation outlining the allegations.

The two pupils, Sonwaba Madikane, 17, and Mandla Malgas, 18, said

they were part of a group confronted by police in Nyanga on Tuesday night on returning from a meeting at the headquarters of the Institute for Democratic Alternatives in South Africa (Idasa) in Mowbray

A landrover had approached them and they had immediately discarded the Idasa literature they were carrying and tried to flee

Police caught the two of them and forced them to pick up the discarded pamphlets and stickers. After reading the pamphlets, policemen demanded to know where they had got them

When they said that they had "picked it up", the policemen began punching, kicking and hitting them with rifle butts, before handcuffing them and bundling them into the landrover, the two said

At Nyanga police station, they said, police put rucksacks over their heads and led them to a room where their feet were tied to chairs and metal instruments resembling rings attached to their fingers.

The interrogation allegedly continued with either electrical shocks or punches being delivered when they insisted they had picked up the litera-



PUPILS ... Mr Sonwaba Madikane, 17, and Mandla Malgas, 18, who claim police assaulted them.

ture

They said that each time they fell from the chairs they were picked up and the treatment continued

Some four hours after their arrest and after police spoke on the telephone, their handcuffs were removed and they were allowed to go, they said

They claimed that at no stage were their names or addresses taken.

A Kenilworth doctor, who confirmed having examined them the following day, reported that all muscles of both men, specially their arms, were were tender to touch and pressure while their wrists were lightly grazed and swollen

Mr Malgas had a bruise and swelling on his right jaw, while Mr Madikane had a bruise on his left chest, two ribs tender to pressure and a small burn on the surface of his right little finger.

Reacting yesterday, the associate director of Idasa, Dr Van Zyl Slabbert, said the literature the two had carried was freely available at an open Idasa meeting which any member of the security community would have been welcome to attend

● The full text of this report was yesterday handed to police

Policeman sentenced for extortion

Cape Times 26/1/88 251
Court Reporter

A POLICEMAN who woke women on a Chinese vessel docked in Table Bay harbour and told them to each give him R20 or face prosecution, yesterday broke down and cried as he told the Magistrate's Court: "I don't want to go to jail."

Johannes Wessel Geldenhuys, 24, of Houmoed farm, Kraaifontein, a constable in the SAP, was fined R400 on each of three counts of extortion to which he previously pleaded not guilty.

He was further sentenced to six months' imprisonment suspended for three years.

He was convicted of threatening Ms Jasmine Davids, Ms Susan Varga and Ms Ruweyda Grosch on December 21 last year and inducing them to pay him

R20 to which he was not entitled.

Geldenhuys later admitted the offence, saying he did it because of a lack of money. He said he did not know what possessed him to do something "so silly".

He broke down and cried as he asked the court not to jail him, explaining that he lived with his parents, who were old. Geldenhuys also said he was young and his whole career in the police force lay before him.

The magistrate, Mr M J C Tolken, said Geldenhuys had not received instructions to go to the harbour. He added that the fact that Geldenhuys would lose his work was punishment enough.

Mr J M McEwan prosecuted. The policeman conducted his own defence.

Copy Times 27/1/88
**Shot Soweto
youth was on
US TV show**

PRETORIA. — A Soweto youth, who was found dead on Monday near his Jabulani home, has been identified as 18-year-old Sicelo Dlomo, police said yesterday.

Mr Dlomo was recently featured in an American television documentary, "Children of Apartheid"

The youth, who apparently died of bullet-wounds, told millions of viewers that he had been tortured by the police and detained four times

Although his real name was not revealed in the documentary, his identity was established when police saw the documentary

Last week he made an affidavit to the police regarding the documentary and was allowed to go — Sapa

Cop cries in court as judge rules on bribe

Cape Times 27/1/88
251
Court Reporter

A MILNERTON traffic officer, who was fined R1 000 (or nine months) for accepting a bribe, wept as he told the Wynberg Regional Court he had no money

Hans Radyn, 26, of Bothasig, was convicted on one count of accepting a bribe of R150 and acquitted on two counts of defeating the ends of justice

Co-accused, the senior administrative officer in charge of the courts division in the Milnerton traffic department, Monty Schreuder, 52, the Ottery, was fined a total of R2 250 (or three years) for accepting a bribe and defeating the ends of justice

They were convicted of receiving a gift or compensation for destroying a summons so that Mr Antonio Henry or Mr John Brown should not be prosecuted.

Schreuder was convicted of destroying an official document recording that a summons had been issued and suborning a witness to sign a false affidavit.

Previous evidence was that they had received a half sheep and money after a speeding ticket had been issued.

Radyn said he had received R150 from Mr Brown on behalf of Mr Henry (who had received a speeding ticket), but not for extending the summons

He said he accepted the money as a donation for the traffic department's sports and recreation club

Mrs Amy Jean Levenson, employed by the Milnerton traffic department as a clerk of the court, said Schreuder asked her to destroy the return of service of a summons issued to Mr Henry

Mr M L Marais was the magistrate. Mr S Kirk-Cohen instructed by J kudo and Company appeared for Radyn

Post-mortem shows youth shot in head

Cape Times 28/1/88
Own Correspondent

JOHANNESBURG — The Detainees Parents' Support Committee (DPSC) worker found dead in Soweto on Monday morning, Mr Sicelo Godfrey Dlomo, was shot in the head and died instantly, a post-mortem found yesterday

A DPSC spokesman said the official findings had yet to be released

Mr Dlomo, 18, was detained by police on Wednesday last week at the DPSC offices and questioned about interviews he gave on international television, most notably that for the US television documentary "Children of Apartheid"

A statement from the SAP public relations division said "The youth, who apparently died of bullet wounds, told millions of television viewers that he had been tortured by the police and had been detained four times

"Although his real name was not revealed in the documentary, his true identity was established during December last year when police viewed the documentary"

In his statement to the police, Mr Dlomo said he was instructed by a "certain news agency director" to tell how and when he had been detained and to say he was manhandled and beaten

Police said that after Mr Dlomo made the affidavit he was allowed to go, and at no stage was he under arrest

The statement said police had received an anonymous tip-off on Monday that a youth was lying dead in Emdeni Extension, Soweto. They arrived at the scene and found the body which was later identified by his family. His name and address were found in a book in his pocket.

In a letter to the Cape Times responding to a report carried in yesterday's paper, Brigadier Leon Mellet, a spokesman for the Minister of

To page 3

From page 1

Youth shot

Law and Order, said that by omitting the exact contents of the sworn affidavit Mr Dlomo made to police — in which he said he had been told what to say for the camera — the Cape Times may have given a "sinister perception" to readers

The impression may have been created "that he was killed after police had questioned him about his allegations to millions of television viewers that he has been tortured by the South African police"

Brigadier Mellet said it should be made clear how "a youth, according to himself, was used to portray a false picture of South Africa to millions of viewers abroad"

Police told CHRIS STEYN, Mr Dlomo said in the affidavit that he had been invited to a tea party in Johannesburg arranged by the DPSC.

"He was interviewed by a certain news agency director, who instructed him to tell, into the camera, how and when he had been detained and to say that he was manhandled and beaten

"He said he then started to talk and told what had been dictated to him," said the police spokesman

Police also confirmed that Mr Dlomo was detained by the police on a previous occasion. In 1986 he was charged with the attempted necklace murder of a woman teacher, but was acquitted after a key witness could not be traced

But the DPSC said Mr Dlomo was detained on his way to school last October, and his mother made an affidavit saying he had been kicked and beaten that day. He was released the same day

● A CBS spokesman in New York, Mr Tom Goodman, was not available for comment yesterday

BRIEFS

No blessing for kits cop

THE funeral service for Bhongolethu kitskonstabel. Bangi Saalman, who was killed two weeks ago, went ahead this week without the blessing of an ordained church minister.

The service, which was to be held last Saturday, was postponed to Monday after the Rev S'Booyesen, of the Ethiopian Church of South Africa, refused to conduct the service.

Bonakile Grootboom, a former community councillor and a Seventh Day Adventist church member, buried Saalman on the request of his family. Saalman was stabbed to death two weeks ago. Mourners at his funeral consisted of kitskonstabels and a few residents from the nearby Bridgton township. No Bhongolethu residents attended the funeral.

Saalman's name has appeared in affidavits filed before the Supreme Court, Cape Town, in connection with alleged assaults on Bhongolethu residents.

Booyesen said he had refused to conduct the funeral service because Saalman's membership had lapsed.

"He was no longer attending church services and had stopped contributing to the collection." He described Saalman as a "dooie lid". - Pen, South

281-3/2/88 South

254

State grant for Kairos rival

A LABOUR Party-backed centre for handicapped children, launched as a counter to the controversial Kairos centre, is expected to be the recipient of a R200 000 State subsidy, according to several residents in Oudtshoorn's Bridgton township.

Labour Party because it is linked to the Kairos Document and therefore politically inspired. The centre's executive insists that the name comes from a Biblical quotation and, translated, means "now is the time". Mr David Piedt, of the Kairos Day Centre, said it would be disgraceful if the subsidy went to the

new centre after Kairos had fulfilled the main requirement of being self-sufficient. "We've knocked on the doors of nearly 3 000 homes in Oudtshoorn and the response has been overwhelming. We've also had fantastic support from businesses in the town and from a few multi-nationals"

The subsidy to the Kairos centre was blocked by authorities in the House of Representatives after claims that its name was "communist inspired".

But the new daycentre — as yet unnamed and operating from the local library — will not be receiving the subsidy if Bridgton residents have their way

More than 2 000 townfolk of all races have signed a petition supporting Kairos and its choice of name

The department maintains the name is unacceptable to the

28/1-3/2/88

Police to probe harassment allegation

Cape Times 28/1/88

Staff Reporter

POLICE have launched a departmental inquiry into allegations that a Bellville policeman harassed and threatened former Western Province athlete Eric Coetzee while he was training in a white area this week.

Western Cape police liaison officer Lieutenant Attle Laubscher said yesterday that statements had been taken from Mr Coetzee and the policemen involved in the incident.

The inquiry follows a call to the Minister of Law and Order, Mr Adriaan Vlok, from Mr Tiaan van der Merwe, the Progressive Federal Party MP for Green Point, urgently to investigate this "racial intolerance".

The controversy arises from an incident on Monday evening.

New housing scheme for 70 000 low earners

Cape Times 28/1/88 Staff Reporter

DELFT, part of Blue Downs between Kuis River and D F Malan Airport, is to be developed as a town of about 70 000 for the low-income group.

Some commercial activity and a small industrial area will also be developed there over the next eight years, according to a report before the Western Cape Regional Services Council yesterday.

Whereas Blue Downs is being developed largely by the private sector, Delft's funding will be through state loans, because it is aimed at the low-income group.

An RSC official, Mr DJ van den Berg, explained that "low income" meant R1 200 a month or less.

The RSC resolved yesterday to act as agents for the Department of Local Government, Housing and Agriculture in the House of Representatives.

PFP 'dissidents' indaba called off

Political Correspondent

THE unofficial meeting of PFP "dissidents" that sparked a rumpus in the party was finally called off yesterday.

One of the organizers of the Port Elizabeth Indaba, Mr Robin Carlisle, said last night that he would no longer be proceeding with the February 6 get-together arranged for second-echelon leaders in the party.

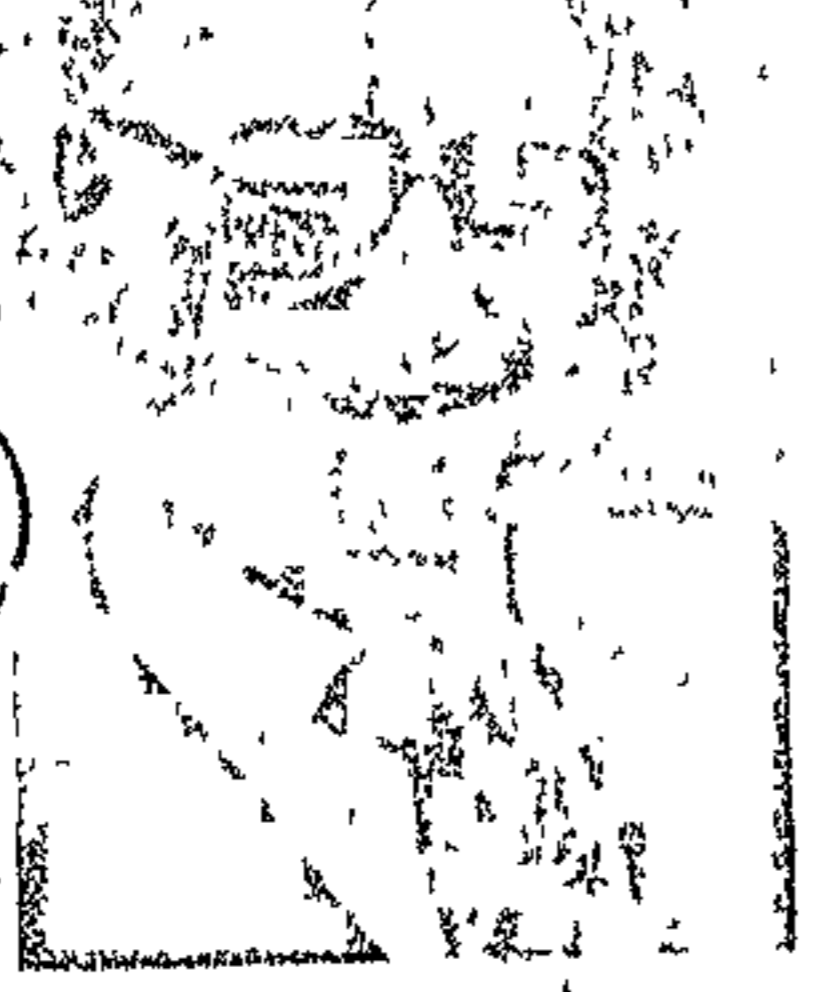
Mr Carlisle said: "I am delighted with the response of the leadership to the need for urgency, and I am satisfied that the initiatives (slated for discussion in PE) can be adequately dealt with at the party meetings which have been advanced to late January and February."

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Mr Adriaan Vlok

Vlok tells police to find killers of Soweto teenager

The Argus Correspondent

VOLKSRUST. — The Minister of Law and Order Mr Adriaan Vlok has told police to do everything possible to find the murderers of Sicelo Dhlomo, a Detainees' Parents Support Committee worker whose body was found in Soweto on Monday.

Mr Dhlomo, 18, had appeared in a CBS documentary, Children of Apartheid, where his detention and alleged torture were referred to by the narrator and where he described experiences with the police.

Mr Vlok recounted the circumstances of the murder at a National Party by-election meeting in Volksrust last night, while outlining the "merciless way enemies of South Africa misused children".

"TO THE WORLD"

Without mentioning Mr Dhlomo by name, Mr Vlok said the youth had taken part in the film and told how he was tortured and detained. CBS did not get police comment, the Minister said.

"The boy was put on film and his message was sent to the world. Last week we identified the boy and found out who he was. He voluntarily went with the police to John Vorster Square, where they showed him the film.

"Afterwards he voluntarily made a statement."

Mr Vlok said the boy told the police he was told what to say in the film. "We were investigating the case. He was being misused and told lies against South Africa. On Monday he was murdered."

JAN 1988

"CHILDREN MISUSED"

"I have told the police to do everything possible to find his murderers. We cannot allow this sort of thing, that young children are misused to tell lies to the world against South Africa and then he (sic) is found dead."

"We are not prepared to accept this. This is the strategy used by our enemies."

"They are trying to mobilise the masses to stand up against the Government because the South African Communist Party and the African National Congress soldiers cannot beat the SAP and SADF," Mr Vlok said.

⊗ The murder of Sicelo Dhlomo and police statements about his death have been condemned by a spokesman for the South African Youth Congress. "We are convinced it must have been the work of death squads," the spokesman said, adding that Sayco, from the experience of its own members, believed what Sicelo had said publicly about detention.

"Why do the police issue a statement only now, after his death? They had nearly two months after the TV programme to say which parts of it they considered to be false."

Farmer

Case 71975
29/1/88
fined R3 000

for torture

WINDHOEK - A Nama-
bran farmer who tor-
tured a black man was
yesterday fined R3 000
(or 18 months) in the
Magistrate's Court here.

Willem Throng, a mid-
dle-aged white man, who
was found guilty of as-
sault with intent to seri-
ously injure, paid the
fine

A further two years
was suspended for five
years

Two policemen in
whose presence the tor-
ture took place, Mr Mar-
ius Groeschel and Mr Jo-
hannes Barnard, were
acquitted and dis-
charged because of in-
sufficient evidence

Police death tolls

CAP TON 15
30/11/88
251

BRAKE failure may have led to the deaths of 13 police gymnasts and the injury of 71 others yesterday when their police bus plunged off the steep and winding Robinson Pass about 35km from Mossel Bay.

By RENEE MOODIE and JOHN VAN DER LINDEN

In the last moments before the bus went out of control and rolled several times down a steep embankment into a plantation of pine trees, the driver radioed a message to the gym-nast' commanding officer in another of the con-voys three vehicles. He said the bus's brakes had failed.

Late last night two se-riously injured police-men were flown to Cape Town by the Red Cross and seven critically in-jured men were airlifted to the city in a SAAF Da-kota.

The police liaison offi-cer for South-Western Districts, Major Mike Lombard, said the bus carrying 84 members of the Hamanskraal Police Training College

had been one of a convoy of three buses. The convoy was taking 154 policemen to Mossel Bay where they were to perform during the Dias Festival.

The horror smash cast a pall of gloom over the festival's opening-night celebrations. Mr Gene Louw, Administrator of the Cape, who opened the festival described the accident as a "trage-dy" and expressed his deepest sympathy and condolences with the families of those who lost their lives.

The gymnasts who were to have performed for about 25 minutes last night, are renowned throughout South Africa for their skilled dis-plays.

As the bus wound its way down the Robinson Pass near Eight Bells holiday resort, it left the road shortly after com-ing out of an S-bend. Major Lombard said the bus plunged down the initial steep incline and rolled almost 100m down the grassy embos-somed slope to smash into the pines.

The top half of the bus was badly damaged and debris was spread all the way down the em-bankment. The commander of the team, Captain Karel Swanepoel, said he had

been in radio contact with the bus shortly before the accident, and there had been talk of brake problems.

A Mossel Bay am-bulance man who was at the scene soon after the ac-cident described it as terrible. "There was blood everywhere and two men trapped under the bus had died," he told the Cape Times.

Seven of the men had died instantly, Major Lombard said. He said six more policemen died later of their injuries in hospital.

Top Metro Emergency Rescue Services person-nel, sent to Mossel Bay to reinforce the emergency services for the festival were the first to reach the scene.

Three Cape Town am-bulances with two each from Mossel Bay

George, Oudtshoorn and the army, assisted by a George rescue vehicle ferried 57 injured pa-tients to hospitals in the area while several of the less seriously in-jured were taken to hos-pital in private cars.

The last of the injured policemen had been tak-en from the crash scene by 2pm, a Metro spokes-man said yesterday.

A George Hospital spokesman said late last night that 34 of the in-jured had been admitted to George and 28 to Mossel Bay Hospital. Five of those in reason-ably serious, the rest not too serious, he said.

President P W Botha expressed his shock and sympathy in a telegram to the Commissioner of the SAP, General Hen-rie de Wit.

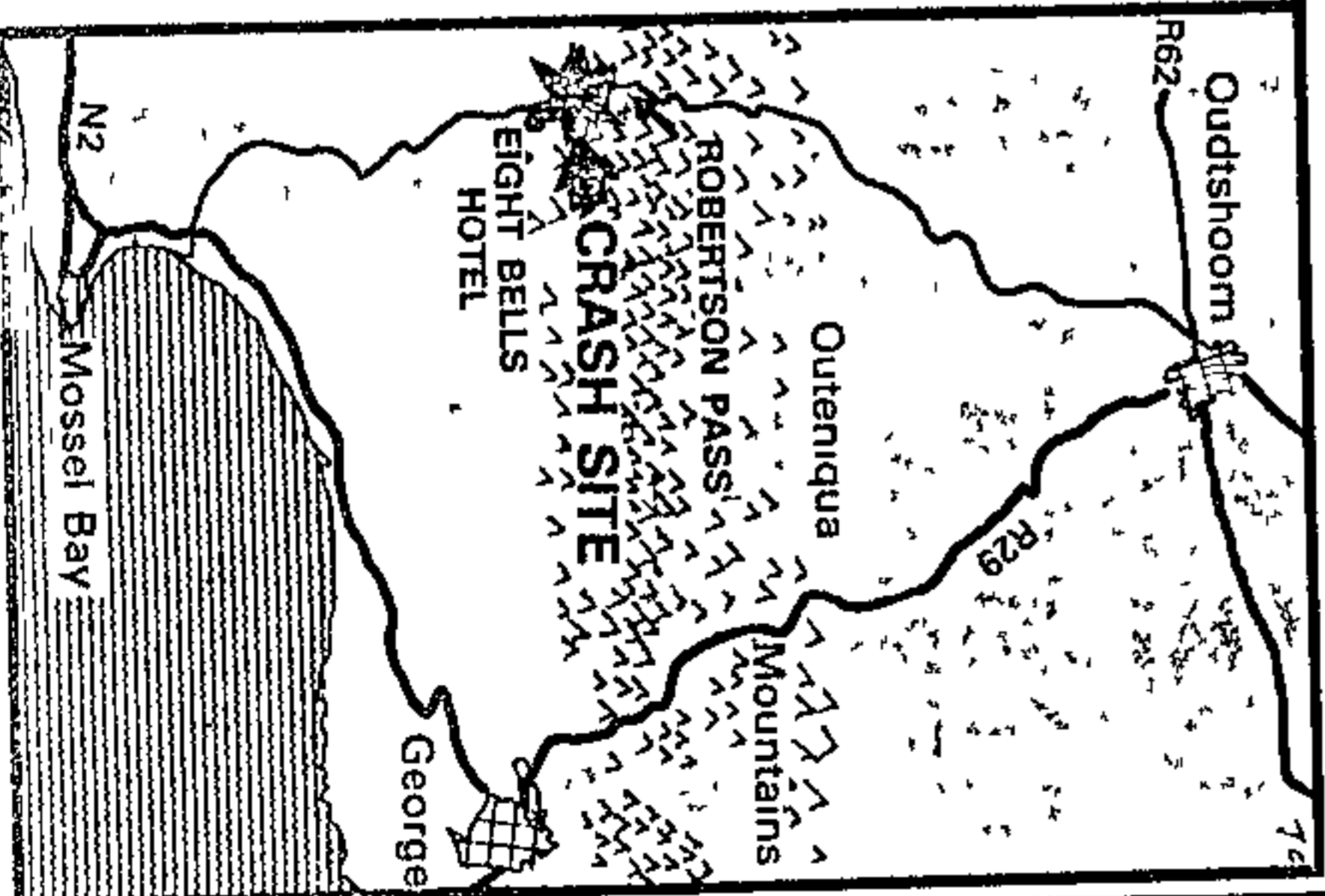
Last night the Minister of Law and Order, Mr Adriaan Vlok, on behalf of the Deputy Minister of Law and Order Mr Roelf Meyer and the commis-sioner offered the rela-tives of the dead his con-dolences.



BUS WRECKAGE The mangled remains of the bus which crashed outside Mossel Bay yesterday killing 13 policemen and injuring 71 others. Picture: SATV NEWS



The police liaison officer for South-Western Districts, Major Mike Lombard, said the bus carrying 84 members of the Hamanskraal Police Training College had been one of a convoy of three buses. The convoy was taking 154 policemen to Mossel Bay where they were to perform during the Dias Festival.



Man catches mugger

By JOHN VAN DER LINDEN

A CITY mugger bit off more than he could chew when his 62-year-old retired businessman victim chased and arrested him.

This week when Mr Ulrich Schach von Wittenau went to buy stamps at the post office in Kloof Nek Road a man barred his way. When he stopped a second man came from behind put his hands in both his pockets and took R400 cash that he had withdrawn.

The man handed the cash to his accomplice and ran off. Slightly built Mr Schach von Wittenau chased the one he believed had his money.

A motorist who saw the mugging blocked the fleeing man who turned to face Mr Schach von Wittenau who hit him on the head.

The motorist helped him detain the suspect and police later arrested him.

Laser fire in operating theatre

NEW YORK — A woman undergoing brain surgery was severely burned when a laser knife set fire to an operating room curtain suspended above her, officials said.

The patient, 55-year-old Genevieve Arfied, was taken to the intensive-care unit of New York University Hospital here. Hospital spokesman Mr John Deats said the fire broke out on Thursday morning after doctors had successfully operated on Ms Arfied for a brain tumour and were closing the incision. The fire was put out quickly by medical personnel — Sana-Reute



Cradock trial ^{Case Toms} 2/2/88 surprise

Own Correspondent

GRAHAMSTOWN. — Events in the Supreme Court trial here of two Unrest Unit policemen charged with assault and murder took a surprise turn yesterday when a witness alleged that he had been ordered to shoot a young man.

Before the court were Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 26, charged with murdering Mr Mlungisi Stuurman by shooting him, murdering Mr Andile Plaatjes by stabbing him and assaulting Mr Zixolisile Goniwe and Mr Michael Qhina

They were also charged with attempting to defeat the ends of justice by persuading their colleagues to tell a false story about the death of Mr Stuurman.

All the charges arise out of alleged incidents in Cradock when a 10-man unit under W/O De Villiers went to monitor a funeral on July 26, 1986.

In spite of nearly two months' evidence and the testimony of three other men, the court heard for the first time yesterday that Constable R M van der Nest had been ordered to shoot the injured Mr Stuurman.

In his evidence, Constable Van der Nest said that after their arrival near a river W/O De Villiers had turned to him and said: "Yes, you are going to shoot the boy (Mr Stuurman)."

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D/D 3/2/88
Witness accused
of giving false
evidence in court 251

GRAHAMSTOWN — It was suggested to a police witness in the Supreme Court yesterday that he was giving false evidence in an attempt to exonerate himself while putting all the blame on others

Before the court were W/O Leon de Villiers, 36, and Const David Patrick Goosen, 26, charged with two murders, two assaults and attempting to defeat the ends of justice

The charges arose out of alleged incidents in Cradock when a 10-man squad from the Unrest Unit were sent to monitor a funeral there on July 26, 1986

Const R M Van der Nest, the fourth member of the squad to testify, was nearing the end of six hours of cross-examination

He had insisted that after the squad returned to Port Elizabeth W/O De Villiers and Const Goosen had persuaded them all to concoct a story about how Mr Mlungisi Stuurman was being taken to the river to wash blood off his face when Const Goosen slipped and a shot went off

Const Van der Nest said they stuck to the story for a while but when all the younger members were taken to

Cradock for interrogation, they decided to tell the truth.

He said they were afraid and worried about what would happen to them. They were afraid of being jailed as accomplices.

Asked whether they had done anything wrong, he said not, but they had been eyewitnesses and failed to report it.

Asked whether there was a legal duty on them to report it, he agreed there was not, but they were young and inexperienced

Counsel for the defence, Mr C Jansen, SC, put it to him that his evidence was untrue, designed to protect himself by putting all the blame on W/O De Villiers and Const Goosen. He denied this.

Earlier, Mr Jansen had told the court he was attempting to show and would argue that Const Van der Nest's evidence was based on hearsay, discussions and conniving and not on what he had seen.

The trial continues today

Mr Justice Zietsman was on the Bench with Mr B P Loots and Mr J van der Riet as assessors. Dr J A van S D'Oliveira and Mr W Kingsley appeared for the state. Mr Jansen and Mr N du Toit, for the defence, were instructed by Huisamen and Roelofse.

False evidence alleged in PE murder trial

Care Trials 3/7/88

25) (25) (25)
Own Correspondent

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The trial continues today.

Police lieutenant shot in gun battle

12663 3/2/88 (251)

By STEPHEN WROTTESEY
Crime Reporter

A POLICE lieutenant was wounded in the stomach and a man was shot dead in a gun battle in New Crossroads early today.

The identity of the dead man, who was 52, has not been released

Police confiscated a 357 magnum revolver after the battle

Police do not believe there is a connection between the shootings and violence in the KTC squatter camp which has claimed the lives of at least six people

Police said that soon after midnight a police patrol in New Crossroads heard shots coming from the back yard of a house in Jakob Street.

Returned fire

They saw a man go into a garage.

The lieutenant, a member of the reaction unit, approached the garage and a shot was fired at him

He was hit in the left side. Members of the patrol returned the fire and moments later, a man emerged from the garage

He fell to the ground and started crawling towards the policemen, pointing a gun at them

More shots were fired and the man was fatally wounded, police said

They said the lieutenant was in a satisfactory condition.

At least 15 policemen have been wounded in Nyanga and surrounding areas in the past two months.

Most of the attacks have been on special constables.

12645 4/2/88

'I may have shot an innocent youth'

By REHANA ROSSOUW, Staff Reporter

A POLICE lieutenant said at an inquest today it was possible he had shot an innocent bystander in Belgravia Road, Athlone, during the 1985 unrest

Lieutenant D Vermeulen was giving evidence at the inquest on Shaun Magmoed, 16, Jonathan Claasen, 21, and Michael Miranda, 11, who were killed during the "Trojan Horse incident" in Thornton Road, Athlone, on October 15, 1985.

He said that he and eight other officers, hidden in crates on the back of a South African Transport Services lorry, were sent to arrest "stone-throwers" Each carried a shotgun and two canisters of teargas.

They were told by Major C Ludolf to follow a route along Belgravia Road into Thornton Road

"Major Ludolf did not tell us how to arrest stone-throwers We had to use our own initiative," Lieutenant Vermeulen said

They were sitting in crates on the back of the lorry and could not see what was happening in the street, he said

The lorry drove along Thornton Road, turned and went back towards Lansdowne Road and stopped halfway along Thornton Road

"We heard stones hit the truck, the crates tilted and fell back," Lieutenant Vermeulen said

"We could hear crowds shouting the street We jumped out of the crates and started shooting.

"I first took stock of the situation and saw about 200 people on the side of the road We started shooting and the people ran away"

He said people in the crowd looked surprised when the shooting started.

"It is possible that I could have shot an innocent bystander," he said

"Our duty was to bring in the people responsible for the stoning"

He said he shot at no one whose back was turned to him

Replied to a question by magistrate, Mr G Hoffmann, Lieutenant Vermeulen said he agreed with the pathologist's report that Shaun Magmoed was shot in the back

"Shaun Magmoed had a green shirt on It is possible that he was not throwing stones at the time that I shot him but he could have been one of the crowd that was stoning the truck earlier I identified him as a stone-thrower when the truck stopped"

Under cross-examination Lieutenant Vermeulen agreed with counsel for the families, Mr J Gauntlett, that no warning was given before shooting started

"I fired seven shots one after the other," he said

"I shot for as long as I thought it was necessary, until the magazine of my shotgun was empty"

He said that he believed his life was in danger which was why he acted as he did

(Proceeding)

Shooting: Dead man, hurt policeman named

Crime Reporter *M66-5 4288*
POLICE today identified the man who died and the policeman who was injured in a shooting incident in New Crossroads

The man shot dead yesterday was Mr Dalimtetho Cameron Kani, 52, a lorry driver and lay preacher.

The policeman was Lieutenant Eugenius Bester of the reaction unit. He has a gunshot wound in the stomach and his condition in hospital is reported to be satisfactory

Police said the shooting was being investigated by Colonel Johan Pieters, deputy criminal investigations chief for the Western Cape

A spokesman said this was normal and all such incidents were investigated by senior officers

The spokesman said Mr Kani, of Daykophu Close, New

Crossroads, worked as a lorry driver for Laymore Farms

"We are also aware he was a lay preacher but you will have to approach the church for details," she said

"QUIET TYPE"

Mr Henry Addinall, a manager of Laymore Farms, said Mr Kani worked for the firm for two or three years in the early 1970s

He returned in 1982 and had worked for the firm since

"As a worker he was a very quiet type of person. He kept very much to himself. The only people he spoke to were the people on his truck," said Mr Addinall

Mr Kani was reported to be a well-known preacher with the Reformed Evangelistic Methodist Church

The church could not be contacted for comment today

CAPE TOWN 4/2/88

SAP's Lt Afrika makes history

251 Staff Reporter

THE South African Police has appointed the first coloured woman officer in the history of the force.

The officer is a married mother of one, Lieutenant Lynette Afrika, 25.

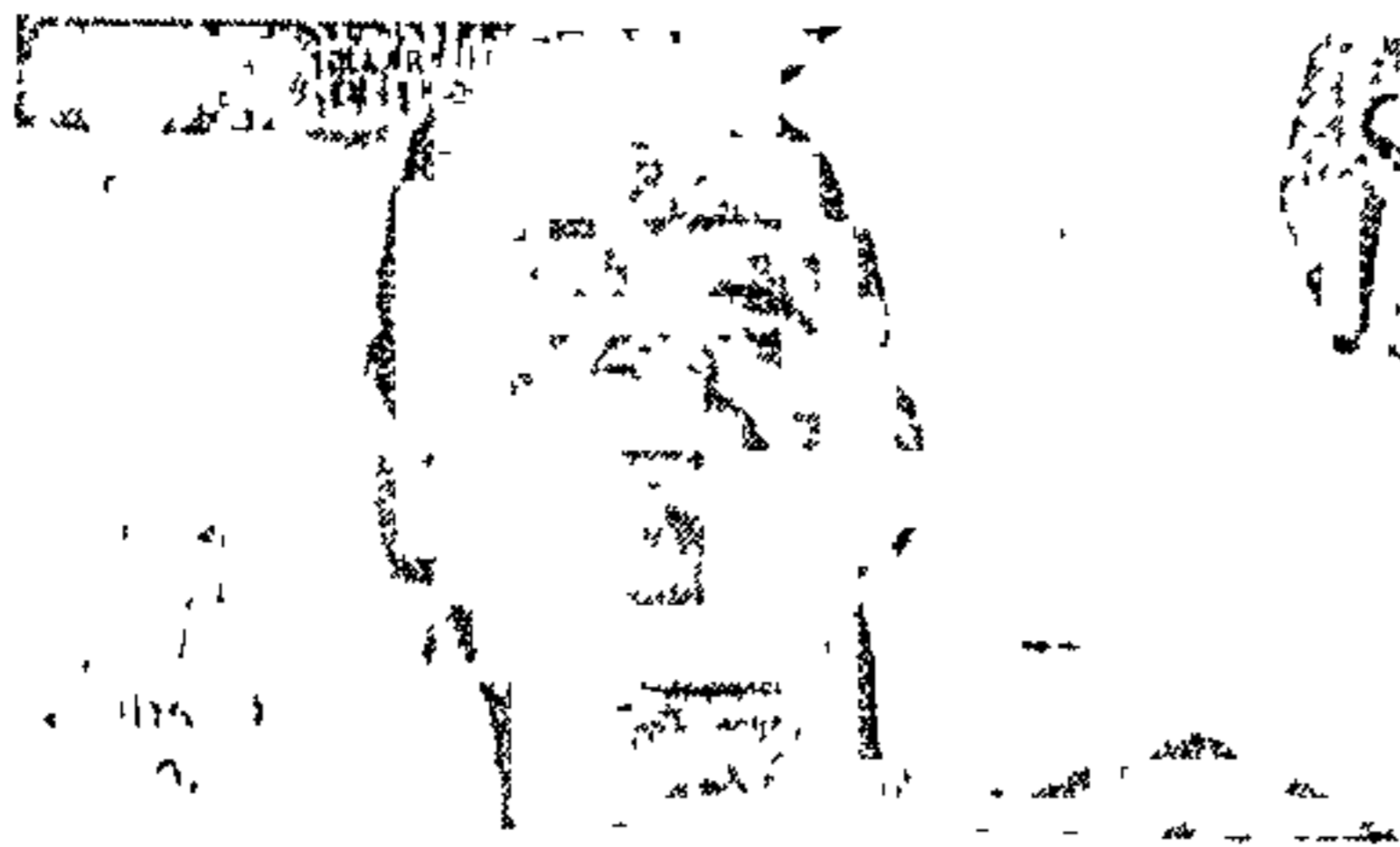
Lieutenant Afrika, who works in the spiritual care and social services department of the police force, said she felt proud to be the first woman officer and believed she could make a contribution to her community.

Lieutenant Afrika, who has a BA degree in social work, works with policeman and their families.

Lieutenant Afrika joined the police in June 1986.



Lt Lynette Afrika



RECOVERING ... Lieutenant Eugenus Bester, who was wounded in a gun battle in New Crossroads early yesterday.



SHOT DEAD ... Mr Cameron Dalimthetho Kani

Preacher slain in New Crossroads shooting

By CHRIS BATEMAN and PATRICK COLLINGS

THE man killed by police in a late-night shooting in New Crossroads early yesterday was a well-known preacher and a part-time mechanic, according to friends and relatives

Police said yesterday the man they shot — named by relatives last night as "Archbishop" Cameron Dalimthetho Kani, 52, of Daykophu Close, New Crossroads — died after a member of the police reaction unit, Lieutenant

Eugenus Bester, 34, was shot in the stomach by a high-powered handgun. Police spokeswoman Lieutenant Denise Benson said a police patrol in New Crossroads heard shots coming from the back of a house in Jakob Street at 12 30am. On investigation they saw a man leaving the area and run into a nearby garage.

As Lieutenant Bester approached the garage, a shot was fired and hit him in the stomach.

From page 1

From page 1

Members of the reaction unit returned the fire and the suspect was seen falling. The suspect then started crawling towards the police, aiming his gun at them. Police shot and killed the man, she said, adding that a 357 magnum revolver recovered from the scene of the shooting had been reported stolen in Bellville in 1983. Journalists were allowed to take photographs of Lieutenant Bester in Tygerberg Hospital yesterday, but were prevented from asking him questions.

Last night Lieutenant Bester was in a "satisfactory" condition.

But Mr Kani's 15-year-old son yesterday gave the Cape Times a differing version of the incident.

The son, Lawrence Dumisani, a Std 5 pupil, said he returned home about midnight to see his father working under a car bonnet in the garage.

Later, while sitting in his backyard shack, he had heard somebody jump over a wall, dogs barking and footsteps on the roof. Several shots rang out and he ran outside to hear further shots in the garage.

Peeping through a large back window of the garage he saw his father stagger backwards towards him, dropping an extension lamp and collapsing. A uniformed policeman entered the garage carrying a handgun, followed by others.

"They shouted at him that he was a 'skollie' while he groaned for his children — another man in the dark shot him again and he shuddered and was still," Lawrence said.

Mr Kani was the father of three daughters and four sons and had a wife who is in the Transkei, relatives said.

They said Mr Kani was an ordained minister of the Reformed Evangelistic Methodist Church.

His relatives said he had worked as a driver for Laymore Chickens for two decades and was highly respected in the community.

Funeral arrangements have yet to be finalized.

According to lawyers for the family, nine 9mm bullet casings were picked up in the garage and surrounding area yesterday afternoon. The official post mortem on Mr Kani had been completed by 11am yesterday, they added.

Shooting: Family may lay complaint

CAPE TIMES 5/2/88
(251)

THE family of the lay preacher who was shot dead by police in a shooting in New Crossroads on Wednesday is considering laying a criminal complaint against the police

The family's lawyer, Mr Andrew Corbett, confirmed this yesterday

Mr Dalimthetho Kani, 58, died in a shooting incident during which police, Lieutenant Eugenius Bester, 34, was shot in the stomach

Mr Corbett said the family considered the shooting of Lt Bester and Mr Kani to be separate incidents but related "in that they (the police) believed him (Mr Kani) to have been the assailant".

The official post-mortem on Mr Kani was completed by the state pathologist. Mr Corbett said a private pathologist had been appointed and he would discuss the post-mortem with the state pathologist.

The deputy criminal investigations chief for the Western Cape, Colonel Johan Pieters, will investigate the shooting

CAP TIPS 5/2/88 (251) (circled) (circled)

Hidden cop fired 7 shots at crowd

Court Reporter

THE commanding officer on the "ghost truck" which entered riot-torn Athlone in 1985 said he fired seven shots, without warning, in the direction of one of the three victims, after suddenly revealing himself from a wooden crate

Lieutenant Douw Vermeulen, who was in command of the nine-man task force on the truck, was giving evidence in Wynberg Magistrate's Court yesterday during the inquest on three males who were killed by police gunfire at the intersection of Thornton and St Simon's roads on October 15, 1985.

The three, who formed part of a crowd of between 150 and 200, were Shaun Magmoed, 16, Michael Miranda, 11, and Jonathan Claasens, 21

Lt Vermeulen said a group of youths had thrown stones and half-bricks at the seven-ton Railways truck. The front window and bodywork was damaged

He was one of seven policemen hidden in the crates on the back. When it became clear to him that their lives were in danger, he jumped up and fired seven shots with his shotgun to the right-hand side of the truck.

Lt Vermeulen said he had not identified himself, had given no warning and had fired the shots as fast as he could, emptying the magazine

Mr J Gauntlett, for two of the families of the dead, said Shaun Magmoed's injuries indicated that he had been shot at an angle in the back.

Lt Vermeulen said "When I shot at him he was facing me"



Major Christiaan Loedolff

He conceded to firing seven shots in Mr Magmoed's direction

"I deemed it necessary to fire those shots as my life was in danger. I did not have time to identify myself, I was being attacked"

He said it was possible that one could shoot an innocent bystander "The further the shot travels the more it spreads and it is possible that an innocent person could have been hit by the spreading ammunition"

The other policemen in the crates followed suit and fired at the youths, who immediately dispersed

Lt Vermeulen conceded that he foresaw the possibility of stone-throwing, and that shooting was not the only way to "catch people"

Major Christiaan Loedolff, commander of the SA Railways Regional Task Force at the time of the incident, said the same

truck was used in Nyanga on October 16, 1985, but the crates on it had holes to enable the police hiding inside them to see outside

"After this, a police vehicle with canvas was used because a truck with crates failed to attract stone-throwers"

Major Loedolff said he told Lt Vermeulen not to endanger the lives of the policemen but to shoot only "if there was no other way out"

The aim of the operation was to "restore law and order, make arrests and protect lives and property", he said

"This method proved successful before, that's why we decided to do it again as it was clear that the ringleaders were still at large"

Major Loedolff described "ringleaders" as those who encourage stone-throwing but are "never at the forefront"

He conceded that it was hard to identify a ringleader and one could shoot other people if one fired in the direction of a ringleader, but they expected that everyone on the scene was involved in unrest "We did not think that innocent people would be there"

Major Loedolff said he expected more injuries and loss of life, given the close range at which the 35 rounds of ammunition had been fired at the crowd and the way in which the area was built up

He said the men on the truck were trained shotists and if they meant to kill or injure there would definitely have been more deaths

The hearing continues today

Mrs S Swart led the evidence. Mr A H Veldhuizen, instructed by the State Attorney, appeared for the Minister of Law and Order. Mr Gauntlett, instructed by Y Ebrahim and Co, appeared for the Magmoed and Miranda families. The Claasens were not represented.

ARBUS 5/2/88 (251) (27) (25)

Unrest inquest: 'Shoot, arrest stonethrowers'

By REHANA ROSSOUW
Staff Reporter

POLICEMEN who took part in the "Trojan Horse" operation in Athlone in 1985 had instructions to shoot stonethrowers if there was no other way of arresting them, the Wynberg inquest court was told

Major Christiaan Ludolf of the railways police was giving evidence yesterday during the inquest on Shaun Magmoed, 16, Jonathan Claasen, 21, and Michael Miranda, 11, who were killed in Thornton Road, Athlone, on October 15, 1985 when policemen hidden in crates on the back of a lorry opened fire on a crowd

The aim of the operation was to restore law and order, protect lives and property, identify ringleaders and arrest them, Major Ludolf said.

Ringleaders

Three commanders of the police, the railways police and the Defence Force decided to send policemen on the lorry to arrest ringleaders

He said it was not a new idea. The method had been used before, with success

The unrest began on August 26 1985 and "it was clear that the ringleaders were still at large", he said

"A ringleader is never at the forefront of the crowd when we make arrests. If the unrest takes place continuously it is clear the people who spark it have not been caught yet"

Major Ludolf said he gave specific

orders on which kind of weapons were to be used in the operation.

"Besides their sidearms they were told to take shotguns and AAA shot which is heavier than other kinds"

"We didn't want to disperse them, we wanted to arrest them. At close-up range rubber bullets would have been more dangerous"

He instructed Lieutenant Vermeulen, leading the operation, not to put their lives in danger unnecessarily

"Thornton Road is a narrow street. If you take into account the distance from where they fired and that it was not an open area, very few people were killed"

"With my experience of AAA shot, if you shoot directly at a crowd there will be greater loss of life than there was on October 15"

"I have no doubt that if they meant to shoot to kill instead of seriously injuring people, they could have killed a lot more"

He said the only way to arrest people on that occasion was to shoot them

Major Ludolf admitted that Lieutenant Vermeulen was an inexperienced commanding officer

"Even though he was not experienced in such operations he had two months experience of dealing with unrest"

Although it was difficult to identify the ringleaders, a policeman with experience in dealing with unrest would be able to pick them out, he said

The inquest continues today

PIETERMARITZBURG
— The Mayor of Pietermaritzburg, Mr Mark Cornell, is to meet the Minister of Law and Order, Mr Adriaan Vlok, in Cape Town this afternoon to discuss the unrest which continues to plague the townships around the capital

Meanwhile 46 people are due to appear in court in connection with the violence which flared in the city centre here this week

Mr Cornell has joined a recent call for the South African Defence Force (SADF) to be brought in to assist in stemming the violence

For the first time, unrest spilled into the city centre on Wednesday

D/D S 1/2/88
Mayor, Vlok to discuss unrest in Pietermaritzburg

when a large crowd of alleged Inkatha supporters went on the rampage here, seriously injuring three people

Two of the three young men who suffered serious stab wounds during the incident have been discharged from hospital while a third underwent surgery yesterday

He is said to be in a satisfactory condition

Mr Cornell said yesterday he did not, however, support a call for the South African Police to get out of the townships made in a recent petition by township residents

Meanwhile, those being held in connection with Wednesday's violence are scheduled to appear in the Magistrate's Court here today. They range in age from 12 years to 24 years

The chairman of the Midlands branch of the United Democratic Front (UDF), Mr A S Chetty, yesterday condemned the violence

Mr Chetty stressed, however, that the UDF and Cosatu were still prepared to meet Inkatha and continue with peace talks

● In Ulundi the Kwa-Zulu Chief Minister and Inkatha president Dr Mangosuthu Buthelezi said here yesterday that he was "saddened" by the escalation of violence in Pietermaritzburg townships which has claimed an estimated 110 lives since the start of the year — DDC

Constable admits assault on murder victim

Star 5/24/88

(251) *(27)*

GRAHAMSTOWN — A 20-year-old policeman admitted in the Supreme Court here that he had gone into Cradock's black township in July 1986 with ten other policemen to arrest and assault people he found on the street.

Although there was a curfew in the township, he had no intention of detaining arrested people, merely to "panel beat" them.

Constable Booyens was testifying at the trial of Warrant Officer Leon de Villiers (36), and Constable David Patrick Goosen (26), on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

During his evidence Constable Booyens admitted that he had kicked Mr Mlungisi Stuurman on the head during his interrogation by Warrant Officer de Villiers and Con-

stable Goosen.

According to his evidence he had known before they left the township that Mr Stuurman was to be "taken out" (killed) at the river.

In dealing with the subsequent investigation, he said the whole squad had agreed to say that Constable Goosen had taken Mr Stuurman to the river alone to wash the blood off his face.

While they were there Constable Goosen had slipped and a shot had gone off.

A few days later, all the young members of the squad were taken to Cradock for interrogation.

They initially stuck to the story but after Constable D Hanekom was interrogated and disappeared, he decided he would tell the truth.

The trial continues. — Sapa.

CAP 7/12/88 6/2/88

Cop: Dumped man may have been alive

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Own Correspondent

GRAHAMSTOWN — Although he saw no visible injuries, nobody had checked to see whether Mr Mlungisi Stuurman was dead before they threw him into the river, a policeman told the Supreme Court yesterday

Constable Matthuus Petrus Andries Booyens was in the third day of his testimony at the trial of Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 26, on charges of murder, assault and attempting to defeat the ends of justice

'Taken out'

The charges arise out of alleged incidents when ten members of the unrest unit were sent to Cradock on July 26, 1986

Constable Booyens was cross-examined in detail about the incident on the banks of the Great Fish River, where Mr Stuurman was allegedly shot

He insisted that from the time the riot van left the black township, he was aware that Mr Stuurman was to be "taken out"

He said he volunteered to accom-

pany Constable Goosen and Constable R Fourie on the trip to the river with Mr Stuurman, because he was curious to see if Constable Goosen would shoot Mr Stuurman

Mr Stuurman had walked quite willingly, and was no longer crying on the way to the river, as he had been in the van

When Mr Justice Zietsman asked whether anybody had checked to see whether Mr Stuurman was dead before flinging him into the river, Constable Booyens said they had not. He also agreed that nobody had instructed them to toss the man into the river bed

Questioned, he said he noticed that the river was not flowing at the time, although there was water in it

He agreed there were far better places to hide a body in the vicinity than on the exposed sandbank where they left it. There were thick bushes nearby, and even the canal they crossed to reach the river would have made a better hiding place

He denied he had ever told anybody that Constable Goosen had pressed the gun against Mr Stuurman's neck when he fired the shot, as had been alleged earlier

The trial will continue on Monday

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Govt to send
more police
to strife-torn
townships

251

BRUCE CAMERON

MARITZBURG — Substantial additional police reinforcements are to be put into the strife-torn Maritzburg area over the next two weeks to curb violent clashes between members of Inkatha and the United Democratic Front (UDF).

But the army is not to be called in to areas of unrest apart from its normal supportive role, according to the Minister of Law and Order, Mr Adriaan Vlok.

Mr Vlok yesterday held a series of meetings with the Mayor of Maritzburg, Mr Mark Cornell, and a number of politicians.

He said the police were to establish strategic temporary bases throughout the area to keep a high-profile presence.

A Law and Order spokesman declined to say how many men were now in the area.

Mr Cornell expressed concern about the lack of court prosecutions for the 400 murders. He said Mr Vlok had given the assurance that investigations were being stepped up and any one guilty of an offence would be charged.

Mr Cornell said Mr Vlok had explained that various factors had contributed to the lack of evidence — including the atmosphere of fear where witnesses were intimidated. There were also problems with bail being granted too readily.

Mr Cornell said police were also experiencing difficulties with the type of terrain, which included a considerable informal settlement spread over about 400 sq km.

Mr Roger Burrows, Progressive Federal Party leader for Natal, who saw Mr Vlok separately, said he would wait to see whether the new measures would be effective.

Police turn away mourners without passes from Dhlomo's funeral

JOHANNESBURG — Sicelo Dhlomo, the 18-year-old Soweto student leader who was found shot dead in Soweto two weeks ago, was given a hero's send-off at the Avalon Cemetery at the weekend, City Press reported

152

However, his family's sadness was added to when his two sisters, Zanela and Nobuhle, were prevented from entering the church. Zanela was seen crying hysterically outside the church yard after being confronted by police

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The large presence of members of the South African Police (SAP), kitskonstabels and the South African Defence Force (SADF) gave the four-hour service something of a State funeral air.

Also present were representatives from the United States, France, Australia, Germany, Netherlands, Italy, Sweden and Canada

The funeral service, which was restricted to only 200 mourners being allowed to attend and enter the cemetery premises, commenced at 9 am at Regina Mundi, with the number of policemen and members of the SADF far outnumbering the people allowed inside the church.

1/10

Mourners who had access to the church had to produce the SAP-issued "passes" bearing the SAP stamp. These were issued by Unit 3 of the riot squad

8/2

As a result of the strict control by the police, thousands of mourners who had no "passes" were chased away.

8/8

Members of the defence force, assisted by the SAP, later formed a semi-circle around the church to prevent people from getting near the entrance

Pressmen who could not produce the SAP "passes" were also turned away. No Press or TV cameras were allowed inside the building

All speakers from political and community organisations were banned from speaking

This resulted in the presiding clergyman, Rev S. K. Mbande, of the Anglican church in Emdeni, having to occupy the stage for three hours

Heavily-armed police and SADF members had a large variety of vehicles and equipment on hand. This included hippos, a water cannon, sneeze-machines, "mellow-yellow" land-rovers, army trucks, an SADF aeroplane and an SAP helicopter

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Terrified residents have no place to hide from violence

By Mervyn Orchard

PIETERMARITZBURG — It's back to the days of Springfield Radio for thousands of residents in the troubled townships here — they just have no place to hide

They cannot escape the murderers the rapists the violent men and women youths too who have rampaged since March last year — in an extra 100 drafted 500 people have died violently

And since the beginning of this year the score stands at 105

Ashtown Imbali Taylor's Hall Plessis laer Edendale itself have become the hunting and the killing grounds

Trade Unions (Co satu) grouping have talked peace but the pipes gave out nothing more than additional smoke

Now the Minister of Law and Order Mr Adriaan Vlok has answered a stop the killings plea by the mayor of Pietermaritzburg Mr Mark Cornell by promising yet further police reinforcements for these troubled townships over and above an extra 100 drafted last week

Only though after a band of alleged Inka Youth League members three city streets on Wednesday bashing and battering anyone who crossed their path — provided they were black

'This is a war Mr Cornell had to intone before that meeting Few of the black population of those townships that adjoin or are close to the Na

tal capital — a population estimated at anything between 200 000 and 600 000 by people who should know — would quibble with the statement

Mrs Miriam Kubeka for example has had to quit her home in Imbali and she has taken her children with her

Mrs Kubeka's husband was stabbed about 30 times I think early last month He was a new trial — and that was his sin

When he was approached fairly reasonably and it was suggested he should join us he declined He never spoke again The knives ensured that

Now Miriam is staying in my madam's house Her children are camping 'here and there wherever I can find a place for them' Their family life is

over — for the time being anyway

Mr John Ndlovu is a bus driver A freight ended one he admits

The reason being that colleagues of his have been dragged from their vehicles cut to pieces even tually killed

Bus drivers are 'collaborators' The war lords have said so So they are on hit lists 'Bulala (kill them) Burn the buses too

John joined in a strike which he says was intended to confront the employers of the perils he and the others faced

That put them in danger of being fired they knew it So even usually they returned to work But they are still in constant danger

a late teenager with ambitions of becoming a nurse

The reason — her parents were hacked to death in the road outside their home

Rebecca watched horrified from the safety of the house

The punishment and the pain they endured has caused still impressionable Rebeccas want to try and help people who are in pain from suffering where possible

There is nobody left for me I just returned to see that our home has not been burned down by the gangs she says

These were just some of the tragic stories related to me this week as I walked the streets of Pietermaritzburg drove close to some of those townships talking to a cross section of blacks ranging from the well dressed and

well-to-do minority through to the peasants in their shabby clothing who form the overwhelming majority

And it must be stressed the people I have quoted all asked that they be given false names The requests were all respected

The overall picture I got is that Imbali is the more disciplined of the two factions the braver and thus the more dangerous

That most of the warlords — men who are akin to directors of many of the killings — are the orchestra maia, something of Al Capone's who do not tote guns

Powerful men whose actions keep them 'clean' when it comes to police investigations Above all most of the time wealthy men

Men who are of the Zulu hierarchy

The UDF Cosatu rank-and-file appear in the main to be educationally and by western standards more cultured than their Inka counterparts

Which could explain why they are less violent in the main than their Inka rivals — though Imbali members see it otherwise

It is the neutral — blacks who are not committed to either side who maintain this

But the numbers of neutrals is waning and waning fast — and for two main reasons

A rampaging Inka band or an out-of-control UDF mob will kill self confessed neutrals as readily if not more so than adherents of the opposite side

as 'easy' and such a killing anyway means that a possible recruit for the other side is put out of the way

So many a neutral confronted by Inka joins them to stay alive It is instant recruitment It also applies vice versa of course

Though the Pietermaritzburg Chamber of Commerce through its general manager Mr Paul van Lytvelt and its vice president Mr Rob Pater has tried to get real peace talks going — it has achieved little

City business is suffering from the violence Absenteeism is on the upsurge among black workers Some go home and never return Death is surmised as the reason

The Pietermaritzburg publicity director is concerned Tourists are at stake Imbali has held

peace talks of its own in the townships

So has the UDF Co satu grouping

People who have attended say the gatherings begin on course with clergymen opening and closing the proceedings with prayers Heads are bowed eyes close voices join in with the minister

In between though those eyewitnesses report the leaders sometimes go mad calling on their followers to keep it up to go on with the killings

Police chiefs in Pietermaritzburg told a few weeks ago of new plans to stop the violence Will the reinforcements and their officers Mr Vlok promised Mayor Cornell on Friday be able to do so?

All of this in an age it has been said of faceless people No wonder that to a



MR VLOK
terrified Pietermaritzburg township resident he first insists before he will talk that he be allowed to remain nameless

8/2/88



Thousands of people took to Soweto streets yesterday to mark the death and burial of student leader Siculo Dhlomo, who was killed a few days after his release from detention. Police sprayed teargas and sneeze powder to disperse crowds. ● Picture by Alf Kumalo.

Star 8/2/88

Arrest after widow attack

Police have arrested a 5-year-old man in connection with an attack on a widow Mrs A van denburg (80), who was assaulted when a man forced his way into her home at the weekend.

A spokesman said she was not seriously injured.

Her Cranbourne Avenue home was ransacked.

killing

usin and helper, Jose de Sousa (17) was also in at the time but escaped ducking behind a count-

ama started at about while Mr Teixeira Snr ng up the cafe. His son ew were still inside, as e men who had entered arlier.

went off outside and five red with Mr Teixeira, bleeding heavily. Five ts were fired at his son then fled.

Armed police enforce tight clamp on Dhlomo funeral

By Jo-Anne Collinge

Security forces barred entry to Soweto's largest church, Regina Mundi, during the weekend funeral service for Mr Siculo Dhlomo (18), who was found shot dead two weeks ago.

Armed police at the entrance to the church property barred entry to all those who did not possess one of the 200 "tickets" stamped by the police.

Thousands of people then took to the streets of the township.

On Saturday, teargas and sneeze powder was sprayed into the crowds outside the church, along the route from the graveyard to the home of Siculo Dhlomo and near the Dhlomo home in Emdeni, Soweto.

Hundreds were turned away at the church including cameramen and journalists.

The general secretary of the South African Council of Churches, the Rev Frank Chikane, said yesterday he had been shocked to find he was required to get a "ticket" issued by the police to attend a church service.

Hundreds of mourners entered Avalon Cemetery by hiding in other funeral processions.

A large crowd gathered at the Dhlomo home, where police armoured and military vehicles were present. Teargas and sneeze powder were used.

An SAP spokesman confirmed last night that teargas had been used.

Zambian poachers killed

HARARE — Rhino and elephant poachers crossing into Zimbabwe from Zambia have suffered more losses with the killing of five men by game guards in the Zambezi Valley in the last 10 days of January.

Thirty-five poachers have been killed since the launching of Operation Stronghold to protect the black rhino. — The Star's Africa News Service.

"More than 400 people gathered in the street after the funeral and were warned by the police to leave. When they did not respond to the warning, teargas was used.

There were no arrests or injuries," the spokesman said.

Top Inkatha, UDF leaders to meet

CAPE TIMES 7/2/88
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own correspondents

JOHANNESBURG — National leaders of the United Democratic Front and Inkatha have finally agreed to meet in a bid to end the violence in the Maritzburg townships.

The UDF Midlands chairman, Mr A S Chetty, said the format of the meeting has been proposed by the UDF and Cosatu. It will be convened by Mr Paul van Uytrecht and chaired by Mr Rob Pater, both of the Maritzburg Chamber of Commerce.

Mr Chetty said "We are committed to ending the carnage", while Inkatha welcomed the new efforts to bring national leaders together as a "glimmer of hope".

Meanwhile, 10 weekend killings in Natal townships took to nearly 130 this year's toll in the struggle between the UDF and Inkatha.

● Speaking during the no-confidence debate in the House of Assembly yesterday, the Progressive Federal Party MP for Pinetown, Mr Roger Burrows, said the ongoing violence in Maritzburg's townships gave the lie to the claim that the state of emergency had brought peace.

It could not be said that internal peace had been maintained when more than 400 murders had occurred in less than a year, he said.

Mr Burrows said there were rumours that special constables were to be sent to the area, adding that this would be "extremely foolish".

He called on the Minister of Law and Order, Mr Adriaan Vlok, to give an assurance that this would not happen.

Cyclist's conviction, sentence set aside

Staff Reporter

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THE Supreme Court yesterday set aside the conviction and sentence of a Heidelberg man for riding a bicycle without a light, assaulting a policeman and resisting arrest.

Mr Elliot Moyi, 23, of Cape-Bentonite Mine, Heidelberg, was convicted on March 30 last year and sentenced to R10 (or 10 days) for riding the bicycle without a light, two months' imprisonment, suspended for three years, for assaulting a policeman and R60 (or 60 days) for resisting arrest.

Constable Pieter Prinsloo had told the court that Mr Moyi had wrestled with him after being confronted about his light-less bicycle.

He thought Mr Moyi was going to take out a knife and hit him on the cheek with his shotgun. Mr Moyi had then charged at him a few times and he had hit him again. Mr Moyi refused to get into the patrol van and resisted, the policeman said.

Yesterday, Mr Justice Conradie said Constable Prinsloo was a poor witness and had deliberately misled the court. The court found it was improbable that Mr Moyi could have put up resistance after he had been hit on the jaw with the shotgun.

Mr Justice Conradie and Mr Justice Howie presided. Mr Mike Stowe appeared for the state. Mr M. Albertus, instructed by the Legal Resources Centre, appeared for Mr Moyi.

Witness denies death threat

CRK TWP 9/2/88

(251)

Own Correspondent

GRAHAMSTOWN — A police witness yesterday denied being told that he would be charged and hanged unless he turned state witness.

Const M P Booyens was testifying in the Supreme Court at the trial of W/O Leon de Villiers, 36, and Const David Patrick Goosen, 26, on two charges of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents in Cradock when 10 members of the unrest unit were sent to monitor a funeral on July 26, 1986.

Const Booyens was being cross-examined about a statement he said had taken him two weeks to make to the police.

He said that when the eight younger members of the unit were taken to Cradock for inter-

rogation, they had agreed on a version of the shooting of Mr Mlungisi Stuurman at the Great Fish River.

Nothing had come out up to then about the "panel-beating expedition" the previous night.

Const Booyens said he was worried about this because he knew he could be in trouble for assaulting an old man with a spade. The first statement they made in Cradock was the agreed statement, and the investigating officer, Maj G P Goosen, told them it was a pack of lies.

Const Booyens said Const D Hanekom had not returned from interrogation and he thought he had been locked up for sticking to the agreed statement.

He feared he would also be locked up if he stuck to it so when Maj Goosen said it was lies, he agreed.

He started making his state-

ment that same afternoon and went on till 11pm. He could not remember if he mentioned the assaults he had been involved in.

The next day he continued making his statement.

This went on with interruptions for about two weeks. He was also taken out to visit the scenes several times, while making his statement.

He said he was friendly with a certain constable, but denied telling him that he was forced to make the statement or that he was told that the only way to prevent himself being charged and hanged with the others, was to turn state witness. He also denied telling the constable that the gun was pressed against Mr Stuurman's neck when it was fired.

The trial continues

Cop 'wanted part' in assaults

Own Correspondent

GRAHAMSTOWN. — The Supreme Court asked a police witness yesterday his motivation for hitting an old man on the head with a spade, helping assault two others and tagging along when he was sure there was going to be an "execution".

Const M P Booyens replied that drunk caused him to assault the old man, that he did not want to feel "left out" of the assaults and he was curious to see what happened when he thought a man was to be shot.

He was testifying at the trial of W/O Leon de Villiers, 36, and Const David Patrick Goosen, 26, on charges of murder, assault and attempting to defeat the ends of justice.

Const Booyens said that when the squad had been told to take "mooring-tools" into the township that night, he was drunk and took it to be licence to assault.

Mr B P Loots (assessor): "What motivated the assaults the next morning that seem so senseless and unnecessary?"

"I wanted a part in the assault on Mr Stuurman," the witness replied. Mr Loots: "How do you mean — a part of the fun?"

Witness: "Yes." He tagged along when Const Goosen took Mr Stuurman to the river, because he was curious to see whether Const Goosen would shoot him.

Cradock policeman denies hanging threat

GRAHAMSTOWN — A witness denied yesterday he was threatened that unless he turned State evidence he would be charged and hanged with the rest.

Constable M P A Booyens was testifying in the Supreme Court at the trial of Warrant Officer Leon de Villiers (36) and Constable David Patrick Goosen (26) on two charges of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents in Cradock when 10 members of the unrest unit were sent to monitor a funeral on July 26 1986.

Constable Booyens was being cross-examined about a statement to the police which he said had taken him two weeks to make

He said when the eight younger

members of the unit were taken to Cradock for interrogation, they had agreed on a version of the shooting of Mr Mlungisi Stuurman at the Great Fish River.

Nothing had come out up to then about the "panel-beating expedition" the previous night.

Constable Booyens said he was worried about this because he knew he could be in trouble for assaulting an old man with a spade.

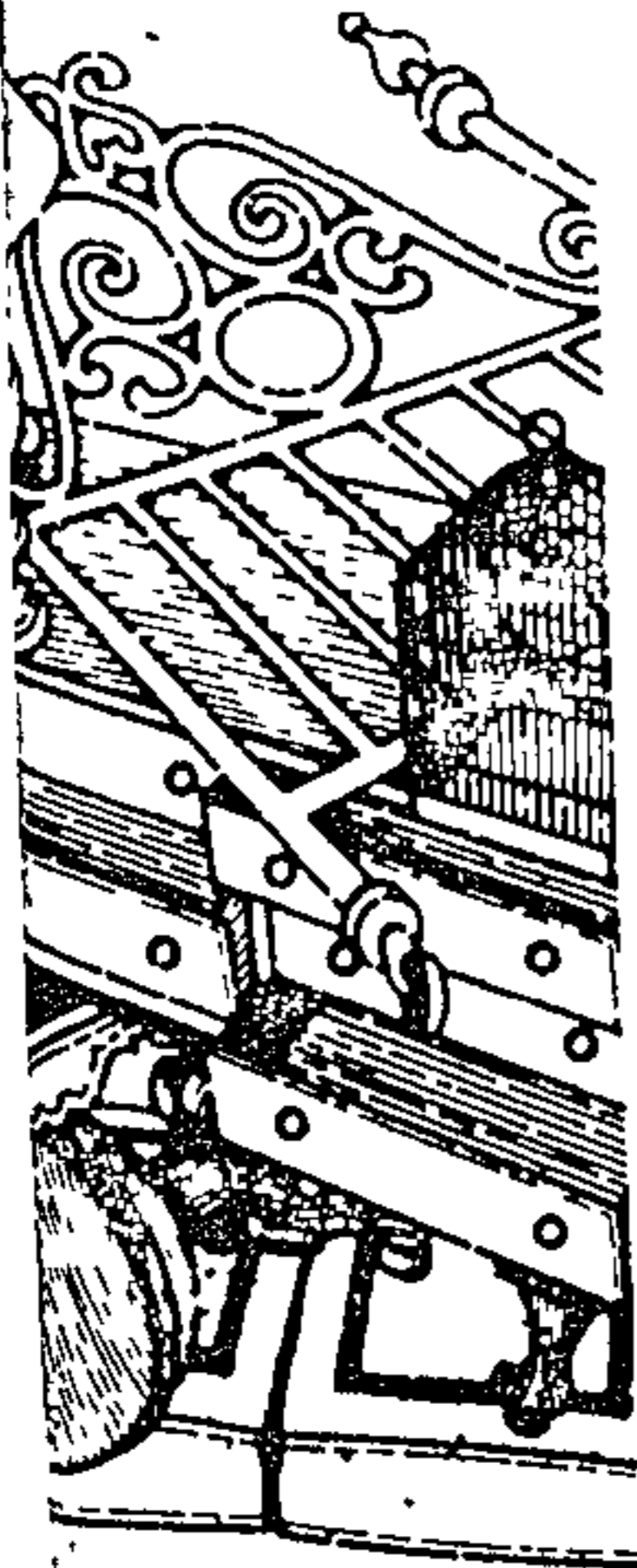
The first statement they made in Cradock was the agreed statement and the investigating officer, Major G P S Goosen, told them it was a pack of lies

Constable Booyens said Constable D Hanekom had not returned from interrogation and he thought that he had

been locked up for sticking to the agreed statement. He feared he would also be locked up if he stuck to it, so when Major Goosen said it was lies, he agreed

He said he was friendly with a certain constable. He could not remember discussing the making of his statement with him

He denied telling the constable he was forced to make the statement or that he was told that the only way to prevent himself being charged and hanged with the others, was to turn State evidence. The hearing continues — Sapa



Bonn urged to aid Namibia

MUNICH — The Bavarian Christian Social Union, Dr Franz Josef Strauss's party, has called for West German aid for Namibia. The demand conflicts with Bonn government policy.

Chancellor Helmut Kohl emphasised this policy last week, saying no aid would be given to Namibia until it achieved independence along the lines of United Nations and European Community plans.

Ricci affair 'amazing'

Revolutionary climate boils under surface in SA — Vlok



Mr Vlok

CAPE TOWN — A climate of revolution still boils beneath the surface of South Africa despite a successful campaign to curb black revolt, Law and Order Minister Mr Adriaan Vlok said yesterday.

That was why a nationwide state of emergency imposed 20 months ago could not be lifted, Mr Vlok said in a briefing to foreign journalists during which he assessed the country's internal security position.

He said the Government had successfully quelled many visible signs of unrest in the black townships, where the level of violence has been drastically cut since sweeping security measures were imposed.

REVOLUTIONARY CLIMATE

But worrying signs of violence still existed, he added.

"The climate of revolution is still boiling just underneath. So one small spark can set it alight again."

Human rights groups say about 25 000 people, including children, have been detained at various times during the emergency.

More than 2 500 people have died in political unrest in the past four years.

Mr Vlok faced a barrage of questions about the ongoing unrest in Maritzburg, where violence has been between black

groups rather than directed against whites.

Police said in their unrest report that they had found the body of a 17-year-old black girl with multiple stab wounds in the area on Tuesday.

More than 400 people have been killed since early 1987.

The Government has been criticised for failing to stop the fighting when it has been able to stamp out most unrest in Soweto and other major black centres.

Mr Vlok responded by saying the area to be policed near Maritzburg was huge — about 400 sq km.

He noted that Israel had been unable to quell unrest in limited areas of the occupied Arab territories.

"We will send in more police and more troops if necessary. It is taking us quite a time, but in the end we will solve it," he said.

Mr Vlok dismissed the efforts of the African National Congress (ANC) to oust the Government and released figures showing that the number of foreign-trained guerillas arrested and killed in South Africa had steadily risen in the past 10 years.

A total of 106 terrorists were arrested or killed in 1987, he said.

"They will never be able to take over by force," he said. — Reuter

Star 11/2/88

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Star 1/2/88

SAP try to win hearts and minds in Natal

251

Own Correspondent

DURBAN — As more police reinforcements moved into the trouble-torn townships of Maritzburg, the South African Police have embarked on a campaign to win the support of residents.

Since the weekend, police have been distributing pamphlets urging people to assist the police in restoring peace.

The pamphlet, headed "Why move out of your area?", asks residents to supply information in confidence

During a media tour of Slangspruit, Deda and Elands-kop yesterday, Captain Pieter Kitching, police public relations officer for Maritzburg, said the police had established seven strong-point camps and four bases, which were manned 24 hours a day.

"The strong-point camps are mainly to allow residents to make reports because some people are reluctant to go to police stations.

"The base camps are used by police who live in Most of the reinforcements are policemen who were scheduled to do border duty

"We are now dominating the townships and, once we have got the support of the residents, I am certain that we will be able to stop the violence."

He believed the police were on top of the unrest

"January was a bad month On New Year's Day, 26 were killed, but things have changed for the better in February. The number of deaths has decreased considerably."

Rain could delay final

The light rain which has fallen over the Witwatersrand for the past 24 hours is expected to delay the start of the Currie Cup cricket final between Free State and Transvaal at the Wanderers today

"The heatwave appears to be over, but yesterday's cloudy and cool weather with light rain is expected to continue today," a spokesman for the Weather Bureau in Pretoria said

If more than half-an-hour's play is lost today because of rain, that time will be made up over the next four days. For each half hour lost, play on the subsequent days will start at 10 am and not 10.30 am until the time is made up

Topless arrests

CAPE TOWN — Two topless women bathers were yesterday arrested on Clifton's third beach and charged with public indecency.

A Durban woman, Miss Carmen Leslie (22), said she was "angered and humiliated" at being arrested and having her fingerprints taken — Sapa

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Cape Times 12.12/88 (251)

MP to give evidence of murders

Political Staff

HOUSE OF ASSEMBLY — Mr Pierre Cronje, National Democratic Movement MP for Greytown, has accepted a challenge by the Minister of Law and Order, Mr Adriaan Vlok, to produce evidence of murders in the Maritzburg area about which he said the police had not acted

The two clashed during the No-Confidence Debate yesterday after Mr Cronje referred to the murders of three trade union leaders in December 1986 during "a night and morning of terror" near Hqwick

"More than a year later the perpetrators have not been charged although it is common knowledge who they are," he said

"I refer to well-known warlords, against some of whom interdicts were obtained early in 1987, but who can still with bravado continue committing deeds of violence in the presence of many witnesses"

Mr Vlok hit back saying that it was every citizen's duty to give the police any evidence of a crime

"We have even charge police who we thought might have gone too far," said Mr Vlok.

**Police paid
out R1,2-m**

The police force paid out R1,2 million in 126 cases of injuries as a result of police action in the past financial year, says the Auditor-General

The 1986/87 report on appropriation and miscellaneous accounts for general affairs, tabled in Parliament yesterday, says that R192 626 was paid out in 77 cases of unlawful arrest. — Sapa.

Police kicked car door in — motorist

Staff Reporter

POLICE are investigating a charge of malicious damage to property after a Guguletu businessman laid a complaint alleging that his car door was kicked in by a policeman at a roadblock

Mr Kenneth Mqamqo, a human-resources assistant manager at the SA Perm, publicity and fund-raising secretary of the Black Management Forum (Western Cape) and part-time MBA student at Stellenbosch University, said this week that he was stopped at a roadblock on Klipfontein Road about 3pm last Saturday

Swearing

"About five policemen approached the car. One asked me to open the door, one asked me to open the boot and one asked me to get out of the car, so I said I could only do one thing at a time. As I got out and opened the boot, one of the men started banging on the door and said I must open it," he said

He said he opened the door "and the policeman got in, swearing all the time

"I got angry and said I didn't deserve that kind of treatment. I asked the policeman's name and number but he would not give them to me"

He said that as he was about to get back in the car, the policeman kicked the driver's door, making a large dent

The policemen left in a Casspir and Mr Mqamqo took the number and at Guguletu police station he was referred to Nyanga police station, where he made a statement, he said.

Mr Mqamqo said the Casspir involved was summoned by radio and while he and a policeman were inspecting the car the alleged culprit arrived and was identified by him but the policeman denied the allegations.

Malicious damage

"While I was talking to a policeman inside they opened my door, removed the inside panel and pushed out the dent — although you can still see the marks," he said, adding that he was not trying to discredit the police but felt that he had not deserved the treatment he received.

Major Jan Calitz, police liaison officer for the Western Cape, said yesterday that a charge of malicious damage to property was being thoroughly investigated

(251)

An extraordinary exchange in the House: An MP convinced police torture detainees; a Minister convinced that this is a lie

LAW and Order Minister Adriaan Vlok hit back angrily this week at Jan van Eck after the independent MP for Claremont said Vlok had to bear responsibility for what he described as "an orgy of violence".

"In view of the fact that the minister of law and order seems to have no control over those members of the SAP who are torturing political opponents, I want to say today that he has the blood of these detainees on his hands," Van Eck said in last week's no-confidence debate in the House of Assembly

His statement, echoing a similar accusation levelled by Dr DF Malan against General Jan Smuts after white, mostly Afrikaner, muneworkers were bombarded in the 1922 mine strike, was made in the presence of three former detainees sitting in the public gallery.

Van Eck made an offer Nationalist MPs chose to refuse: they could, he said, talk to the detainees themselves about their experiences

The detainees were not in parliament when Vlok hit back. Van Eck, he said, had, in an unparliamentary manner, "misused this incident to slander South Africa and especially the South African Police" and had misused the House of Assembly "for publicity and personal gain"

Their extraordinary clash is not over. Van Eck said afterwards he stood by what he had said, adding nothing Vlok had said had given him any reason to change his version of events. Moreover, he intended taking the matter further in parliament.

It was extraordinary, too, because both politicians were utterly convinced they were right. The MP is sure police torture detainees and the minister is equally sure they don't

Van Eck referred to the cases of the three detainees in the public gallery, Mandla Malgas, 18, Sonwaba Madikane, 17, and John de Vos, 18

Malgas and Madikane had been returning home after a meeting of the Institute for a Democratic Alternative for SA (Idasa) in Mowbray.

"They were stopped by police who wanted to know where they got the brochures of Idasa which were in their possession. They were too scared to tell the police where they got these brochures and were thereupon beaten with rifle butts and kicked.

"They were taken to Nyanga Police Station. A sack was put over their heads. Little metal rings were attached to their little fingers and for

Independent MP Jan van Eck reads detailed allegations of torture to the House. Adriaan Vlok accuses him of misusing his position.



Adriaan Vlok

four hours they were given electric shocks

"At about 3am they were sent home without being charged or even their names or addresses taken"

De Vos had been taken to a venue and assaulted by various policemen for six hours, Van Eck said.

"When he would not tell them what they wanted to know, he was undressed and both his hands and feet handcuffed

"Two tables were brought into the room and he was made to sit on his haunches. A broomstick was stuck through his legs and arms and he was hung from this broom

"The broomstick was hung over the two tables with him suspended in the middle. A wet cloth was wrapped around his little fingers, his wrists and his ankles

"Electric wires were attached to all these areas and electric shock upon electric shock was sent through his body while they kept on asking him questions. His fingers, wrists and ankles were swollen and he had a terrible headache. He was prevented from seeing a doctor and the next day taken to Johannesburg for further interrogation"

Van Eck added "These cases of torture are not exceptions to the rule

"The killing of detainees, as used to

happen in the old days, seems to have been replaced by torturing

"The minister of law and order will have to take the responsibility for these actions and for not taking adequate steps to stop this orgy of violence."

Vlok said he had ordered an investigation into De Vos' statement, but he emphatically rejected the allegations regarding the other two youths.

The two were found with a group of about 15 black youths "under suspicious circumstances", he said. "When they were approached by the police patrol they threw away books and pamphlets and fled. The two youths were stopped, detained and taken to the Nyanga police station for questioning

"After the books and pamphlets had been perused and the youths had given an acceptable explanation for their behaviour, they were allowed to leave"

The police later received complaints in which the two youths alleged they had been assaulted and tortured by the police. From the investigation, it was clear the allegations were "false"

The two youths were given "the opportunity to point out the office or premises where the alleged assault took place, but were unable to do so

"When they were asked whether they would be prepared to point out their alleged assailants at an identification parade, they refused and said they would be unable to do so

"Furthermore, they alleged that metal rings, attached to an electric current, were placed on their little fingers and electric shocks administered to them. The district surgeon made no mention of possible injuries to their fingers.

"The two youths were given every possible opportunity to assist the investigating officer in tracing their alleged assailants, but to no avail. If they were injured in any way whatsoever, it was not at the hands of the South African Police"

Van Eck asked him how long after the alleged assault they were examined by the district surgeon, but Vlok said he did not have this information and he would investigate it and give an answer to the MP.

Van Eck then asked: "May I ask him if he thinks it is possible that people with a sack over their head will recognise the people who torture them? If people can't see, how can they identify the people who are torturing them?"

But Vlok did not answer him.

Judge ends kitskonstabels' 'reign of terror'

Own Correspondent

capt Times 13/2/88
GRAHAMSTOWN — An interim interdict restraining 14 kitskonstabels from acting unlawfully against eight residents in Hofmeyr township was yesterday extended by the Supreme Court here to apply to all residents in the township

Papers before the court yester-

(251)
day alleged that kitskonstabels were perpetrating a "reign of unbearable terror and oppression" in the community

The order, granted by Mr Acting Justice Rein, was the result of an application made by eight residents in November last year. Mr Justice Rein also gave leave to the Midland Council of

Churches (MCC) to join as an applicant

The application was also brought against the Minister of Law and Order, the Commissioner of Police, the Divisional Commissioner of the SAP in the South-Western districts and the SAP station commander in Oudtshoorn

SAP 'torture victims' in House

By ANTHONY JOHNSON
Political Correspondent

THE no-confidence debate took a dramatic turn yesterday when Claremont MP Mr Van Eck pointed out three young Cape Townians in the public gallery who he said were recent victims of police torture.

Amid a chorus of interjections and cries of "skande" from government benches, Mr Van Eck said the Minister of Law and Order, Mr Adriaan Vlok, had "the blood of detainees on his hands" because he seemed to have no control over policemen who tortured opponents of the state.

"These young men were tortured," Mr Van Eck said, and invited government MPs to speak to them afterwards. None did.

When Mr Van Eck detailed the alleged forms of torture he said the three — Mr Sonwaba Madikane and Mr Mandla Malgas of Nyanga and Mr John de Vos of Bonteheuwel — had been subjected to and referred to their presence in the House of Assembly gallery the Defence Minister, General Magnus Malan, rose to object.

The controversy continued after Mr Van

Eck's speech, when the Foreign Minister, Mr Pik Botha, lashed out at the independent MP for Claremont, saying it was clear from his speech "why the PFP chased him away".

Mr Vlok later strenuously denied that Mr Madikane or Mr Malgas had been tortured by the police. He said he would have Mr De Vos's case investigated.

Speaking earlier, Mr Van Eck said the government was directly responsible for the "grey of violence" being experienced in South Africa by "allowing its agents, and then more specifically the SA Police, to use the most brutal and most inhumane forms of violence and repression known".

Rather than reducing the levels of violence the government and the police were through their actions causing this violence. "This government, by allowing the beating and torturing of its opponents to continue, is setting a disgusting example to continue, increasingly being followed by its opponents," he said.

By declaring a state of emergency and "ruthlessly oppressing all legitimate opposi-

tion", the government had virtually closed all channels which South Africa's black people could use for airing their grievances.

Mr Van Eck said the emergency clamps on the press meant that the white electorate "is blissfully unaware of the daily assaults and torture that are being perpetrated in police cells around South Africa".

Turning to the first case of alleged torture, Mr Van Eck said that on the evening of January 19, Mr Madikane and Mr Malgas were returning home after a meeting of Idasa when stopped by police they were "too scared" to tell them where they got the Idasa rifle butts and kicked.

At Nyanga police station, rucksacks were placed over their heads, metal rings attached to their little fingers and they were given electric shocks. They were released without being charged.

In the second case, Mr De Vos had a bag placed over his head after being arrested and was assaulted by various policemen at a "secret venue" for about six hours, he said.

"When he would not tell them what they wanted to know, he was undressed and both his hands and feet handcuffed. Two tables were brought into the room. He was made to sit on his haunches, a broomstick was stuck through his legs and arms and he was suspended between the two tables.

Wet cloths were wrapped around his wrists, his little fingers and ankles, electric wires attached and "shock upon electric shock" was sent through his body while the police kept on asking him questions.

"He was prevented from seeing a doctor" of torture are not exceptions to the rule. Not in the least.

Mr Vlok said in a statement last night that he was satisfied after a thorough investigation that "the two youths were not assaulted by the police. He added: "If they had been injured in any way whatsoever, it was certainly not at the hands of the SAP."

"They were given every opportunity to assist the investigating officer in tracking down their alleged assailants with no avail. "I am satisfied that there is absolutely no evidence whatsoever to substantiate the allegations."



Picture ANNE LAING

TORTURE ALLEGATIONS Mr Van Eck (second from left) outside Parliament yesterday with the three Cape Townians he alleged had been tortured by police. They are (from left) Mr De Vos, 18, Mr Malgas, 18, and Mr Madikane, 17

MP slates police torture

HOUSE OF ASSEMBLY — Assaults and torture took place daily in police cells in South Africa, and the Minister of Law and Order had the blood of the victims on his hands, the Independent MP for Claremont, Mr Jan van Eck said yesterday.

Speaking in the No Confidence debate he gave details of three youths who he said were tortured recently and were sitting in the public gallery of the House, ready to give details of their experiences to any member who was interested enough to determine what had really happened.

While it was true that there were many individuals and organisations that used violence, the Government and especially the SAP were making no attempts to reduce this violence.

Ruthless opposition

Through their actions they were actually causing this violence. By declaring a state of emergency and ruthlessly opposing all legitimate opposition the Government had virtually closed all channels blacks could use for airing grievances.

The Government was also directly responsible for the violence in that it allowed its agents and specifically the police to use the most brutal and inhumane forms of violence and repression.

By clamping down on the press the Government ensured that the white electorate was blissfully unaware of the daily assaults and torture that took place in police

Claim of daily brutality in the cells

Mr Van Eck said that on January 19 this year two youths were returning home from an Idasa meeting in Mowbray when they were stopped by police, questioned about Idasa pamphlets they were carrying and taken to Nyanga police station.

There they were tortured for about four hours and were sent home without being charged.

The police had subsequently issued a statement saying that after interviewing the pair and taking them around Nyanga police station, where they were unable to identify their torturers or the room in which they were assaulted, they considered the allegations to be untrue.

Mr Van Eck said that he had investigated the matter twice and was convinced their story was correct.

Foreign Minister, Mr Pik Botha, said it was clear from Mr Van Eck's speech why the PFP had chased him away.

Overstepped the mark

As Minister he often had to listen to similar claims. He knew that both the Ministers of Defence and of Law and Order had arrested, prosecuted and punished members of their forces who had overstepped the mark. He would have wanted to see Mr Van Eck make his complaints directly to the Ministers.

"I say they will pay serious attention to them," said Mr Botha. "If you allege they won't, you are telling an untruth."

In a statement released later, the Minister of Law and Order, Mr Adriaan Vlok, said he was satisfied there was no evidence whatsoever that the allegations made by the youths were true. The police had investigated and were satisfied the allegations were untrue. He would see to it that a third case mentioned by Mr van Eck was investigated. Sapa



Mr Jan van Eck (left) and Mr Adriaan Vlok dashed in Parliament yesterday.



Soweto's chess champion Watu Kobese (14). • Picture by Karen Sandison.

Soweto boy aims to be grandmaster

At the age of four, Soweto's Watu Kobese learnt to play chess at his father's knee. Now, 10 years later, he is challenging the strongest players in the country and aims to become the world's first black grandmaster.

Watu's talent emerged in 1981 when he demolished a host of experienced players at the Atteridgeville open chess tournament. Since then, life for Watu has been a long line of conquests.

Attempts to find "out" what "goes on" in the mind of an aspirant grandmaster leave one feeling checked. This 14-year-old has devoted almost two-thirds of his life to out-thinking opponents. Now strategy is almost an instinct with him and even the most innocent question can seem to be something to outmanoeuvre.

Fellow players say he is "well-adjusted, considering his incredible prowess as a chess player", and shy. But at the chessboard it is different. He becomes intent, animated, his eyes darting back and forth as he computes his strategy.

His success against South African champions such as Albert Poneis and Clyde Wolpe show he has the ability to reach the top in this country. But his determination to become grandmaster may be thwarted.

Because the ruling South African chess body was expelled from world chess in 1977, Watu cannot compete internationally.

"I know the sports boycott is against apartheid. I accept that in order to become a grandmaster I may have to leave South Africa," he said.

The Standard 8 pupil whose favourite subject is history, plays chess every day for at least 30 minutes. He seldom finds time for ordinary teenage activities — soccer, dating girls, movies.

His mother, Mrs Murel Kobese, a nursing sister said, "Watu is a quiet child and determined to reach the top."

In the Kobese family not only Watu plays chess. His father Arthur, a Post Office worker, organises many Soweto tournaments and his sister Constance also takes part in tournaments.

PAT DEVEREAUX

Vlok rejects Van Eck's torture claims

ARGUS
15/2/88

251
Political Correspondent

THE Minister of Law and Order, Mr Adriaan Vlok, has denied allegations that three young men were tortured at Nyanga police station.

In a statement he rejected allegations made by Mr Jan van Eck, MP for Claremont, in the Assembly on Friday

Mr van Eck said they had been beaten with rifle butts, kicked and subjected to electric shocks

Mr Vlok said that in one of the cases the allegations had already been thoroughly investigated after Mr van Eck had made allegations to the Press.

The youths were questioned and taken to the police station where they alleged the assaults took place and asked to point out the offices or premises concerned.

They were allowed to inspect every room and office at the police station in their own time and were allowed complete freedom of movement.

When asked whether they were prepared to point out their alleged assailants, at an identity parade they refused

and said they would be unable to do so

They were examined by a district surgeon who made no mention of any injury to their fingers after they had alleged that metal rings were placed on their little fingers and attached to electric currents.

Mr Vlok said that, after a thorough investigation, the police were satisfied the youths were not assaulted or tortured

They were given every opportunity to assist the investigating officer.

UDF did 'not condone methods of enforcing consumer boycott'

112645 16/2/88

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Supreme Court Reporter

SOME township residents had been made to eat detergents and drink fish oil during the 1985 consumer boycott, the Supreme Court heard

However, the people who forced them to do this were not necessarily affiliated to organisations, the Rev Sid Lockett said in evidence in the R312 000 damages claim by 21 KTC fam-

ilies and the Methodist Church against the Minister of Law and Order

Residents are claiming damages on the grounds that police assisted, alternatively failed to prevent, attacks on KTC

Mr Lockett, a United Democratic Front executive member in 1985 and 1986, said the UDF originated the boycott but did not condone the methods of "undisciplined young people"

He said "Most of the UDF's leadership had been detained but when we came out of detention Mr (Christmas) Tinto, Mr (Zoli) Malindi and I, with the assistance of Dr Allan Boesak, spoke to township youths about stopping their excesses

"It is not easy to address youth who are over-zealous, but I found their methods abhorrent"

Mr Lockett said the term "comrades" to him meant the group of people who supported the Freedom Charter and had the end of apartheid as a political aim

He said in some circles he would be described as a comrade

"I support the Freedom Charter as well as the objectives of the African National Congress I do not support their methods, although one understands the frustrations of people who have joined the ANC"

VIGILANTES

Mr Lockett was in KTC in June 1986 when violence ravaged the area

He said he agreed with the view that the police would have taken firmer action if the events at KTC had been in Rondebosch, partly because property there belonged to whites and not to blacks

Mr Lockett said "It seemed police were not restraining vigilantes from Crossroads"

The minister has denied that police acted in complicity with "witdoeke"

(Proceeding)

ARGUS 16/2/88

NATIONAL

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Man shot in thigh, testicle to get R6 000

Supreme Court Reporter

A CROSSROADS man shot with rubber bullets in the thigh and testicle and assaulted by police in December 1984 has been awarded R6 000 damages by the Supreme Court.

Mr Acting Justice Seligson ordered the Minister of Law and Order to pay after finding that Mr Khanyisile Shedrack Cele had discharged the onus of proving that he was assaulted and shot by the policemen.

Mr Cele, 35, said he returned to his shack when he saw teargas being fired by police and as he neared his front door unidentified policemen shot him twice in the left thigh.

He crawled inside, but the policemen forced open the door, grabbed him and dragged him out.

Mr Cele said the policemen hit him, kicked him, dragged him and shot him in the testicles while he lay on his back.

He denied taking part in fighting between groups led by "Yamile" and "Toise", which police said prompted them to enter Crossroads on December 28.

Police evidence was that there was a hostile atmosphere between the armed members of rival groups, who identified themselves by wearing white bands round their heads or their right legs.

Although he found certain inconsistencies in Mr Cele's evidence, Mr Acting Justice Seligson ruled that the probabilities were that he had been shot by a rubber bullet as he had described.

He said that the commander of one of the three unrest unit platoons, a Major Vermeulen, had conceded his squad members could have gone as far as Mr Cele's house near Mahobe Drive on the day of the incident.

Mr Acting Justice Seligson said. "Counsel for the minister's theories that Mr Cele may have been injured in the faction fighting or during legitimate police action are speculative and not justifiable inferences on the evidence."

CAF T-115 16/2/88

Unlawful police fire killed boys, inquest told

By YVETTE VAN BREDA
Court Reporter

UNLAWFUL buckshot fire directed at a crowd by policemen who had been concealed in a railways truck in Athlone had caused the death of two boys, an advocate told a Wynberg inquest court heard yesterday

Mr J Gauntlett, for the families of two of the three youths shot dead by police at the height of unrest in 1985, was addressing the court before it made a finding

The three who died were Shaun Magmoed, 16, Michael Miranda, 11, and Jonathan Claasens, 21. They apparently formed part of a crowd of between 150 and 200.

The shooting took place at the intersection of Thornton and St Simon's roads on October 15, 1985, when the "ghost truck" entered the area and seven policemen hiding in crates jumped up and started firing after the truck was stoned.

Mr Gauntlett said the "tragic" shootings were "prima facie unlawful".

He said it was clear there was a great deal of stone-throwing in Belgravia and Thornton roads before this incident.

A joint decision was taken by three commanders in the area to use the disguised seven-ton truck to arrest the culprits and no specialist unit had been chosen for the operation, Mr Gauntlett said.

He said that none of the nine-man task force on board the truck had any special skill in dealing with these circumstances.

Both Michael Miranda and Shaun Magmoed were shot from the rear. The only shots fired were by the police, who knew that the ammunition used could kill, would spread and that "there was a strong likelihood of hitting others".

Mr Gauntlett said Lieutenant D G P Vermeulen, who was in command, admitted that he had fired no warning shot, nor had he fired over the heads of the people in the crowd.

Mr Gauntlett said both Sergeant James Sayer and Sergeant A M Smit acknowledged that for "other people in the crowd there was no chance of getting away" once the firing started.

He submitted that the death of the youths were "brought about by acts of offence on the part of Lieutenant Vermeulen and/or other men on the truck".

Mr A H Veldhuizen, for the Minister of Law and Order, said the police were doing their duty, which was to stop stone-throwers and arrest them.

"It was totally naive to think that warnings, shots over the heads etc were very effective," Mr Veldhuizen said.

The only "really effective way to arrest these people is by shooting to wound them and then arresting them".

He said police did not shoot at innocent people, they "shot people who were busy attacking the vehicle".

The hearing continues on February 26, when a finding will be available.

The magistrate was Mr G Hoffmann. Mrs S Swart led the evidence. Mr Veldhuizen was instructed by the State Attorney. Mr Gauntlett was instructed by Y Ebrahim and Co and appeared for the Magmoed and Miranda families. The Claasens were not represented.

Parliament '88



Star 1/8/2/58
Vlok: no radicals
in police force (25)

No form of radicalism, whether from the Right or the Left, would be tolerated in the police force, Minister of Law and Order Mr Adriaan Vlok said yesterday in the House of Representatives

He was speaking in the second-reading debate on the Police Amendment Bill

Mr Vlok said that in terms of the Bill, the commissioner could summarily dismiss members of the police who had less than 12 months' service if their behaviour was detrimental to good order, effective administration and to control or discipline of the police force.

Parliament and Politics

Torture allegations false, says minister

By BARRY STREEK
Political Staff

THE MP for Claremont, Mr Jan van Eck, had slandered South Africa and the police by giving negative publicity to allegations that two people had been tortured by police, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Mr Vlok said allegations by two youths that they had been assaulted and tortured while in detention were "false".

The two youths were given the opportunity to point out the office where the alleged assault took place, but were unable to do so.

Mr Van Eck said he stood by his speech, made during the no-confidence debate in the House of Assembly last week in the pres-

ence of three former detainees, Mr Mandla Malgas, 18, Mr Sonwaba Madikane, 17, and Mr John de Vos, 18, who he said were victims of police torture.

"I stand by what I said and nothing Mr Vlok has said has given me any reason to change my version of events."

Mr Van Eck said he would be taking the matter further later in the parliamentary session.

He asked how the detainees could identify their assailants if they had sacks over their heads, but Mr Vlok did not reply.

Mr Vlok accused Mr Van Eck of misusing the House for "publicity and personal gain".

He said Mr Van Eck had brought two of the complainants to the House of Assembly and "prearranged with several less

sympathetic journalists to photograph him and the complainants.

"His actions were premeditated and the sole purpose was to give further negative publicity to his unsubstantiated allegations."

The two youths had refused to point out their alleged assailants at an identity parade, and said they were unable to do this.


"The youths were given every possible opportunity to assist the investigating officer in tracing their alleged assailants, but to no avail."

"If they were injured in any way whatsoever, it was not at the hands of the SA Police."

"After thorough investigation, the South African Police and I are satisfied that the two youths were not assaulted or tortured by the police," Mr Vlok said.

★ MOTOR AUCTION ★

DULY INSTRUCTED BY TRADE, FINANCE AND LEASING, BANK MANAGERS, LIQUIDATION ATTORNEYS AND OTHER VENDORS CONCERNED
SEA POINT AUCTION MART WILL SUBMIT FOR AUCTION



★ OVER 100 ★

CARS, S/WAGONS, BUSES

LDV'S, VANS and others

OPTIONAL 24-MONTH GUARANTEE

WEDNESDAY 17 FEBRUARY AT 7:30 PM

AT THE REPOSSESSION STORE (THE BLUE & WHITE BUILDING)
14 CARLISLE STREET, PAARDEN EILAND

1987 Toyota Corolla 1.3 L	1983 Datsun 1400 LDV	1981 Mazda 323 1.4 5-speed
1987 VW Golf GTS	1983 Nissan Langley 5-speed	1981 Datsun 1400 5-speed sun-roof
1986 VW Citi Golf	1983 Ford Cortina 1600	1980 Mazda B1800
1986 Ford Escort 1600 Sport	1983 VW Jetta GLI 5 speed	1980 Audi 100 LS man
1986 Toyota Hilux 4 x 4 D/Cab	1983 Mazda 323 1.4 GLC	1980 BMW 520 A/T A/C
1986 Renault 11 TSE 5 speed	1983 Renault 5 TS 5 speed	1980 M Benz 230
1985 Toyota Corolla 1.6 GL 5 speed	1982 Toyota Corolla 1.3 GL	1979 Fiat 131 1600
1985 Mazda 323 1.3 L	1982 Datsun Laurel 2.0 Exec	1979 Mazda 323 1.3
1985 Nissan Pulsar	1982 Chev Commodore I	1979 Peugeot 504 GL
1985 Opel Rekord Berlina A/C P/S	1982 Toyota Cressida GLX	1978 Mazda 323 1.3
1985 Mazda SLX A/T	1982 Audi 100/5 5-speed	1978 Audi 100 A/T
1985 Opel Commodore 3.0 E	1982 Datsun E20 10-seater	1978 Ford Cortina 1.6 L
1984 Mazda 626 SLE 5-speed	1982 Audi 200 turbo A/C P/S	1977 M Benz 230
1984 Opel Rekord S/W	1981 Datsun 1800 LWB	1975 M Benz 280 SE A/T A/C
1984 Renault 9 TL	1981 BMW 520 A/T A/C	1975 Austin Mini de luxe
1984 Toyota Cressida 5 speed	1981 VW Jetta GLS 5-speed	1974 Jeep 4 x 4
1984 M Benz 280 SE F/H	1981 Toyota 1400 P/Van	1972 VW Beetle 1600

AND MANY MORE (SUBJECT TO CHANGE WITHOUT NOTICE)
VIEWING ON DAY OF SALE FROM 2 PM ROADWORTHY AVAILABLE ON ALL CARS

Sea Point Auction Mart

BUYING OR SELLING? PHONE 51 7157/8/9 (2F1500200)

Van Eck misbehaved — Vlok

THE independent MP for Claremont, Mr Jan van Eck, was asked to leave the Caledon Square police station in December last year because of his "uncontrolled behaviour", the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Mr Vlok denied that Mr Van Eck tried to lodge a complaint at the Caledon Square charge office, or that he was refused permission to lodge a complaint.

"He refused to make a statement when he was given an opportunity to do so," he said in reply to a question by Mr Van Eck.

Mr Vlok said a question about whether Mr Van Eck was told he would be detained if he ignored an order to leave the charge office "falls away" because he departed of his own accord.

Khayelitsha constable stabbed

*CVE 7/2/08
17/2/08*

Staff Reporter

251

ANOTHER special constable has been attacked, bringing to 15 the number of special constables injured in Peninsula townships in the past three months.

In the latest attack the constable was seriously wounded and robbed of his shotgun by knife-wielding men in Khayelitsha.

Yesterday's police unrest report said "a group of blacks attacked a security force member with knives at Khayelitsha and seriously wounded him by stabbing him in the lungs and kidney".

Another special constable was seriously wounded in an attack in Guguletu on January 3 this year.

Torture row continues

Political Staff *WML 17/2/88*

Minister of Law and Order Adriaan Vlok and Mr Jan van Eck, MP for Claremont, clashed again yesterday over allegations that the police had assaulted two young blacks at the Nyanga police station

Replying to questions from Mr Van Eck, Mr Vlok said allegations that the two youths had been tortured were investigated and found to be false.

The two youths were given the opportunity to point out the office or premises where the alleged assault took place but were unable to do so

When asked whether they would be prepared to point out their alleged assailants at an identification parade they refused, the Minister said

He did not respond when Mr Van Eck asked how someone with a bag over his head was supposed to identify an assailant.

MENT

8/ day 17/2/82

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QUESTIONS

HOUSE OF ASSEMBLY — Two Nyanga youths had not been not assaulted or tortured by police, Law and Order Minister Adriaan Vlok said. He added he and the SAP were satisfied of that after a thorough investigation.

In reply to a question from Jan van Eck (PFP Claremont), he said two black youths had been detained for questioning and then released.

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HOUSE OF ASSEMBLY — JAN

151
 28/1/78
 Special police
 'curb violence'
 Special constables had
 curbed violence and
 brought down unrest inci-
 dents in the townships,
 the Minister of Law and
 Order, Mr Adriaan Vlok,
 said yesterday in the
 House of Delegates.
 Speaking in the second
 reading debate on the Po-
 lice Amendment Bill, he
 said, the special consta-
 bles had maintained a
 law and order presence
 and were part of a plan
 to bring back the "bobby
 on the beat" — Sapa

APPENDICES

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Vlok must pay

THE MINISTER of Law and Order, Mr Adriaan Vlok, has agreed to pay Cape Town advocate Mr Mohamed Anwar Albertus R38 500 damages in an out-of-court settlement, arising from his allegedly unlawful arrest in 1986.

Mr Albertus has sued the minister and a lieutenant H A le Roux for R100 000 damages.

In the settlement the Minister did not admit liability. He will also pay the costs of the application. (251)

In papers before the Cape Town Supreme Court Mr Albertus said he was arrested at the Worcester Magistrate's Court by Lieutenant H le Roux of the Police Counter Insurgency Unit, on June 19, 1986, and held at various police stations and prisons for six days. *Sonietur*



MINISTER Vlok ... out of court settlement.

Mr Albertus alleged that during his detention policemen addressed him in humiliating and insulting language.

It was alleged that police wrongfully and maliciously and without any reasonable or probable cause charged Mr Albertus with contravening Section 10 of the emergency regulations. The charges were withdrawn in September 1986. *18/2/88*

Cape Times
18/2/88

Cape Times

Children killed as police open fire

Staff Reporter

A FOUR-YEAR-OLD girl, Rosalene Cloete, and a 13-year-old boy, Michael Julies, were killed in the Northern Cape township of Langverwacht, Kakamas, on Saturday when police opened fire on a group of stone-throwers, police said.

A further 13 people were injured in the shooting.

A police spokesman, Captain Carel van der Westhuizen, said the narcotics unit and dog squad of the Kimberley police department were investigating a charge of dealing in dagga.

After a man was arrested a crowd formed, and the police requested additional police officers, he said.

Capt Van der Westhuizen said that when the reinforcements arrived the crowd started to throw stones at the police and a Sergeant W J Beyleveld, of the dog squad, instructed the crowd to disperse.

When they refused to do so, shots were fired, and Michael was killed instantly. The girl died on the way to the Gordon Hospital in Upington.

"It was not certain that the children were in the group of stone-throwers," said Capt Van der Westhuizen.

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CRK Times 18/2/88

Ex-witdoek ~~30/11/86~~ 251 tells of order to burn KTC

By RONNIE MORRIS
Supreme Court Reporter

A FORMER witdoek yesterday told the Supreme Court that he and hundreds of other witdoeke were told to burn the KTC squatter camp and the Zolani centre in Nyanga and were informed that police would not interfere.

This was the evidence of Mr Getyamana Mselanto, a labourer, who testified in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes in 1986.

Mr Mselanto said that the day before the attack on KTC, Mr Sam Ndima — the second most important man in Crossroads next to Mr Johnson Ngxobongwana — went through Crossroads with a loudhailer and announced that all residents should report to the Nxolo School with their weapons.

When they met later that day, Mr Ndima told them they should meet at the Administration Board offices the next morning and wait on the police. Mr Ndima told them they were to go from there to KTC and the Zolani Centre and burn houses because the comrades lived there.

The next day many armed people with white cloth tied around parts of the body met at the appointed venue.

A police van arrived and before Mr Ndima went across to the van, he told the assembled group they should wait for a sign and that police would not interfere if they crossed the road, Mr Mselanto said.

Crossroads jail

Earlier in his evidence he said he had lived in the Portland Cement Works squatter camp and had moved in with his uncle in Crossroads after his shack and many others were burnt down in 1986 by witdoeke.

Two weeks later, on a Saturday, he had drunk liquor with Crossroads men and the next day he had asked them why they had burnt down his shack. The men, acting as Mr Ngxobongwana's police force, then surrounded him and took him to the Nxolo School which served as the Crossroads jail.

He was tried there the next day by three men. He pleaded guilty to the charge that he had asked why they had burned his shack.

Mr Mselanto said he was found guilty, fined R150 and was further forbidden to speak to anyone in Crossroads for six months. He also had to report to Mr Ngxobongwana's police daily after work.

The hearing continues today. Mr Justice M R de Kock presided. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre appeared for the plaintiffs. Mr C D Griesel SC and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister.

251

~~377~~ 295

Parliament and Politics

Police stirring unrest at schools — Van Eck

By ANTHONY JOHNSON
Political Correspondent

HOUSE OF ASSEMBLY — The SA Police were stirring up unrest at Cape Town schools by detaining pupils and teachers without trial, assaulting pupils in a bid to extract information and setting up spy networks at schools, the MP for Claremont, Mr Jan van Eck, said yesterday

Speaking during the mini-budget debate in the House, Mr Van Eck said the government, instead of seeking a political solution to the African and coloured schools, were using the police to do their "dirty work"



A number of policemen had indicated to him that they were tired of being the government's "whipping boy" and being on the receiving end of the anger and frustration in the townships

The National Party MP for Krugersdorp and chairman of the standing committee on law and order, Mr Leon Wessels, said it was "scandalous" that Mr Van Eck was repeatedly using Parliament to draw up a charge sheet against the police. Mr Van Eck's allegations could not stand up to cross-examination, he added

Earlier, Mr Van Eck said the government should be sending its MPs rather than the police into the townships to solve political problems.

Despite the fact that there had been no incidents of violence or arson at Manenberg Secondary School, three teachers and three pupils were arrested by police on January 31 and February 1 and were still being held. In addition, police visited the homes of five other teachers, three other youths and an SRC member who was "pulled out of bed at gunpoint"

Mr Van Eck said "The only sin these people had committed was to in some way give vent to their political frustrations and to demonstrate in a totally peaceful manner their resistance to the present minority regime"

Pupils 'slapped, punched'

He went on to detail what he called other "utterly objectionable" methods police used on pupils at Manenberg Senior Secondary School

He had affidavits to back up his claims, he said. On February 16, 14-year-old Farieda Salie and 16-year-old Mario Carstens were picked up by police on their way to school and "assaulted by being slapped through the face and punched in the stomach". Police also directed "incredibly filthy" language at them

After "this treatment" produced no new information, a policeman asked 15-year-old Vanessa Jacobs "to spy for them" on fellow pupils and teachers at the school for which she would be paid R200. The offer was also conveyed to the girl's mother, he said

Mr Van Eck said "I find these actions to be despicable and I can assure members that these actions are counter-productive and will increase instability in the schools"

"I find it utterly reprehensible that the police spend their time setting up spy networks at schools. How many spies paid for by the taxpayer are lurking in black and coloured schools?"

CAJL

Order restrains kitskonstabels

CAPT Trites 19/2/88 251

By **RONNIE MORRIS**
Supreme Court Reporter

THE Minister of Law and Order yesterday gave an undertaking in the Supreme Court that special constables employed in the Oudtshoorn township of Bhongulethu would not unlawfully shoot, kill, arrest, detain or assault any resident

The minister and the Divisional Commissioner of Police for the Southern Cape Districts further undertook that special constables would not "seize possessions, enter into homes, threaten, insult, harass and intimidate in any manner whatsoever and interrogate in any manner other than that prescribed by law, or allow that any such action is taken against any inhabitant of Bhongulethu township, Oudtshoorn".

The final order was made after an urgent application was launched by the Bhongulethu Civic Association (BHOCA) and six others on July 24 last year

The minister then gave an undertaking, which according to subsequent papers filed in the Supreme Court was flagrantly and continually breached

An interim order was granted on January 19 after special constables shot dead three residents and wounded 10 others

The application was to be heard on oral evidence but a settlement was reached between the parties on the following terms

● That the BHOCA withdraw its application and no order be made as to costs

● Since the relief sought by the BHOCA (the applicants) was in any event based on the ordinary common law rights and the duties placed on the special constables who were there to maintain BHOCA'S rights, that, "without admitting liability and without admitting directly or indirectly the correctness of the allegations contained in applicants' affidavits, and on the express understanding that the allegations of unlawful conduct on the part of the special constables are de-

nied, and with a view to promoting the legal administration", the minister and the divisional commissioner undertook not to commit or allow any of the acts to be committed unlawfully against any of the inhabitants of Bhongulethu

It was also said that if the trial should proceed, it would be of a lengthy nature involving large costs with the concomitant withdrawal of the large portion of the available police force from the area

Both the police and the BHOCA acknowledged that relationships in the area should be improved

Both parties also undertook to make the full settlement available to the press and not only parts of it

The effect of the final order is that should any special constable unlawfully assault or harass any inhabitant, he would be in contempt of court and could be locked up

Similarly, the minister and the divisional commissioner would be in breach of the order should they allow the special constables to act unlawfully

Cape Times 19/2/88

(251)



Police join pupils in church

Education Reporter

POLICE sat alongside school pupils from several Cape Flats schools yesterday while a prayer service was held at the Roman Catholic Church in Lorie Road, Athlone, for detainees, particularly those from schools

This unusual situation arose after pupils from Alexander Sinton, Manenberg High, Athlone High, Spes Bona, Livingstone High and some black schools arrived at the church at 10am for a prayer meeting organized by the Western Cape Students' Congress (Wecsko)

Father Jackie Jooste said he negotiated with police who had surrounded the building and asked them not to interfere with the service. He said police indicated they wished to sit in to ensure it was a bona fide church service.

They came in and monitored the proceedings, Fr Jooste said. There were no incidents. The pupils returned to their schools after the service.

During the service a UDF official questioned the attendance of police at a prayer meeting, and in a statement later, Wecsko condemned the presence of the police.

When approached for comment, a police spokesman said "As there was no police action, I don't think there is any need to comment."

PRAYERS FOR DETAINEES . . . Police sit alongside students from several Cape Flats schools yesterday, monitoring the Western Cape Students' Congress service for detainees at the Roman Catholic Church in Lorie Road, Athlone

Picture ADIL BRADLOW

P/D **2 children shot:
Vlok orders probe** *(25)*

CAPE TOWN — The Minister of Law and Order, Mr Adriaan Vlok, has ordered an urgent investigation into the shooting of two children in the Northern Cape town of Langverwacht, Kakamas, on Saturday

A four-year-old girl, Rosalene Cloete, and a 13-year-old boy, Michael Julies, were killed when police opened fire on a group of stone-throwers

The Minister of Budgets and Auxiliary Services in the House of Representatives, and MP for the Kalahari constituency, Mr Andrew Julies, said that he had been in touch with eye-witnesses at the scene of the shooting and had subsequently approached Mr Vlok — DDC

February 21, 1988

News 2/12/88
251

Police to pay for testicle shooting

CP Correspondent

THE Cape Town Supreme Court this week ordered Minister of Law and Order Adriaan Vlok to pay R6 000 to a Crossroads man shot with rubber bullets in the thigh and testicle and assaulted by police in December 1984.

Acting Judge Seligson ordered the payment after finding that Khanyisile Shedrack Cele, 35, had proved his attackers were policemen. Cele said he had was on his way home when he saw teargas being fired by police. As he neared his front door, an unidentified police-

man shot him twice in the left thigh.

He crawled inside but the policemen forced open the door, grabbed him and dragged him outside, he said.

Policemen hit him, kicked him, dragged him along the ground and shot him in the testicles while he lay on his back.

He denied participating in fighting between "comrades" and "wildoeks", which police said had prompted them to enter Crossroads on December 28.

A witness told the court Cele left testicles had been ruptured.

Although he found certain inconsistencies in Cele's evidence, Seligson ruled that the probabilities were that he had been shot by a rubber bullet as he had described.

The Judge said the commander of one of three unvest unit platoons in the area that day, a Maj Vermuelen, had conceded his squad members could have gone as far as Cele's house, near Mahobe Drive, on the day of the incident.



Adriaan Vlok

Vlok settles in record false arrest claim

By RUTH GOLEMBO

AN ADVOCATE, arrested in a court building and detained in a remote country prison cell along with his consulting attorney, has been paid R38 500 by the Minister of Law and Order.

He was arrested after cross-examining police witnesses against a group of people charged with public violence

The money, granted in an out-of-court settlement, is the largest amount ever paid for unlawful arrest and detention of someone charged in terms of the Emergency Regulations

Mr Mohammed Anwar Albertus and his attorney, Mr Trevor de Bruyn, were arrested at Worcester Magistrate's Court in June 1986 and taken to a cell in the Boland town of Bonnivale, about 65km away.

Freed

"There the two were locked up without being able to contact their families. They were not told why they had been arrested."

Five days later they were taken to Robertson prison, 15km away, and eventually released from Worcester prison, only hours before an application for their release was brought to the Cape Town Supreme Court by their wives

Mr Albertus, who has been practising at the Cape bar for the past four years, claimed R100 000. He claimed R75 000 for unlawful arrest and detention, R5 000 for injuria and R20 000 for malicious prosecution

In the particulars of claim, Mr Albertus said the police spoke to him in a "degrading, humiliating and insulting" manner which "impaired" his dignity.

He said the police "wrongfully, maliciously and without any reasonable or prob-



ANWAR ALBERTUS
Feels vindicated

able cause set in motion false charges of contravening Section 10 of the Emergency Regulations"

Mr Albertus appeared in the Worcester Magistrate's Court seven days after he was arrested and was released on R500 bail. When he again appeared in court 10 days later, he was told the charges had been withdrawn

This week the Minister of Law and Order, Mr Adriaan Vlok, agreed on damages of R38 500, including costs of two counsel "without an admission of liability"

In pleadings the police denied that Mr Albertus's arrest had been unlawful and applied that the claim be dismissed with costs. Neither party's claims were proved in court

Mr Albertus said: "I feel vindicated by the out-of-court settlement. The agreement by the Minister to pay damages shows the strength of my case."

2/12/88

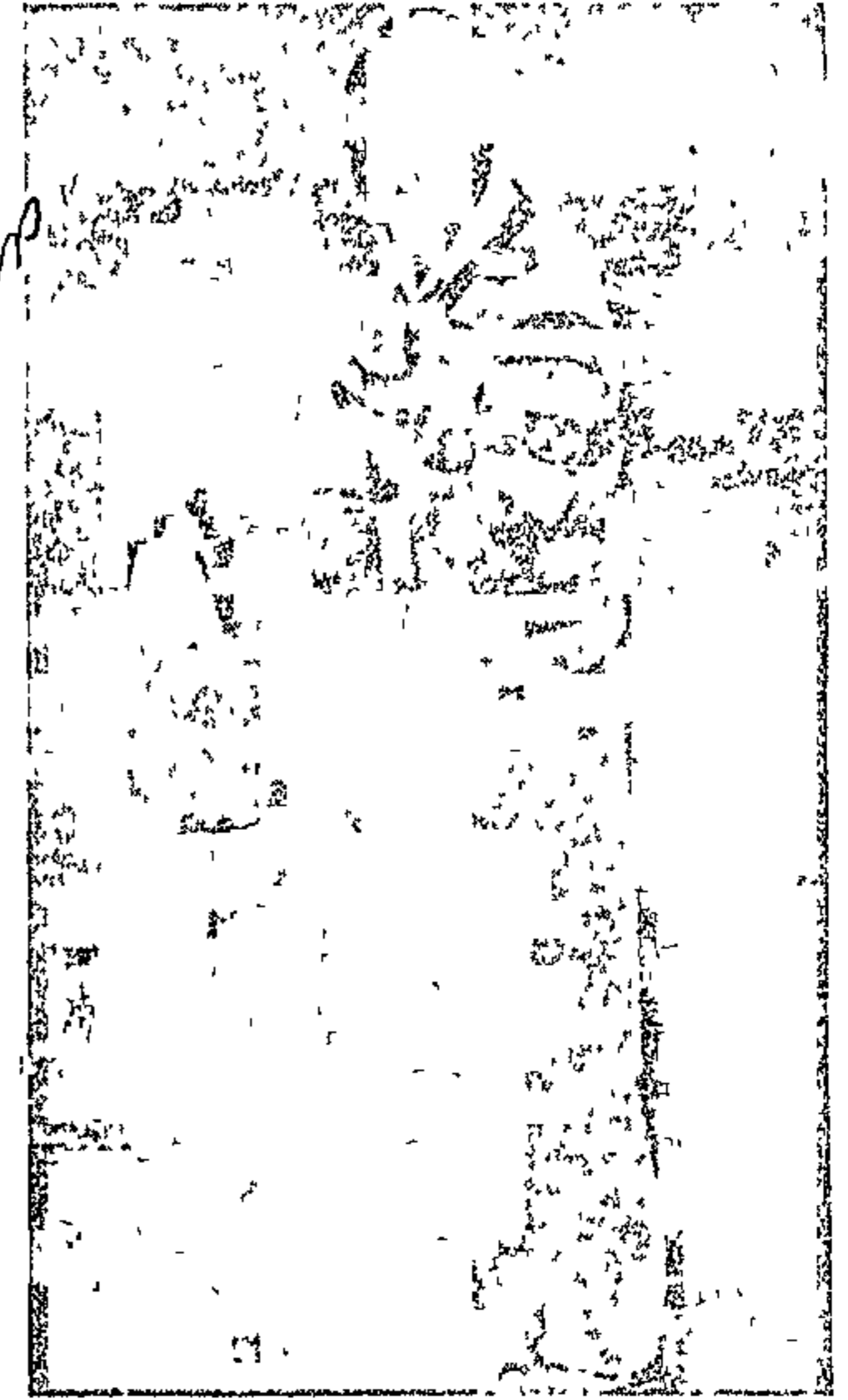
a never-ending plight

Born of tears in a place

Where life is 'a big struggle'

21/2/88

251



A resident fills his container with water.

CP Correspondent

THE small Karoo town of Klipplaat, an area known for its fine Angora sheep, became a focus of public concern after children were allegedly assaulted by kitskonstabels while in jail after allegedly being shot by the cops.

The three children, two aged 15 and the other 16, were held at Klipplaat jail for a month without seeing their parents.

Now the parents are suing the Minister of Law and Order for R40 000.

Two of the children sustained wounds after allegedly being shot by kitskonstabels during their arrest.

Following is the story of the suffering of the people of Klipplaat told by one of the oldest residents, Nozililo, who has seen her home town change for the worse over the past three years.

Nozililo, who said her name meant "born of tears", was one of the first residents to settle in the township.

She arrived when there were only five houses in her street. Enough employment was provided by the railways. But there are now over 300 houses in Wongalethu, and the railways cannot provide adequate employment.

"Just when I thought conditions were bad enough, the kitskonstabels arrived," she lamented this week.

The streets of Klipplaat are grey with fine dusty gravel, the houses are small and in disrepair.

"Here everything is such a struggle. We struggle to get our pensions and our disability grants, we struggle to put our children through school and we struggle to get work," she said.

The township has four taps for the 300 houses.

"When one tap is switched on, then the other doesn't work, there must be something wrong with the pipes," she said.

There is no electricity. Refuse and toilet buckets are collected only once a week.

Domestic workers in the area earn as little as R30 a month and most of the children have left Klipplaat to find jobs in the big cities.

"If only the farmers could build a wool sorting factory instead of sending it away to the cities, then our children would have work and wouldn't have to go away."

"As a mother, I worry, the only hope we have for our children is that they come back in a coffin from those wicked places."

Nozililo, said although Klipplaat was a bad place to live in, she had never wished to live in a big city.

"We are used to the quiet of this place, the noise of the big towns makes us sick. Klipplaats people are the quietest in the world."

As she spoke, across the road from her house, a sheep is being slaughtered to celebrate the birth of a

child. She said the house belonged to one of the scavenger community councillors. She pointed out two kitskonstabels who were joining in the celebrations.

"Anyone can go and join in," she said, "but me, no, I'm not hungry."

Asked to comment about the alleged activities of the kitskonstabels in Klipplaat, Police Press Liaison officer for the South Western districts, Maj Mike Lombard said no such complaints concerning special constables had been made at the Klipplaat police station.

"However, if anybody

has a complaint we would honestly like to hear about it. I am extending an open invitation to all members of the public that if they have any complaint whatsoever concerning any member of the police force, they must not hesitate to report the matter.

"They need not report at any specific police station. They can report at any police station, or they can report at the district commandant's office and the necessary attention will definitely be given to these cases. This concerns criminal offences as well as departmental steps," said Lombard. Ecna



Children sit patiently waiting for their turn to fill their containers. When one tap is switched on, the next stops working.

21/2/88
C/M/10

Council taken to court

By STAN MHLONGO

25A

FORMER Lekoa town clerk NP Louw, sacked by the council three days before Christmas last year, has taken the matter to the Industrial Council.

21/2/88

Louw said the matter was expected to be brought before the court next month.

He claimed he fell out of favour with the council and was sacked after the suspension of the head of Lekoa municipal police, Captain N Debruyn.

This was after a dramatic shootout between Lekoa municipal cops, better known as the "Green Beans", and members of the West Rand SAP riot squad on the outskirts of Sebokeng in December.

The "Green Beans" mutinied after being ordered by De Bruyn to carry out a traffic inspection.

One of the main grievances of the "Green Beans" was low salaries and bad working conditions. Among others, they alleged they earned R126 a month.

Vlok to pay ex-detainee R38 500

THE Minister of Law and Order, Adriaan Vlok, this week agreed in an out of court settlement to pay R38 500 to a Cape Town advocate detained in terms of emergency regulations in Worcester in 1986.

Mohammed Anwar Albertus and attorney, Trevor de Bruyn, were detained at the Worcester Magistrate's Court on June 19, 1986.

They were released six days later - hours before an application for their release.

Albertus claimed R100 000 in damages for unlawful arrest, detention, injuries suffered and malicious prosecution.

Albertus, De Bruyn and two advocates, Darryl Newton and Frederick Bunting, were part of a defence team for 38 people who had been charged in the Worcester Regional Court on June 18, 1986, with public violence.

In an affidavit, Bunting said on that day it was agreed that proceedings would begin with an inspection at Nkqubela Township where virtually all the accused had been living.

While the inspection in progress, residents, many of whom were relatives of the accused, approached the defence team and complained about police assaults and brutality.

The police intervened and said relatives were not allowed to speak to the defence team. The lawyers then asked for an adjournment to investigate the complaints and the trial was adjourned to the next day.

The men were then refused permission to enter the township, and when they tried to see the accused, they were told all but two had been detained.

The next day, while the defence team was in the public prosecutor's office, a Lt Le Roux detained Albertus. Ten minutes later, De Bruyn was detained - Sapa.

Handwritten note: Albertus 2/2/86

Handwritten initials: (circled) S

Handwritten notes:
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000

Mr. Travis 22/2/88

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Kakamas killings to be raised in Parliament

By ANTHONY JOHNSON
Political Correspondent

THE death of two children — including a four-year-old girl — and the wounding of at least a dozen others by police gunfire during a routine dagga investigation in Kakamas last week will be raised in Parliament today.

Mr Jan van Eck, the Independent Member of Parliament for Claremont, who investigated the incident in said from Kakamas yesterday that he would give details during the debate on the Police Amendment Bill in the House of Assembly today.

He would support the Bill, which allows the Minister of Law and Order to take more effective action against police misbehaviour.

He attended the funerals of Rosaline Cloete, 4, and Michael Jules, 13, on Saturday and the community was "totally stunned" by

what had happened, he said.

After interviewing eye-witnesses and relatives of those who had been killed or injured, Mr Van Eck said he had concluded that "the police action was utterly indefensible".

The Minister of Law and Order, Mr Adriaan Vlok, has ordered an urgent investigation into the shootings.

Meanwhile the head of the Cape Teacher's Professional Association, Mr Franklin Sonn, yesterday said he "was sick to the stomach" after returning from the funerals of Rosaline Cloete, buried on Saturday morning, and Michael Jules, buried at 4pm yesterday.

Mr Sonn said 15 people were injured and some of them were in a critical condition in hospital.

"We are completely outraged at what took place there," Mr Sonn said "We are going to

fight the police on this."

In the church where the funeral service was conducted the priest had tried to prevent Mr Sonn any one else make a tribute, he said. However, he did and was loudly applauded at the end, he said.

Mr Sonn said the funeral was well attended, one of the biggest in Kakamas.

Police liaison officers in Pretoria and Kimberley yesterday said they were unable to comment on the incident until today.

Our correspondent in Johannesburg reports that the Minister of the Budget in the House of Representatives and MP for the Kalahari, Mr Andrew Jules, has asked the Minister of Law and Order to investigate the Kakamas incident.

Mr Jules said Mr Adriaan Vlok had assured him the incident, which took place on

February 13, would be investigated.

Mr Jules said he visited the scene of the shooting two days after the incident. According to the police they opened fire after a crowd threw stones at them during the arrest of a suspect.

"That area is free from stones," he said. I didn't see any stones when I was there.

"I informed Mr Vlok of everything I was told by two eyewitnesses and he hold me what he had heard.

"I asked him to investigate thoroughly and inform me of the facts."

Mr Jules said the eyewitnesses told him they saw the shooting and assured him there was no riot but that people had gathered out of curiosity.

"The police said they were attacked," Mr Jules said

Van Eck backs police probe into Kakamas deaths

By DALE LAUTENBACH, Political Staff

CLAREMONT independent MP Mr Jan van Eck said today he would happily co-operate with the urgent investigation into the Kakamas shootings announced in Parliament last night by Law and Order Minister Mr Adriaan Vlok

Mr van Eck travelled to Kakamas in the Northern Cape at the weekend for the funeral of the four-year-old and 13-year-old children shot dead when police opened fire during a dagga raid on a house in the town's coloured township of Langverwag

Mr van Eck said today he had spoken to numerous eye-witnesses of the events on February 13 and that he had pieced together a version of what happened before and during the shootings in which the two children were killed and 14 people were injured, one seriously.

"BROUGHT TO JUSTICE"

"This awful incident must be fully investigated and those responsible brought to justice," Mr van Eck said today "To this end I will gladly make all evidence I have available to the police"

At an official identification parade held in Kakamas, a policeman has been identified by onlookers as one of the policemen involved in the shootings

"Kakamas has been very quiet and there has been no political unrest or upheaval there in the last couple of years. One is dealing with a purely crime-operation here which resulted in these tragic killings," Mr van Eck said

In Parliament last night, Mr Vlok announced an urgent investigation into the incident

● See Page 4.

Murder

Cape Times 23/2/88

probe after

(251)

2 children

shot dead

By ANTHONY JOHNSON
Political Correspondent

MURDER dockets had been opened following the "unhappy events" in Kakamas last week when a four-year-old girl and a 13-year-old boy were shot dead during a police drugs investigation, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

Replying to the second-reading debate on the Police Amendment Bill in the House of Assembly, Mr Vlok said he wished to assure members he and the Commissioner of Police, General Hennie de Witt, regarded the matter in "a very serious light"

Both wished to express their condolences with the children's parents

Mr Vlok said the matter would be thoroughly investigated and a senior police officer attached to police headquarters in Pretoria had been assigned to the case

Mr Vlok appealed for an end to "speculative reporting" and said those who wished to use the sadness and despair surrounding the situation for "political advantage" should desist.

Mr Vlok said the incident had already been discussed with him by the representative of the "brown" people in the area, the Minister of the Budget in the House of Representatives, Mr Andrew Julies.

Mr Julies had acted in a "responsible manner" in addressing the matter and had not attempted to blow the matter up.

To page 3

From page 1

Kakamas

Cape Times 23/2/88

"which is different from others who misused the unhappy situation in a scandalous fashion"

(This was an apparent reference to the Independent MP for Claremont, Mr Jan van Eck, who conducted an on-the-spot investigation of the shooting at Kakamas at the weekend)

In the House of Representatives Mr Julies said the children who were

killed had been at the scene out of curiosity

Mr Julies said it was not the first time there had been a shooting involving children

"Time after time we are told that our children are demonstrating," he said

● Police have refused to comment on allegations about police conduct in the Kakamas shooting, because the incident was under investigation

(251)

23/2/88

251

Court told of witdoek threat

By RONNIE MORRIS
Supreme Court Reporter

A CONVICT yesterday told the Supreme Court that minutes after two police officers had a meeting with a squatter leader in Khayelitsha, the leader's armed deputy told about 300 witdoeke they were going to "destroy" the comrades at KTC

Stuart Mciteka was giving evidence in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes

Mciteka is serving a three-year prison sentence for harbouring or concealing, rendering assistance to and failing to report a "terrorist".

He said that one June 9, 1986, he went to squatter leader Mr Hoza's office

While standing there a white police van arrived and Major Dolf Odendaal and Warrant Officer Hendrik Barnard got out and went into Mr Hoza's office

Asked if he could identify the policemen, Mciteka pointed to Major Odendaal and W/O Barnard, who were present in court

Soon after this the policemen left the office and a Mr Gocini, a deputy of Mr Hoza's, came out and told about 300 witdoeke they must not walk to KTC because it would make people suspicious

When asked if his colleagues and material would be safe, Mr Gocini replied that the workers would not be safe because they (the witdoeke) were going to "destroy" the comrades at KTC

The hearing continues today

Mr Justice Mr de Kock presided Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs Mr C D Griesel SC, and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

Mxenge murder 'may have been political'

GR Tris 23/2/88
Own Correspondent

DURBAN. — Facts surrounding the murder of Durban civil rights lawyer and UDF treasurer, Mrs Victoria Mxenge, indicate it could have been a political assassination, a Durban inquest magistrate heard yesterday.

Mr I G Farlam, SC, appearing for Mrs Mxenge's family asked for a formal inquiry into the murder. He said the family believed that the investigating officer, Warrant Officer Prinsloo, had not done his job completely.

Mrs Mxenge was gunned down while walking from her car to her front door in Umlazi on July 31, 1985.

Mr Farlam asked that the court subpoena Mr Prinsloo to answer questions about certain information he had had at his disposal but had allegedly not investigated.

The magistrate, Mr F M Vorster said Mrs Mxenge had been murdered by a person or persons unknown. He said it was not an inquest court's function to allow the investigating officer's investigations to be scrutinized.

The case would be automatically sent to the Attorney-General who might order it re-opened.

Top police probe into Kakamas shootings

AKG 5
73/2/88
751

In brief ...



THE Government had a responsibility to act in cases of police misconduct, Mr Tian van der Merwe (PFP Green Point) said in the Assembly. — Sapa.

The Minister of Finance, Mr Barend du Plessis, should introduce a reduction in personal income tax in the Budget, Mr Harry Schwarz (PFP Yeoville) told the Assembly. — Sapa.

South African Indians would never forget the "legalised robbery" and the creation of unequal rights embodied in the Group Areas Act, Mr Mahmoud Rajab (PRP Springfield) said in the House of Delegates. — Sapa

Boardsail chief 'to act on beaches'

THE founder and first chairman of the Boardsailing Association of South Africa would reconsider inviting international sportsmen to South Africa if the beaches on which recent international boardsailing events were held were not opened to all races, the Deputy Minister of Population Development, Mr Luwellyn Landers, has said

Speaking on a motion yesterday calling for the repeal of sections of the Population Registration Act, he said he had written to the boardsailing association, which had hosted the recent South African Windsurfing Championships, and to the sponsors of the event expressing concern that the events were held at beaches not open to all races

In his letter he said it was in the interests of South Africa's continued participation in international sport that alternative venues be found for the events

He said: "Moreover, morally we fail to see how your association can continue using these beaches in the light of the intransigent attitude of the authorities towards people of colour using such amenities"

Mr Landers said he had received a reply from Mr Terry Wyner, the founder and former chairman of the boardsailing association, saying he had become aware of the "abhorrent sign designating the beach for whites only" before the first international competition was held. The association had approached the Divisional Council which had agreed to remove the sign as a temporary measure — Sapa

By PETER FABRICIUS, Political Staff

THE killing of two children, including a four-year-old girl, by police in Kakamas in the Northern Cape was being urgently investigated by a top officer from police headquarters, the Minister of Law and Order, Mr Adriaan Vlok, told Parliament

Mr Vlok confirmed that the Rev Andrew Julies, Minister of the Budget in the House of Representatives and MP for the area, had asked him to investigate the shooting

Rosaline Cloete, 4, and Michael Julies, 13, were killed and several youths were injured when police fired at a crowd during a dagga raid in the town

Local police have claimed they fired in self-defence when an angry crowd stoned them, but other witnesses have claimed that the crowd were merely curious spectators to the raid

Regretted incident

Mr Vlok said he regretted the incident and viewed it in a very serious light

He expressed his sincere condolences to the relatives of the dead and injured

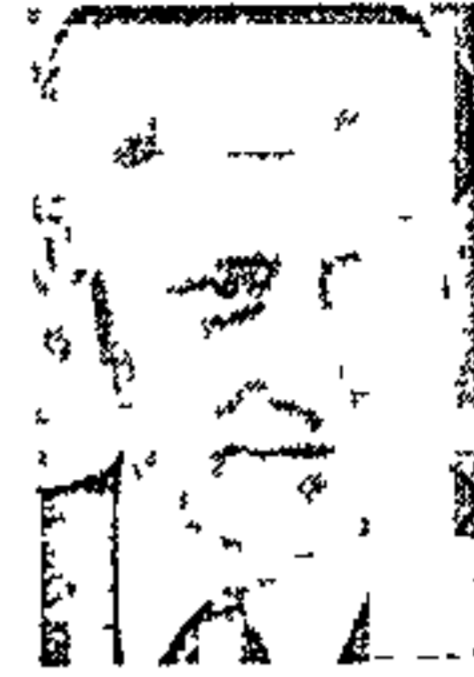
Because the incident was now the subject of a judicial process, he appealed to all interested parties not to speculate about it any further

Mr Julies, in Kakamas soon after the incident, said he had visited the scene and had seen no stones

"I am upset by the police action. Innocent children have lost their lives and no matter what we do we cannot bring them back"

Mr Julies tried to raise the matter in the House of Representatives yesterday but the chairman of the House ruled that it was not relevant to the debate

The Argus Parliamentary Staff reports that Claremont independent MP



Mr Vlok



Mr van Eck

Mr Jan van Eck was called to order during the debate on the Police Amendment Bill when he told the House of Assembly he would give examples to support his argument

Acting Speaker Mr Rex le Roux intervened immediately yesterday, saying Mr van Eck had to confine himself to the legislation at hand and the clauses in the amendment Bill

Mr van Eck had told the Press earlier in the day that he intended reporting to the House during this debate what he had learnt during his weekend trip to Kakamas for the funeral of the four-year-old girl and 13-year-old boy

During the debate Mr van Eck said he supported the amendment Bill but warned that it would not achieve what Mr Vlok had hoped for

The Bill did not satisfactorily address the issue of misconduct by members of the police. While providing for harsher penalties in respect of police members found guilty of misconduct, the Bill did not make it easier to convict policemen of misconduct said Mr van Eck

Expert: Treurnichts' blood mixed

Political Staff

BOTH Treurnicht family lines have slave blood, a well-known genealogist disclosed today after a controversial suggestion that CP leader Dr Andries Treurnicht should be reclassified coloured

Mr Desmond Lockey, a Labour Party MP said in the House of Representatives yesterday that if the Population Registration Act was not repealed Dr Treurnicht should be reclassified

Speaking in a motion calling for the repeal of the race classification provisions in the Act, Mr Lockey said published historical research showed that a member of the Treurnicht family had married a slave and another ancestor had had an illegitimate child by a Hottentot woman

"COMPLETELY FALLIBLE"

He said in terms of the Race Classification Act Dr Treurnicht was not white, which showed the Act was "completely fallible"

Dr Treurnicht rejected Mr Lockey's claims as

"rubbish" and said he could show him his family register extending back six generations

Today Dr Hans Heese, a University of the Western Cape genealogist who has documented miscegenation in most Afrikaans families, said brown slaves had married into both Treurnicht family lines

He said he would be "most interested" to see Dr Treurnicht's family tree going back six generations

10 GENERATIONS

But the miscegenation had occurred further back, about 10 generations

He said that would not qualify Dr Treurnicht for reclassification, which was based only on ancestry back to about the third generation, and then only if a person's race could not be determined on appearance

"Most Afrikaans families have some slave blood in them. The point of my research was just that we should accept this"

Ms 23/2/88
 Videos of KTC battles
 were tampered with

Supreme Court Reporter

TWO videotapes of the battles in KTC squatter camp in June 1986 were tampered with, the Supreme Court has heard

Mr Vernon Matzopoulos, then soundman for Worldwide Television News cameraman Mr Craig Matthew, said a tape of burning shacks in KTC was "fuzzy" and "hazy" and another was "freeze-framed" on one image for its duration

Mr Matzopoulos was giving evidence yesterday in the R312 000 damages claim by 21 KTC households and the Methodist Church against the Minister of Law and Order

They allege police assisted in, alternatively failed to prevent, attacks by "witdoeke" from Crossroads who destroyed their property in June 1986

The minister has denied their allegations

Held overnight

Mr Matzopoulos said he and Mr Matthew were arrested near KTC on June 9 and taken to Manganese police station

Mr Matthew was held overnight, but Mr Matzopoulos was allowed to leave after 80 minutes

While they were in the police station, their equipment was kept in the back of the Casspir which had brought them there

Mr Matzopoulos said that when he played back the tape, he saw only "fuzzy" and "hazy" images instead of the events of that morning

He said "When I viewed the film on a television monitor, I saw what seemed to be a hand coming towards the lens, then moving back

"It looked like the inside of a Casspir. There was a greenish seat"

He said it was impossible for the images he saw to have got there accidentally

"My conclusion was that the images had been filmed in the back of a Casspir by unknown people I can only presume were policemen."

On June 10 Mr Matzopoulos and Mr Matthew collected slain colleague Mr George De'Ath's equipment from the Guguletu police station

"We took the equipment

straight to the President Hotel in Sea Point and had a look at Mr De'Ath's two tapes because his employers, ITN, who had set up a film-editing suite, were interested in seeing if there was film which could give any idea of how he had died

"One tape had images of people meeting, standing on a sand-dune and of a few Casspirs

"The other tape consisted entirely of a freeze frame, which is when a single image is captured and held for the duration of the tape

"It is technically impossible to do this in the ordinary course of filming. It can only be done in a studio, using editing equipment"

Mr Stuart Mncedisi Mciteka of Khayelitsha, jailed earlier this month for three years for assisting terrorists or suspected terrorists, told the court he had seen Major Dolf Odendaal and Warrant Officer Hendrik Barnard at Site C, Khayelitsha, on June 9 1986

He said they spoke to a Mr Gocini, assistant to leader Mr Mah Hoza, in an office

"After three minutes the policemen left and Mr Gocini told about 300 'witdoeke' assembled outside his office not to walk to KTC because people would become suspicious if they saw them," Mr Mciteka said

"When I asked him if my colleagues and the materials they were using to build creches would be safe, Mr Gocini, who was wearing a gun in his waistband, said they were going to destroy the 'comrades' in KTC"

Mr L Visser SC, for the minister Major Odendaal will deny he was in Site C that morning

Mr Mciteka I saw him there Mr Visser Warrant Officer Barnard will say he was there, but spoke to a Mr Somolunguse Ngchina, who complained about "comrades" from KTC attacking and threatening residents. Did you hear this?

Mr Mciteka No

Mr Visser Warrant Officer Barnard will say he told Mr Ngchina that if comrades were found, they weren't to be harmed, but brought to the police. Did you hear that?

Mr Mciteka No, I didn't

(Proceeding)

†Mr SPEAKER Order! The hon member must resume his seat

Group Areas Act. persons prosecuted/found guilty

*15 Mr S S VAN DER MERWE asked the Minister of Justice

How many persons were (a) prosecuted on charges and (b) found guilty, of contravening the provisions of the Group Areas Act 1987?

†The MINISTER OF JUSTICE

(a) 3

(b) 2

As thus far in 1988 3 persons have been prosecuted. One case has been finalized and 2 are still pending. As far as can be ascertained there are about 100 police dockets awaiting the decision of Attorneys-General

I also refer the hon member to the reply to written question No 221 of 1987 (Hansard col 572 of 1987) where I have indicated that alternative steps are also taken against unlawful occupants *inter alia* by means of negotiations and the issuing of summonses and written notices

New Questions

Non-Whites appointed as judges

*1 Mr D J DALLING asked the Minister of Justice

Whether any persons who are not White were appointed as (a) acting judges and (b) judges within the Republic during the past five years, if not why not, if so, (i) who were so appointed and (ii) (aa) when and (bb) where was each such person appointed?

†The MINISTER OF JUSTICE

(a) Yes

(i) Advocate Hassen Ebrahim Mall SC

(ii) (aa) On 19 January 1987 for the period 1 February 1987 to 28 February 1987

(bb) Natal Provincial Division of the Supreme Court of South Africa

(b) No I have on various occasions clearly stated that the judges are appointed on merit only. This was also the intention of

the legislator when it was stated in the Supreme Court Act, 1959, that the only criterion for appointment as a judge is that he should be a fit and proper person. Judges are mainly appointed from the ranks of Senior Advocates. At present there are only two advocates outside the White group who have this status. One of them has held an acting appointment.

Jan Smuts Airport: closure of runways/facilities

*2 Mr P G SOAL asked the Minister of Transport Affairs

Whether any (a) runways and/or (b) other facilities have been or are to be closed at Jan Smuts Airport in 1988, if so, (i) what specified facilities and (ii) (aa) on what dates, and (bb) why, in each case?

†The DEPUTY MINISTER OF TRANSPORT AFFAIRS

(a) and (b) Yes

(i) Runway 03R/21L and certain aircraft parking bays on the main apron

(ii) (aa) Since 11 January 1988 and 8 February 1988 respectively

(bb) The reasons for the temporary closure of runway 03R/21L are the attendance of the Aero-Traffic Control Course by 6 Air Traffic Control Cadets and the commissioning of a standby diesel generator. The aircraft parking bays are closed due to repair work on portions of the main apron.

Emergency regulations: detainees

*3 Mrs H SUZMAN asked the Minister of Law and Order

Whether he will furnish information on the number of persons detained for up to 30 days under the emergency regulations, if not why not, if so (a) how many persons were so detained from 12 June 1986 until the latest specified date for which figures are available and (b) how many of these persons were under the age of 18 years when they were in detention?

The MINISTER OF LAW AND ORDER

No because I do not consider it in the public

interest to furnish this information. With reference to the number of persons who are detained in terms of the emergency regulations, the requirements of section 3(4) of the Public Safety Act, 1953 (Act 3 of 1953), have been complied with. In terms of these requirements a list of names of persons in detention for periods longer than 30 days was regularly tabled in Parliament during 1987 and was again tabled on 18 February 1988.

(a) and (b) Fall away

Emergency regulations: detainees

*4 Mrs H SUZMAN asked the Minister of Law and Order

(1) Whether any persons detained under emergency regulations in 1987 were under the age of 16 years at the time of being so detained, if so how many?

(2) whether charges have been or are to be laid against any persons under the age of 16 years, if so, (a) against how many persons and (b) what charges in each case?

†The MINISTER OF LAW AND ORDER

(1) 290 persons

The following persons were however in detention at 08h00 on 23 February 1988

15 years of age — 4 persons in Natal
Under 15 years of age—none

(2) Yes

(a) 71 persons

(b) I refer the hon member to paragraph 2(b) of my reply to oral question No 10 of 16 February 1988

Daily average detainee population

*5 Mrs H SUZMAN asked the Minister of Law and Order

What was the daily average detainee population in police cells in the Republic as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER

14 917 persons at 804 police stations calculated for the period 1 January to 31 December 1987

I wish to point out to the hon member that the majority of these persons were detained in terms of section 50 of the Criminal Procedure

Act, 1977 (Act 51 of 1977). In terms of these provisions, persons may be detained for a period not exceeding 48 hours, unless they are brought before a lower court and their further detention for the purposes of trial is ordered by the court on a charge of any offence.

An accused person may also, within the prescribed 48 hours and before he appears before court, be released —

— in terms of section 54 of the said Act after a summons was served on him,

— in terms of section 55 of the said Act after a written notice to appear in court was served on him,

— in terms of section 57 of the said Act after he paid an admission of guilt fine,

— in terms of section 58 of the said Act after bail was deposited,

— in terms of section 72(1)(a) of the said Act after he was warned to appear in court on a specific date.

— in terms of section 72(1)(b) of the said Act in the event of him being under the age of 18 years and he is placed in the care of the person who has custody over him.

If the further detention of a person after he has appeared in court is essential in the interests of the administration of justice that person is referred to a prison for detention. In very exceptional cases further detention in police cells is, however, authorized.

Experiments on animals

*6 Mr D J DALLING asked the Minister of National Health and Population Development

(1) Whether any companies or business organizations in the Republic are conducting experiments on animals for research or other purposes, if so, (a) which companies or business organizations and (b) what is the nature of the experimentation,

(2) whether any control is exercised by the State in this connection, if so what control?

†The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

(1) Yes

CAP TIPS 24/2/88 (25) 225

PW says 'no' to Kakamas probe

By ANTHONY JOHNSON
Political Correspondent

HOUSE OF REPRESENTATIVES. — President P W Botha had refused to appoint a judicial commission of inquiry into the deaths of two children at Kakamas last week during a police drugs investigation, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

The policemen involved in the shooting incident had not been suspended yet, Mr Vlok said in his reply to a motion by the Minister of the Budget and EP MP for Kalahari, Mr Andrew Julius, calling for a commission of inquiry into the February 13 shooting incident which left a four-year-old girl and a 13-year-old boy dead.

Mr Vlok said the commission had been turned down because a police investigation had already been set in motion. The policemen had not been suspended as "we are waiting for more information".

Mr Julius expressed his dismay at the State President's decision and the motion was unanimously approved.

Opening the debate, Mr Julius said Kakamas had once been the most "verkrampte" town on the Orange River but had subsequently been transformed into one of love, respect and racial harmony.

However, a "devil has sent a disciple" and wounds had been inflicted "that time will never heal" and the "seeds of distrust have been watered again".

Cape Times 24/2/88
Police hold
14 917 (251) ~~251~~
daily — Vlok

Political Staff

A DAILY average of 14 917 people were detained at 804 police stations in South Africa, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Most of these people had been detained in terms of Section 50 of the Criminal Procedure Act.

Mr Vlok said in reply to another question by Mrs Helen Suzman (PFP Houghton) that 63 360 youths under the age of 18 were held awaiting trial in police cells last year.

"These persons are youths who were arrested in connection with ordinary crime."

He declined to disclose how many people had been detained for less than 30 days since the state of emergency was imposed on June 12, 1986.

Mr Vlok said in reply to a question by Mrs Suzman that he did not consider it to be in the public interest.

ARGUS 24/2/88 ^{revised} (751) (E)

Kakamas: Police probe 'proper'

PRESIDENT Botha had refused to appoint a commission of inquiry into the deaths of two children at Kakamas because a police investigation was already under way, the Minister of Law and Order, Mr Adriaan Vlok, told the House of Representatives.

Mr Vlok was replying to a motion by Mr Andrew Julius, Minister of the Budget and Labour Party MP for Kalahari, calling for a commission of inquiry to investigate the shooting incident on February 13 in which a four-year-old girl and a 13-year-old boy were killed

Mr Julius said that in spite of Mr Vlok's assurances on the judicial process already under way he feared that witnesses to the shootings would not want to give evidence to the policemen conducting the investigation

Although he was dismayed that a commission of inquiry would not be appointed, the House could do nothing but accept the President's decision

He said his motion still stood. It was then unanimously approved.

Earlier in the debate Mr Julius said the killing of two innocent children took place in a town which had once been "verkramp" but was now a place of love, respect and harmony between races

He praised Mr Vlok for his immediate response

to the shootings, but said that wounds had been inflicted that time could never heal

Mr Cecil Herandien (UDP Macassar) said the people of Kakamas were not violent

Referring to members of the narcotics bureau involved in the incident, he said the community could do without "trigger-happy" men. Everything that had been built up by the police in the area had been destroyed by "irresponsible" people

Mr Herandien said he knew that the people of Kakamas would not want to give evidence to policemen in the investigation.

Mr Vlok said he also wanted to know the precise details of what had happened. That was why he had announced yesterday that a senior police officer from Pretoria would begin an urgent and intensive investigation and that two murder dockets had been opened.

Mr Vlok said statements would be taken from witnesses who would have to give evidence to the police even if a commission of inquiry was appointed

The police investigation was a proper judicial process which would end in an independent court

The shooting incident was the exception not the norm. Every minute of every day policemen were on duty fighting violence. In this process errors were sometimes made. — Sapa.

551

24/2/88

SMN

SMN

24/2/88

The State President, Mr P W Botha, had refused to appoint a commission of inquiry into the deaths of two children at Kakamas because a police investigation was already under way, the Minister of Law and Order, Mr Adriaan Vlok, said in the House of Representatives yesterday.

He was replying to a motion by the Minister of the Budget and Labour Party MP for Kalahari, Mr Andrew Julies, calling for a commission of inquiry to investigate the shooting incident on February 13 in which a four-year-old girl and a 13-year-old boy were killed.

Mr Julies said that despite Mr Vlok's assurances on the judicial process already under way, he feared that eyewitnesses to the shootings would not want to give evidence to the policemen conducting the investigation.

Although he was dismayed that a commission of inquiry would not be appointed, the House could do nothing but accept Mr Botha's decision.

He said his motion still stood. It was then unanimously approved.

He praised Mr Vlok for his immediate response to the shootings, but said that wounds had been inflicted that time could never heal.

Mr Cecil Herandien (UDP

Coloured House presses for inquiry

Macassar) said the people of Kakamas were not violent.

"You must understand that when men arrive with big guns it is the event of the century in Kakamas," he said.

Mr Vlok said he also wanted to know the precise details of what had happened. That was why he had announced yesterday that a senior police officer from Pretoria would begin an urgent and intensive investigation and that two murder dockets had been opened.

Mr Vlok said the shooting incident was the exception, not the norm. Every minute of every day there were policemen on duty in South Africa fighting violence.

In this process, things sometimes went wrong.

Asked why people were arrested in murder cases, but that the policemen involved had not been suspended, Mr Vlok said the Commissioner of Police did not have enough information yet to take such a decision — Sapa.

CAPF Times 25/2/88

Lawyer: Police let 'impi' into KTC

Supreme Court Reporter

AN ATTORNEY told the Supreme Court yesterday that he and two colleagues were prevented from going into KTC by a policeman at a roadblock but saw an "impi" of about 100 armed witdoeke jog past a combined police and army roadblock.

This was said by Mr Lee Bozalek, director of the Legal Resources Centre and the instructing attorney in the R312 000 damages action brought against the Minister of Law and Order, Mr Adriaan Vlok, by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC.

Mr Bozalek said that on June 8, 1986 — the eve of the burning of KTC — he had received calls expressing concern that an attack on KTC was imminent.

He had taken the warnings seriously and had telephoned the Guguletu and Khayelitsha police stations, PFP MP Mr Tiaan van der Merwe and the Ottery fire station to explain the situation.

The next morning a "comrade" called him to say many witdoeke were going to attack KTC.

Large police roadblock

He then spoke to the police and was told Major Dolf Odendaal had asked the comrades and the witdoeke to disperse.

On trying to enter KTC, at an intersection on Borchards Quarry Road, Mr Bozalek said, he and two colleagues found a large police roadblock.

"A policeman said no vehicles were allowed in.

"(Then) we became aware of an 'impi' of about 100 witdoeke jogging up Klipfontein Road.

"They wore white cloths, all were armed ... and were moving in a very resolute manner

"What struck us was they were almost oblivious, paid almost no regard to the police presence. Just as they cleared the roadblock, a police Casspir moved off and followed them from a distance. No move was made by the police or army to stop the 'impi'," Mr Bozalek said.

The hearing continues today.

Mr Justice M R de Kock presided Mr H P Viljoen SC with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the plaintiffs Mr C D Griesel SC and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

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1/26/88 25/2/88

CITY/INTERNATIONAL

Witdoek impi 'jogged past SAP roadblock'

Supreme Court Reporter

AN "IMPI" of about 100 armed and uniformed "witdoeke" in formation jogged unhindered through a police roadblock towards the KTC squatter camp while a team of attorneys and vehicles were refused entry.

And, according to Mr Lee Bozalek, director of the Legal Resources Centre (LRC), he inferred from later events that the same "impi" attacked houses in KTC.

Mr Bozalek was giving evidence in the R312 000 damages claim by 21 KTC households and the Methodist Church against the Minister of Law and Order.

The Minister has denied police assisted in or failed to prevent attacks by "witdoeke" (vigilantes)

Poised to attack

Mr Bozalek told the Supreme Court that on the afternoon of June 9, 1986, he and fellow-LRC attorneys Mr Matthew Walton and Mr Pume Canca tried to gain entry to KTC after receiving information from residents that the Zolani Centre was burning and that "witdoeke" were poised to attack them.

The group was turned back at a police roadblock in Klipfontein Road, near the Manenberg police station, and tried to enter via Borchards Quarry Road, he added.

"At the Borchards Quarry entrance a police roadblock was manned by between 15 and 20 heavily armed policemen, a yellow Casspir and four Buffels.

Brusque

"All the policemen carried shotguns. A brusque, aggressive policeman told us no cars were to enter the area.

"While we tried to persuade him we had legitimate business, an impi of at least 100 'witdoeke', four or five abreast and all armed with pangas or sticks, jogged past us and through the roadblock, completely oblivious of the police presence.

"No attempt was made by police or army personnel to stop them.

"The police Casspir then followed them slowly at a distance."

Mr Bozalek said he and several others, including policemen, then watched events inside the township from a bridge on the N2 freeway

try in Cape Town.

Saw flames

"A Casspir was moving up and down in the area," he said.

"I saw figures emerge from the cemetery and move towards a dune. I saw flames from houses on the dune and a huge pall of black smoke rose into the air.

"I inferred that the self-same people we saw at the roadblock attacked KTC."

Television cameraman Mr Bjorn Rudner told the court that on Tuesday, June 10, he was fired on as a Casspir and "witdoeke" started to follow his car in KTC.

Later that day, when "witdoeke" and KTC residents or "comrades" stoned each other and fought with pangas and sticks for about 20 minutes, police fired shotguns and tear-gas at the residents and not at the other side, Mr Rudner said.

(Proceeding)

Mr Justice de Kock is on the Bench. Mr H P Viljoen, assisted by Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appear for the plaintiffs. Mr G D Griessel, SC, and Mr L Visser, SC, with Mr F D Brand and Mr C Y Louw, instructed by the State Attorney, appear for the Minister.

Parliament and

Cape Times 26/2/88
Killings:

**Policeman
suspended**

251 Political Correspondent *MS*

A POLICE dog handler has been suspended from duty as a result of the shooting in Kakamas earlier this month in which a four-year-old girl and a 13-year-old boy were killed.

Brigadier Leon Mellet confirmed yesterday that Sergeant W. J. Beyleveld of the Kimberley dog unit had been suspended and that a dossier had been handed to the advocate-general.

The commissioner of police, General Hennie de Witt, said in a statement that the investigation into the Kakamas shooting on February 13 was at an advanced stage and would be completed as soon as possible.

CPK Times
February 26, 1988 9

Delay in KTC damages trial

THE KTC damages action in the Supreme Court was yesterday postponed to next Monday with 70 more witnesses expected to testify.

The court has already heard evidence from 30 witnesses.

A legal observer said yesterday that legal costs would be "enormous" and could run into hundreds of thousands of rands.

The Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes have brought a R312 000 damages action against the Minister of Law and Order.

The minister is being sued because it is alleged police helped witdoeke destroy the homes of the estimated 60 000 people involved by planning the attack, protecting and escorting the witdoeke, providing transport and other logistical support, preventing KTC residents from protecting their property, as well as setting fire to dwellings and not preventing looting.

On the first day of the case it was expected that some 100 witnesses would testify.

Both the ministers of Law and Order and Defence were subpoenaed to provide certain documents, but declined in terms of the Internal Security Act.

Mr Justice De Kock presided. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr C D Griesel SC, and Mr L Visser SC, with Mr F D J Brand, and Mr C Y Louw and instructed by the State Attorney, appeared for the minister.

1/1/88

W/ ARGUS 27/2/88 (51)

'KITS COPS A HIT' — MEYER

by ROB HOUWING
Weekend Argus Reporter

THE black population of South Africa in particular owed "much gratitude" to special constables for their "very active role in curbing violence during the recent unrest", the Deputy Minister of Law and Order, Mr Roelf Meyer, said today.

Addressing a passing-out parade of 400 "kitskonstabels" at Goodwood, Mr Meyer said the application of these policemen was "just one of the success stories of the force in its determined efforts to thwart the communistically-inspired violence that has wracked the country since 1984".

Mr Meyer said that several of them had paid the "supreme price".

"Others have been victims of a most vicious and callous intimidation campaign — yet they remained loyal and their morale never faltered

"There have also been a few who were not so loyal and who resorted to actions which could not and never will be condoned. But they were readily identified and have had to face the consequences."

Blood-brother ceremony a big joke — policeman

W/ ARGUS 27/2/88 751

by PAT CANDIDO
Weekend Argus Bureau

PORT ELIZABETH — A police officer charged with murder who said he was drunk when he went on an official operation into the Cradock township has dismissed a blood-brother ceremony as nothing but a big joke

Warrant-Officer Leon de Villiers told the Supreme Court, Grahamstown that the ceremony, mentioned by several other witnesses as something supposed to bond and keep a unit together, was nothing more than a lark around a camp fire

Warrant-Officer de Villiers, 36, and Constable Patrick Goosen, 26, are charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice

Monitoring funeral

All the charges arise from alleged incidents in the Cradock black township on July 26 1986 when 10 members of the unrest unit were sent to monitor a funeral

This week the judge, Mr Justice Zietsman, questioned Warrant Officer de Villiers on aspects of his evidence

Warrant Officer de Villiers told the court he was heavily under the influence of liquor when he went on a night patrol and was still under the influence when he went on an official operation the following day

When he was sent to Cradock he drank about three-quarters of a bottle of brandy on the trip there. When they arrived they had *potjiekos* and embarked on the blood-brother ceremony which he thought was a huge joke

Very drunk

Later they went into the township. He was very drunk and sent in a foot patrol because he was too drunk to go himself. He had hoped a foot patrol would entice stone-throwers into the open

Mr Justice Zietsman remarked that if the squad had not gone in there would have been no stone-throwing and no need for arrests

Warrant-Officer de Villiers

said that although he did not have permission to enter the township at night he did not need permission from anyone in Cradock as he was acting under orders from the head of the unrest unit

Before entering the township they equipped themselves with batons and sjamboks

On the way to the township he drank more brandy

Asked by Mr Justice Zietsman if he did not see anything wrong in taking an armed and inebriated group of policemen into the township in the early hours of the morning, he said that when he thought about it now he could see it was wrong

Warrant Officer de Villiers described his encounter with Mr Mlungisi Stuurman, the deceased in one murder count, and said that Mr Stuurman had sworn at him when he tried to question him

According to earlier evidence Mr Stuurman was shot because he was too badly assaulted ("ge-panelbeat"). His body was dumped in a river

Warrant Officer de Villiers said he lost his temper and clouted Mr Stuurman. The rest of the unit then pummelled and kicked Mr Stuurman

The judge asked how he, as the man in charge, could just step aside and let it happen. Warrant Officer de Villiers said he was hurt and angry because one of the kicks landed on his knee

Shocked, afraid

Asked why he had ordered other members of the unit out when he and Constable Goosen interrogated Mr Stuurman, Warrant Officer de Villiers said he was scared Mr Stuurman would provoke them into another attack

Later when the judge questioned him about the shooting at the river, Warrant Officer de Villiers, who denied he had suggested that Mr Stuurman be shot, said he believed Constable Goosen's report that the shooting was an accident

He said he was too shocked and afraid to report the incident,

(Proceeding)



Mr Justice Foxcroft, who takes up his new position on February 17.

City advocate, 48, to serve on Cape Bench

Supreme Court Reporter

MR Justice John Godfrey Foxcroft, SC, has been appointed to the Cape Bench with effect from February 17

Mr Foxcroft, 48, was educated at Grey High School in Port Elizabeth and Rhodes University, before furthering his legal studies at Oriel College, Oxford, as a Commonwealth Scholar from 1961 to 1963

He was admitted to the Cape Bar in 1964 and took silk in 1985

He has acted as judge in the Cape Provincial and the Eastern Cape divisions of the Supreme Court since February 1987.

For some years Mr Justice Foxcroft was a part-time law lecturer in Roman law, jurisprudence and company law at the University of Cape Town

He has a continuing interest in education and has served on the Diocesan College Council and the committees of Rustenberg Junior and Senior Schools

The judge and his wife, Audrey (née Auld), have six children. The eldest two are studying at UCT and the others attend Bishops and Rustenburg schools

Mr Justice Foxcroft likes gardening and golf

Servant jailed for four years after farm shooting

Supreme Court Reporter

A KUILS RIVER domestic servant who stole her employer's revolver and shot dead a farm

Meyer's turbulent emotional state and the fact that she had drunk a fair amount of alcohol at the time of the shooting to be extenuating circumstances

PUBLIC SECTOR - GOVT. POLICE

1988 - MARCH.

PFP slams
possible
kitscop
move

Own Correspondent
MARITZBURG. — The announcement at the weekend by Law and Order Minister Mr Adriaan Vlok that special police constables might be sent to Maritzburg in the next few days has been slammed by the Progressive Federal Party and church organizations

Mr Vlok told the Natal Mercury on Sunday night that the constables — 400 of whom passed out of their Cape training centre at the weekend — would be posted to Maritzburg's strife-torn townships if they were needed for the maintenance of law and order

Questioned on rumours that the policemen were all Inkatha members, Mr Vlok said they had been recruited without their political affiliations being screened.

Mr Peter Kerchhoff, co-ordinator of the Pietermaritzburg Agency for Christian Social Awareness (PACSA), said the timing of Mr Vlok's announcements on the constables seemed to confirm reports of people being sent away for training from the capital some six weeks ago for an undisclosed purpose.

Donate to flood relief, Schwarz urges MPs

Star 1/3/88



Political Staff

Members of Parliament should each donate a portion of their February salary to the flood disaster fund, said Progressive Federal Party MP for Yeoville Mr Harry Schwarz.

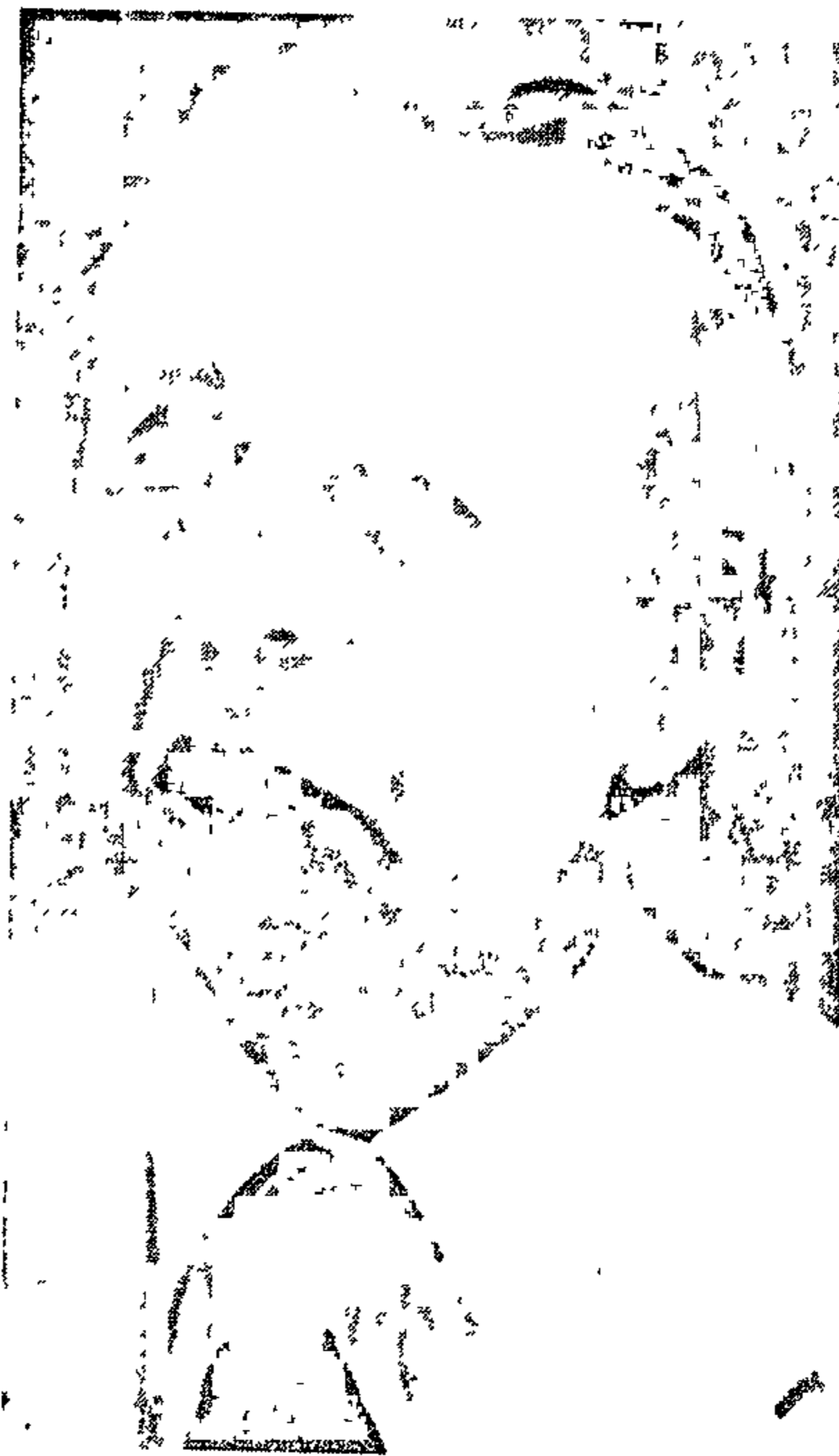
"It wouldn't be a bad idea if members of Parliament, instead of voting other people's money, voted as a body to give a portion of this month's salary to the Disaster Fund," said Mr Schwarz during the Additional Appropriation second reading debate in the House of Assembly yesterday.

"It would be a gesture that the public of South Africa would understand and would show that we don't just talk about things but put our money where our mouth is," he said. He suggested about 10 percent of each MP's salary could go to the fund.

Provision

Mr Schwarz called on Finance Minister Mr Barend du Plessis to amend this additional budget to make provision for the unforeseen additional expenses that had arisen as a result of the floods in the northern Cape and the Free State.

Mr du Plessis said an amendment was not nec-



Harry Schwarz let's put our money where our mouth is

essary now and that the money needed for flood relief could be handled administratively in the last month of the fiscal year.

Replying to Mr Schwarz's suggestion that MP's contribute to the

flood disaster fund, Mr du Plessis said there were moves in the National Party caucus to approach NP MPs and there had also been negotiation among parliamentary whips to include MPs from other parties.

Parliament '88



Star 1/3/88

Religious objectors are a real problem

254

Minister of Manpower Mr Pietie du Plessis said yesterday in the House of Assembly that he personally did "not have much sympathy" with religious objectors doing "alternative national service" and that using these people was "a real problem".

NOT WANTED

"People don't want them or anything to do with them," he said.

He was replying in committee stage debate on the Additional Appropriation Bill to questions from Mr Arrie Paulus (CP Carletonville) and Professor Nic Olivier (PFP Nominated).

"People" did not want anything to do with the objectors because they did not do military service.

"I will put them into jobs, but I won't go out of my way to do things on their account," he said — Sapa

Therefore action is being taken against the transgressors in the interests of the residents of the area and the law abiding persons who visit the beach

Mr D J N MALCOMESS Mr Chairman, arising out of the hon the Minister's reply, can he perhaps inform us how the police decided that the men who were flocking to the beach were of dubious character? [Interjections]

Mr C W EGLIN Mr Chairman arising out of the hon the Minister's reply, have there been any arrests or have the police acted in any way against these gentlemen of dubious character, or have they only acted against the topless sunbathers?

The MINISTER Mr Chairman, the hon member is now after something that is not clear to me [Interjections] People flock to the beach and the local residents complain to us that there are unsavoury characters in the neighbourhood. Therefore we act against those people who cause the influx of unsavoury characters. Now the hon member is angry with us, now he is at loggerheads with us. I do not want to spoil the hon member's fun. I do not think that the hon member will be seen in that light when he pays a visit there.

Mr C W EGLIN Mr Chairman, further arising from the hon the Minister's reply, may I ask whether he is saving that although he has said across the floor of the House that the result of this is that a lot of insubrious characters have arrived there the police have taken no action against those other people?

The MINISTER Mr Chairman, if the people who flock there do not commit an offence, why should we pick them up?

Topless bathing/sunbathing directives to members of SAP

*12 Mr C W EGLIN asked the Minister of Law and Order

Whether any directive has been issued to members of the South African Police regarding topless bathing or sunbathing if so (a) what is the content of the directive and (b) (i) by whom and (ii) when was it issued?

The MINISTER OF LAW AND ORDER

No

(a) and (b) Fall away

HOUSE OF ASSEMBLY

Seating arrangements non-Whites in back two rows of aircraft

*13 Mr D J N MALCOMESS asked the Minister of Transport Affairs

(1) Whether on flight SA 314 from Cape Town to Johannesburg on 10 February 1988 the back two rows of the aircraft were occupied by persons who are not White if so,

(2) whether these persons requested to be allowed to sit in these rows if not

(3) whether this represents a change in the policy of the South African Airways in regard to seating arrangements for persons who are not White, if so, (a) why and (b) who took the decision in this regard if not, what is the policy of the airways in regard to the seating of persons of different race groups in their aircraft?

The DEPUTY MINISTER OF TRANSPORT AFFAIRS

(1) Particulars of the race of air passengers are not recorded on passenger records

(2) Particulars of requests for specific seats are not kept

(3) No, a uniform policy in respect of seating allocations in the economy class viz a choice of seat during check-in or if such a choice is not made at random by computer, is applied

Ballot papers: security measures

*14 Mr C J DERBY-LEWIS asked the Minister of Home Affairs

Whether any security measures are taken to ensure that ballot papers are not tampered with after a general or by-election, if not why not, if so what security measures?

The MINISTER OF HOME AFFAIRS

Yes. The hon member's attention is invited to section 80 read with section 107 of the Electoral Act, 1979 (Act 45 of 1979). Marked ballot papers and the counterfoils of such ballot papers are sealed separately in the presence of representatives of political parties. The marked ballot papers are kept in the sealed packets by the Returning Officer and the counterfoils are kept in the sealed packets by the Chief Electoral Officer in Pretoria for a period

of twelve months before they are destroyed. All these documents are kept in safe custody for the said period. Access to such ballot papers may be granted only by an order of the Supreme Court

Government's economic policy: advertising campaign in Press

*15 Mr C J DERBY-LEWIS asked the Deputy Minister of Information

Whether the Bureau for Information is involved in the current advertising campaign in the Press aimed at presenting the Government's proposed economic policy for the Republic to the public at large, if so (a) to what extent, (b) what was the cost of this campaign as at the latest specified date for which information is available (c) which newspapers are involved (d) what is the combined circulation figure of these newspapers and (e) on whose advice and (ii) authority were these advertisements placed?

The DEPUTY MINISTER OF INFORMATION

Yes

(a) The Bureau for Information was responsible for the preparation and placement of the advertisements

(b) R153 768 16 on 1 March 1988

(c) (i) Newspapers

- Rapport
- Sunday Times
- Sunday Tribune
- Beeld
- Die Burger
- The Star
- The Argus
- The Citizen
- Sowetan
- Business Day
- Oosterlig
- Die Volksblad
- Civ Press
- Ilanga
- Imvo Zabantsundu
- Eastern Province Herald
- Magazines
- Africa Business
- Finansies en Tegniek

Finance Week
Financial Mail
(d) 2 123 718 (newspapers only)
2 197 818 (magazines included)

(e) (i) Bureau for Information
(ii) The Deputy Minister of Information

Mr C J DERBY-LEWIS Mr Chairman, arising from the hon the Deputy Minister's reply, may I ask whether he would be prepared to give us an estimated figure as to how much of the new budget is going to be used to promote the image of the hon the State President and the NP?

The CHAIRMAN OF THE HOUSE Order! That is not a question arising from the hon the Deputy Minister's reply

Ellisras, new power station

*16 Mr R R HULLEY asked the Minister of Economic Affairs and Technology

Whether a new power station is being constructed in the Ellisras area if so, (a) what is its megawatt output, (b) what (i) is its capital cost and (ii) was its original budgeted cost (c) when (i) did construction commence and (ii) was it completed or is it due to be completed and (d) on what date was this power station originally due to start operating?

The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY

Yes the Matimba power station

(a) 3 900 MW on completion

(b) (i) R3 927 million on forecast (in 1988 money values)
(ii) R3 880 million excluding interest charges

(c) (i) 1981
(ii) September 1991

(d) Unit 1 of the power station should have started to operate in September 1986 but was only put into operation in September 1987 and the delay did not increase the estimated final cost of the project. Unit 2 was completed in December 1987

*17 Mr D J N MALCOMESS—Transport Affairs [Withdrawn]

HOUSE OF ASSEMBLY

(c) All correspondents have been informed that the Department of Agricultural Economics and Marketing is at present conducting an investigation into the possibility of regulating animal experimentation. The hon member is also referred to my reply to oral question number 7 on 23 February 1988.

Secondly (a) The Southern African Federation of SPCAs and Affiliated Societies

(b) That section 8(1) of the Animals Protection Act, 1962 (Act 71 of 1962), be amended to provide that officers of societies for the prevention of cruelty to animals be given the authorization by a single central authority to exercise the powers referred to in section 8 of the Act, which authorization will be valid in the whole of the Republic

(c) Initially I could not support the amendment. The Federation however, has requested me to reconsider the matter which I am now doing.

Thirdly (a) The Southern African Federation of SPCAs and Affiliated Societies

(b) That an officer authorized in terms of section 8(1) of the Animals Protection Act, 1962 be deemed to be a police officer so as to be able to have the accompanying powers

(c) None, as the request cannot be supported. The Federation has been notified accordingly.

Fourthly (a) The South African Veterinary Council

(b) That a certificate of a veterinarian in terms of the Performing Animals Protection Act 1935 (Act 24 of 1935) to the effect that the animals mentioned therein are fit to be trained and/or exhibited and that the owner's premises are fit and suitable be valid for a shorter period than a year.

(c) The matter is being investigated.

I may add that the ill-treatment and maiming of

animals are cowardly and inhuman deeds. Since animals are not able to defend themselves or state their case, an immense responsibility rests on Parliament to counteract the incidence of brutal acts against animals, but an even greater responsibility rests on the community. This can be done by education and community action, of which the Societies for the Prevention of Cruelty to Animals are the best examples. The public is not sensitive enough to realize the role it can play in this regard. Police action and prosecutions in our courts are reactionary steps and merely represent the tip of the iceberg regarding what can be and should be done. Statistics reveal the following:

During the period 1 July 1986 to 30 June 1987 346 people were prosecuted for cruelty to and the maiming of animals 274 of which were convicted.

I however, believe that the real occurrence of this malady in humans is far greater than is indicated by the number of court cases. It is therefore appropriate to make an appeal to the public to become more involved and to become engaged in the activities of Societies for the Prevention of Cruelty to Animals as well as other societies. The NP is also concerned about the incidence of cruelty to animals and has already discussed the matter at one of its congresses.

Mr D J DALLING: Mr Chairman, I thank the hon the Minister for his reply.

Arising out of the first part of the hon the Minister's reply in which he referred to the drawing up of a code of conduct is it the intention of the Government to ensure that this code has the force of law or will it merely be a moral code for guidance purposes?

The MINISTER: Mr Chairman the very purpose of the research that is being done at the moment is to establish whether it should have the force of law or act as a guide. My personal inclination is to support the view that it should have the force of law.

Child abuse steps to combat

*2 Mr D J DALLING asked the Minister of Justice

Whether he is considering taking any steps to

combat the crime of child abuse, if not, why not, if so, what steps?

The MINISTER OF JUSTICE

Anyone who ill-treats children can be prosecuted for various offences, statutory as well as under the common law. The courts have the necessary jurisdiction to impose a suitable sentence in cases of convictions of any of these offences.

The cowardly ill-treatment of defenceless children cannot be condemned in strong enough terms. Again it is the community and the various welfare and educational organizations which can fulfil a colossal role by acting in prevention. By leaving it to the State means that the child will first have to be ill-treated before the State can prosecute. Statistics for the period 1 July 1986 to 30 June 1987 indicate that 414 people have been prosecuted for child abuse: infanticide and kidnapping, 271 of which have been convicted. On 18 January 1988 several people were in prison who were serving sentences for 239 offences relating to child abuse. These statistics are again only the tip of the iceberg.

In 1987 I decided that offenders serving sentences of imprisonment for violence against children will not automatically be entitled to parole. I consider each such case personally, and I may even decide to refer such cases to the Advisory Release Board. The SA Police have also established a special unit which concentrates only on offences which have a bearing on child abuse. This will lead to more prosecutions and the Attorney-General will undoubtedly react accordingly.

I once again request Attorneys-General to ensure that the maximum amount of evidence reflecting the attitude of the community is placed before the courts. One of the biggest problems is in fact that the public does not come to the fore with evidence.

I make an earnest appeal to the public to become involved in this problem of our society and to be alert for possible cases of child abuse. In cases where members of the public suspect that child abuse is occurring they must please without further ado report this to the special unit of the SA Police or to child and family care societies. It is the bounden duty of each of us to make a real contribution—we owe it to our children.

While I am discussing this matter, I just want it placed on record that we are similarly very worried about the increasing number of attacks on defenceless elderly people. This phenomenon is upsetting. The motive is usually robbery and what goes with it. I therefore want to emphasize that we on this side of the House are also taking action in connection with all the people in our community who are defenceless. [Interjections.]

Mr D J N MALCOMESS: Mr Chairman, on a point of order. Is a Minister entitled to make a statement on a subject which bears no relation at all to the question to which he is replying, well, come as that statement might be? [Interjections.]

The CHAIRMAN OF THE HOUSE: Order! The convention is that a Minister in reply to a question should confine himself to the question as asked. The hon the Minister of Justice has replied to the question, and I shall leave the matter at that.

Section 50A of Internal Security Act: detainees

*3 Mrs H SUZMAN asked the Minister of Law and Order

How many persons were detained in terms of section 50A of the Internal Security Act No 74 of 1982 in 1987?

The MINISTER OF LAW AND ORDER:

None.

Section 50 of Internal Security Act: detainees

*4 Mrs H SUZMAN asked the Minister of Law and Order

Whether any persons have been detained in terms of section 50 of the Internal Security Act No 74 of 1982, since 2 February 1987 if so (a) how many and (b) in respect of what date is this information furnished?

The MINISTER OF LAW AND ORDER:

No.

(a) and (b) Fall away.

Police men killed/seriously injured

*5 Mrs H SUZMAN asked the Minister of Law and Order

How many policemen excluding policemen killed or injured in vehicle accidents or outside the Republic were (a) killed and (b) seriously injured in the execution of their duties in 1987?

THE MINISTER OF LAW AND ORDER

- (a) 73 policemen
- (b) 636 policemen

*6 Mr P G SOAL—Public Works and Land Affairs [Withdrawn]

Notices to evict non-White occupants

*7 Mr S S VAN DER MERWE asked the Minister of Constitutional Development and Planning

Whether any owners of properties in White group areas who leased such properties to non-White occupants, have had notices issued in 1987 to evict the occupants concerned, if so, (a) (i) how many, (ii) why, (iii) when and (iv) on whose instructions and (b) in which towns or cities were these notices issued?

The DEPUTY MINISTER OF DEVELOPMENT PLANNING

No

South African Certification Council

*8 Mr A GERBER asked the Minister of National Education †

Whether the South African Certification Council proposes to introduce equal educational standards, if not why not if so when?

†The MINISTER OF NATIONAL EDUCATION

Section 3 of the South African Certification Council Act No 85 of 1986 stipulates that it is the object of the Council to ensure that the certificates issued by the Council at a point of withdrawal represent the same standard of education and examination. Because the Council does not control education departments it cannot introduce equal standards of education but it can however ensure that the certificates issued by it will represent the same standard. The quality of education that is provided in each education department and the standards which pupils achieve in each department, depend upon that department and the community it serves.

The members of the Council have already been appointed and the Council will in due course be able to determine its working programme

Handwritten signature

Corridor between Brits/Thabazimbi: transfer

*9 Mr A GERBER asked the Minister of Constitutional Development and Planning †

(1) Whether his Department is at present considering the possible transfer of the corridor, or a portion thereof, situated between Brits and Thabazimbi and bordered by Bophuthatswana, if so,

(2) whether any negotiations have taken or are taking place with White landowners of the area concerned, if not, why not, if so, (a) when and (b) with what result,

(3) whether any negotiations on the matter have taken or are taking place with the Government of Bophuthatswana, if so, (a) when and (b) with what result,

(4) whether he will make a statement on the matter?

†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) No

(2) Falls away

(a) and (b) Fall away

(3) No

(a) and (b) Fall away

(4) No

† S G Lourens Nursing College: student nurses

*10 Mr A GERBER asked the Minister of Constitutional Development and Planning †

Whether any Coloured student nurses are currently receiving their theoretical training at the S G Lourens Nursing College, if so, (a) how many, (b) why and (c) where (1) are they completing the practical part of the course (ii) are they accommodated and (iii) did they previously receive their training?

†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

Yes

(a) Eight

(b) The Coloured community of Pretoria requested that Coloured student nurses from their community be trained through the medium of Afrikaans

(c) (i) At the Coloured Indian and Black

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sections of the H F Verwoerd and Weskoppies hospitals and at clinics in Eersterust

(ii) In the Dennekruin residence for Coloured nurses at the H F Verwoerd Hospital

(iii) At the Lebone Nurses Training College where training was done in English

Clifton Beach: arrests for topless bathing/sunbathing

*11 Mr C W EGLIN asked the Minister of Law and Order

(1) Whether any persons were arrested on Clifton Beach on or about 10 February 1988 for alleged topless bathing or sunbathing, if so, (a) how many, (b) with what offences were they charged in each case and (c) what were the (i) ranks and (ii) positions held in the Police Force of the policemen who made the arrests,

(2) whether the arresting officer was acting in response to a complaint from a member of the public in each case, if so, (a) when and (b) where were these complaints lodged, if not, on whose instructions did he take this action,

(3) whether these policemen were in police uniform at the time of the arrests, if not why not

(4) whether, prior to being arrested, the persons concerned were warned that they were committing an offence, if not why not, if so (a) when and (b) by whom,

(5) whether these persons were fingerprinted following their arrest, if so, why?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) 2 persons on 10 February 1988 and 2 persons on 11 February 1988. They were however released shortly after their arrest after they had been summonsed

(b) Contravening section 19(b) of the Immorality Act 1957 (Act 23 of 1957) public indecency

(c) (i) and (ii)

One detective sergeant and one detective constable of the Narcotics Bureau of the South African Police

(2) (a) and (b) Yes. The Narcotics Bureau of the South African Police who are responsible for the investigation of cases of this nature, received several written complaints on various dates from residents of the area and also from persons who objected on account of moral and religious grounds

(3) No. Members of the Narcotics Bureau perform duty in civilian clothes

(4) No. Section 40(1)(a) of the Criminal Procedure Act 1977 (Act 51 of 1977), authorises a police official to arrest someone who commits a crime in his presence without a warrant. The Act does not stipulate that the police official must warn the person that he/she is committing an offence before he/she is arrested.

When the arrest is carried out, the police official must inform the person that he/she is being arrested and for what offence or crime. During the arrest of the 4 persons concerned, this requirement was met.

(5) Yes. Section 37(1)(a)(ii) of the Criminal Procedure Act, 1977 (Act 51 of 1977), authorizes a police official to take the finger-, palm- or footprints of a person arrested upon any charge. In the case of these 4 persons, their fingerprints were taken and sent to the South African Criminal Bureau to ascertain by that means whether they had previous convictions or not. In the event of a conviction by a competent court, the clean record/previous convictions are taken into consideration for purposes of sentencing. If the person is acquitted the fingerprints are destroyed by the South African Criminal Bureau as soon as they are informed of the acquittal.

NOTE I wish to point out to the hon member that according to representations received from the residents of the area since the beginning of the summer and since the press started giving publicity to topless bathing, men of dubious character have flocked to this beach. Police observation has confirmed this fact.

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star 1/3/88

Clergy arrests to be debated

(251)
Political Correspondent

CAPE TOWN — Law and Order Minister Mr Adriaan Vlok is to be called to account in Parliament today over why the police acted with such power to break up a peaceful procession of clerics while ignoring an armed procession of right-wing extremists.

The House of Assembly is to hold a snap debate this afternoon on yesterday's incidents in Cape Town in which more than 100 clergymen were arrested for trying to march on Parliament.

The PFP's spokesman on Law and Order, Mrs Helen Suzman, approached the Speaker, Mr Louis le Grange, for the special half-hour debate.

The debate will take place from about 6 pm.

Govt probes AWB activity

The Afrikaner Weerstandsbeweging (AWB) was being investigated in terms of the Internal Security Act, the Minister of Law and Order, Mr Adriaan Vlok said yesterday in the House of Assembly. *Stav 217188*

He wished to issue a serious warning to the AWB and all other radical organisations that the security of the public and the maintenance of public order were of primary importance

251 "Reckless exploitation and the inflaming of emotions and feelings, accompanied by a terrifying show of armed force, cannot be tolerated

"It can and will have only one result and that is confrontation and violence and this situation we must prevent at all costs.

"We take action against anyone who contravenes those laws or endangers this order." — Sapa.

Maritzburg duty for 300 kitscops

Call Times 2/3/88 (251) (77) (77)

Own Correspondent

MARITZBURG. — A group of 300 special constables, began duty here last night.

The recent announcement by the Minister of Law and Order, Mr Adriaan Vlok, that the special constables would be posted to Maritzburg was met with alarm by the Progressive Federal Party (PFP) and the Pietermaritzburg Agency for Christian Social Awareness (PACSA) — both of which have been closely monitoring the unrest here.

Brigadier Leon Mellet, Mr Vlok's press secretary said the Zulu-speaking constables, who recently completed an eight-week training course in the Cape, had all been recruited in the Maritzburg area.

They would all be armed with shotguns but would operate only with full-time members of the SAP and under

the command of a white Warrant Officer.

Their role was to reinforce the SAP contingent to end the violence which has plagued the area since last year.

Responding to allegations that the constables were all Inkatha members, Brig Mellet said although they had not been screened for their political affiliations, they as policemen "know that they cannot take sides".

They had been screened for previous criminal convictions.

He said although it was illegal for policemen to belong to "extremist organizations" like the United Democratic Front (UDF) or the Afrikaner Weerstandsbeweging (AWB), they were not prohibited from being Inkatha members.

Brig Mellet said special policemen were not hated by the people but were "extremely popular" with the locals in various areas of South Africa. — Sapa

March 3 1988

PO

Govt 'stands between the AWB and ANC'

Star 3/3/88
No action had been taken against the Afrikaaner Weerstandsbeweging on Saturday because it was careful not to break any laws, Law and Order Minister Adriaan Vlok said yesterday in the House of Representatives

Replying to the debate on a motion condemning police action against clergymen in Cape Town on Monday, Mr Vlok said when the AWB arrived at the Union Buildings to hand over a petition, they were warned by police and then "ran away"

This was not so in the case of the clergymen, who were told by police that they were contravening the law protecting Parliament by demonstrating in its vicinity and asked to leave

Although AWB members were fully armed, they did not break the Firearms and Ammunition Act in their handling of the weapons. They also gathered for their meeting inside a hall, which was not illegal, Mr Vlok said

It was not pleasant to have to take unpopular decisions. The Government's actions against the 18 organisations were taken with the best interests of the people of South Africa in mind "even though it does not seem like that to you".

The restricted organisations had contributed to the climate of violence in South Africa for the past three years, Mr Vlok said.

The Government rejected radicalism from any side and it stood between the ANC and the AWB.

"Do you stand with us?" he asked members.

He could act against the AWB only if it broke the law, he said

Democratic Workers Party MP, Mr Peter Mopp, said that if the NP Government were banned, it would not hesitate in taking up arms.

He was speaking in support of his own motion condemning police action against the clergymen.

He also condemned the restrictions imposed on 18 organisations

"All the water cannons and policemen and Acts of Parliament in the world will not succeed in repressing what these clergymen represent"

He denied Mr Vlok's contention that the clergymen arrested on Monday supported violence

"That is just not true. They all preach the doctrine of love," said Mr Mopp, adding that this was more than could be said of the AWB.

Mr Mopp said the reason the "white racist" AWB was treated with kid gloves was because they were white and could influence the course of South Africa with their vote

"Archbishop Tutu, respected throughout the world, has no vote whereas a white hobo has . . . is that justice?" — Sapa and Political Staff.

Injured pupil paid R15 500 after shooting

PORT ELIZABETH —
The Minister of Law and
Order has paid R15 500 in
damages to a Grahamstown
schoolgirl shot in
the forehead with a rubber
bullet by a member
of the police (251)

The mother of the girl
brought an action for
damages on behalf of her
daughter after the shooting
incident, which occurred
almost three years ago.

The matter, which was
set down for hearing in
the Supreme Court later
this month, was settled
out of court this week
after the Minister agreed
to pay R15 500 without
prejudice.

According to papers
before the court, the
girl's mother alleged her
daughter, who was 14 at
the time, had been negligently
shot at by a member of
the SAP on May 27 1985
in Grahamstown.

A medical report referred
to an "extensive" scar
on the girl's forehead —
Sapa.

Mr S P Acton

19 November 1987 King William's Town Bolso Primary School

(ii) the requests are being considered.

Before the function to dispose of property was assigned to the House of Assembly it was impossible to handle requests of this nature. The function was delegated at the end of 1987. A certain procedure for dealing with requests of this nature was finalized and the requests are being considered on this basis at the moment.

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FRIDAY, 4 MARCH 1988

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HOUSE OF ASSEMBLY

+Indicates translated version

For written reply

General Affairs

Germiston offences

14 Mr P G SOAL asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide (c) assault with intent to do grievous bodily harm (d) common assault, (e) rape (f) robbery, (g) theft of vehicles and cycles, (h) damage to property (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Germiston police district in 1987 or the latest specified 12-month period for which statistics are available?

The MINISTER OF LAW AND ORDER

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
GERMISTON	55	23	223	346	30	318	1 002	306	1 272	—
KATLEHONG	244	84	1 655	920	261	818	381	726	48	—
PRIMROSE	13	10	87	137	16	64	617	163	653	—
ALBERTON	39	71	356	505	61	253	1 736	328	2 214	—
BEDFORDVIEW	15	43	94	136	21	94	577	127	658	—
EDENVALE	9	25	122	104	16	102	667	135	1 210	1
ELSBURG	10	20	81	147	9	51	256	123	510	—
PRESIDENT	6	—	13	35	5	51	12	17	27	3

Note I wish to point out to the hon member that for the sake of efficiency statistics were furnished for the period 1 January to 31 December 1987. All statistical reports will in future be furnished in calendar year periods.

Tear-gas issued to used by SAP

40 Mr P G SOAL asked the Minister of Law and Order

What quantity of tear-gas was (a) issued to and (b) used by the South African Police in 1987?

The MINISTER OF LAW AND ORDER

(a) and (b) I refer the hon member to my written reply to question No 338 of 18 September 1987 which I regard as sufficient.

Incidents of sabotage/armed attacks/explosions

41 Mr P G SOAL asked the Minister of Law and Order

(a) How many incidents of sabotage armed attack or explosions occurred in the Republic in 1987 and (b) what was the (i) target and (ii) nature of the incident in each case?

The MINISTER OF LAW AND ORDER

(a) and (b) I do not consider it to be in the public interest nor the interest of the country to furnish this information.

Sebokeng/Sharpsville offences

42 Mr P G SOAL asked the Minister of Law and Order

How many cases of (a) murder (b) culpable homicide (c) assault with intent to do grievous bodily harm (d) common assault (e) rape, (f) robbery (g) theft of vehicles and cycles (h) damage to property (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Sebokeng and Sharpsville police station areas in the Vereeniging police district for the period 1 July 1986 to 30 June 1987?

The MINISTER OF LAW AND ORDER

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
SEBOKENG	224	50	1 526	1 155	278	257	221	768	94	—
SHARPSVILLE	22	9	68	218	93	116	29	67	41	—

Note I wish to point out to the hon member that for the sake of efficiency statistics were furnished for the period 1 January to 31 December 1987. All statistical reports will in future be furnished in calendar year periods.

Minister agrees to pay girl scarred by rubber bullet

D/D 3/3/88



Daily Dispatch
Correspondent

GRAHAMSTOWN — An amount of R15 500 has been paid in damages by the Minister of Law and Order to a Grahamstown schoolgirl shot in the forehead with a rubber bullet by a member of the South African Police.

The mother of the girl brought an action for damages on behalf of her daughter against the Minister of Law and Order after the shooting incident which occurred almost three years ago.

The matter, which was set down for hearing in the Supreme Court later this month, was settled out of court this week

after the minister agreed to pay an amount of R15 500 without prejudice.

According to papers before the court, the girl's mother alleged her daughter, who was 14 at the time, had been negligently shot at by a member of the SAP on May 27, 1985, in Wood Street, Grahamstown.

As a result of the shooting, the girl had sustained severe injuries to her forehead and had been in hospital until June 18.

The minister admitted that on the day in question, a rubber bullet, which had been fired at fairly close range by a

member of the SAP, had struck the girl.

However, he said the bullet had been fired unintentionally and he denied the SAP member had acted negligently.

A medical report drawn up a year after the incident refers to an "extensive" scar on the girl's forehead, consisting of several different scars.

A plastic surgeon, who examined the girl, said he believed the combination of all three scars would prove too extensive for plastic surgery and the scars would therefore be permanent.

The plaintiff was represented by Nettletons and the defendant by Whitesides.

Where the victim of killing is the killer

A POLICE firearms officer who kills or wounds in the course of duty can suffer trauma so serious it occasionally results in permanent psychological damage. Yet there is no professional occupational health service to help him cope with the stress, according to a Home Office study

Twenty-five officers, all of whom had killed or wounded, took part in the research titled "Post Shooting Experiences in Firearms Officers". The study recommends immediate psychological help after a shooting, and adequate social support inside and outside the service

The study says that as most officers consider firearms as alien to the British police tradition, the officer who carries a gun may be viewed as not being a proper policeman

Not all officers involved in a shooting will suffer serious adverse effects. Their reactions are governed by

Police officers need help to overcome the psychological reaction of killing in the line of duty. By GARETH PARRY

factors including the degree of surprise, the individual's perception of the event and his mental and physical vulnerability. The degree of reaction can range from mild shock to severe post traumatic stress disorder (PTSD), which was identified as an illness in 1981. A third of the 25 officers had experienced symptoms of PTSD, and all the officers had experienced recurring flashbacks.

For around two-thirds, exposure to the threat of being killed had triggered a variety of often bizarre perceptual distortions. The most common was time "slowing down" as if in a slow motion film.

Most of the officers who had experienced "slow motion" described being able to think clearly and faster than usual. However, after they had fired their weapons, this phenomenon became a cause of alarm because the effects of the shots also seemed to be delayed and they were convinced that their guns had failed to work.

Several officers described distortions in size or distance. To one officer his adversary's shotgun looked like a "pair of binoculars". In another case, an officer giving chase scaled a 3.5m high fence which seemed only waist high at the time.

The responsibility for having taken a life frequently leads to feelings of guilt. One policeman attempted to resuscitate the man he had killed.

However, once the officer recovers from the immediate impact, the barriers are often rapidly re-erected, hiding a deep psychological hurt which might, if untreated, prove permanently damaging.

At the point of greatest danger most men became calm, although four reported feelings of intense fear rapidly replaced by overwhelming anger. Only one man reported feeling terrified throughout the incident. Another man said he felt calm but later could not control his hands. Sleeplessness, cold sweats, nightmares and bouts of crying were common. In most cases the difficulties resolved themselves between several weeks and several months. But one officer reported occasional bouts of weeping, 12 years after the incident. — The Guardian, London

R220 000

law suit (25)

judgment

reserved

Star 1.3/88
PORT ELIZABETH —

Judgment in a R220 000 damages action brought against the Minister of Law and Order by a man who lost a leg as a result of a police shooting was reserved in the Port Elizabeth Supreme Court yesterday.

The action was brought by Mr Eric Vusumzi Gcabo of Kwazakele, who alleged that he had been unlawfully shot and wounded in the left leg by a policeman in Kwazakele on November 8 1984. As a result, the leg had to be amputated.

Mr Gcabo and his witness, Mrs Julia Koba, denied Mr Gcabo had been with a group stoning a bus or that a bus had been stoned.

Constable P F Coetzee told the court that vehicles were being attacked and burnt daily.

Mr Justice Kannemeyer reserved judgment. — Sapa.

Court blames police for Trojan horse' deaths

Star 4/13/88

251

Own Correspondent

A police lieutenant and his special task force were found responsible yesterday for the deaths of three youths in the "Trojan Horse" incident in Athlone on October 15 1985.

A Wynberg magistrate, Mr G Hoffman, ruled that Lieutenant Douw Vermeulen's negligence was responsible for the deaths of Shaun Magnoed (16), Jonath an Claassen (21) and Michael Miranda (11).

Summing up, Mr Hoffman said areas of Athlone were besieged by rioters during the first half of October 1985.

Barricades were set up and normal traffic was disrupted. Burning tyres and other objects were strewn across the roads.

Vehicles were stoned and set alight. People's lives were in danger and R10 000 damage was caused.

Mr Hoffman said the rioters normally fled when police vans appeared. On October 15, three senior

officers of the South African Police, the Railways Police and the Defence Force decided to send an unmarked vehicle

A South African Railways truck was used for the operation and three wooden crates were placed at the back, each containing two armed policemen.

In earlier evidence, Major Christiaan Loedolf testified that the goal of the operation was to identify and arrest the leaders of the rioters.

Problems

Mr Hoffman said he gained the impression from the evidence of other policemen that not only the leaders had to be arrested but all the stone-throwers.

He said the cardinal question was whether the policemen who took part carried out the instructions of their officers.

He had problems with the tendency of the police officers to exaggerate what happened during the shooting.

All of them testified that the truck was surrounded by between 150 to 200 stone-throwers, when this was not true.

Lieutenant Vermeulen testified that he saw the crowd before he started shooting when, in fact, he took action immediately," said Mr Hoffman.

Major Loedolf testified that a thick cloud of smoke hung over Athlone; this was also not true.

"The court has also heard that each of the 200 people in the crowd carried a brick or a stone. This is an exaggeration."

The court heard that stones and bricks were flung at the truck from all directions and lay next to the truck after the operation.

"The court has seen on two videos handed in by CBS and the BBC that, in fact, one brick and two or three stones were thrown at the windscreen of the truck," Mr Hoffman said.

Police testified that the burning barricade was strewn across the road and was so high and so big that it was impossible for a

truck to drive past.

"The fact is that the barricade was no hindrance for any type of vehicle," said Mr Hoffman.

The damage to the truck was also exaggerated

More than 39 rounds of ammunition were fired at the crowd during the operation. The ammunition comprised triple A shot and buckshot.

Emergency

He said counsel for the Minister of Law and Order's submissions centred around the fact that an emergency situation existed in Athlone at the time, even though the state of emergency was declared only 11 days later.

He said the court could not find that the police acted reasonably. The intention was to teach the public a lesson so that, in future, they would not throw stones at private vehicles.

The matter will be referred to the Attorney-General for a decision on whether to prosecute.

Sequel to SAP

'terror reign'

(S)
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The Grahamstown Supreme Court has directed the Minister of Law and Order and three SAP members to take all "reasonably necessary steps within their powers" to prevent any SAP members from acting unlawfully towards inhabitants of Hofmeyr township in the Cape.

5/3/88

The move follows an application brought by eight Hofmeyr residents who sought relief from a "reign of unbearable terror" allegedly perpetrated by kitskonstabels in the township. — Sapa.

60 Swapo

soldiers killed

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Govt to pay girl R15 000

Sowetan 4/3/88

251

AN amount of R15 500 has been paid in damages by the Minister of Law and Order to a Grahamstown schoolgirl shot in the forehead with a rubber bullet by a member of the South African Police.

The mother of the girl brought an action for damages on behalf of her daughter, against the Minister of Law and Order, Mr Vlok, after the shooting incident which occurred almost three years ago.

The matter, which was set down for hearing in the Supreme Court later this month, was settled out of court this week after the Minister of Law and Order agreed to pay an amount of R15 500 without prejudice.

According to papers before the court, the girl's mother alleged her daughter, who was 14 at the time, had been negligently shot at by a member of the

SAP on May 27, 1985, in Grahamstown.

As a result of the shooting, the girl had sustained severe injuries to her forehead and had been in hospital until June 18.

The Minister admitted that on the day in question, a rubber bullet, which had been fired at fairly close range by a member of the SAP, had struck the girl.

However, he said the bullet had been fired unintentionally and he denied the SAP member had acted negligently.

A medical report drawn up a year after the incident refers to an "extensive" scar on the girl's forehead, consisting of several different scars.

A plastic surgeon, who examined the girl, said he believed the combination of all three scars would prove too extensive for plastic surgery and the scars would therefore be permanent. — Sapa.

Justice done, say Trojan families

CAPE TOWN 4/3/88
Staff Reporter

THE families of the people shot dead by police in the "Trojan horse" incident said they were "glad that justice had been done" after an inquest magistrate found that the police had been negligent

Mrs Hilary Magmoed, mother of Shaun Magmoed, 16, said. "I'm very glad that everything's over and justice has been done"

Mrs Magmoed said she intended suing

Mrs Georgina Williams, mother of 11-year-old Michael Miranda,

251
said her son was a friendly, quiet boy who had attended Heatherdale Primary School. She had discovered he had been shot only the day after the incident

Michael's uncle, Mr Ismail du Toit, said "I'm so glad it's over. Only half of the justice has been done. I'll be glad to see the police charged"

"What threat was Michael to the state security? He was only 11 and a lovable youngster"

Mr Du Toit said legal action was being taken against the police.

The Attorney General of the Cape, Mr Niel Rossouw, last night said the magistrate's finding did not mean that the policemen "would be automatically prosecuted"

"The onus is on the state to prove beyond reasonable doubt that they are guilty," he said.

"We are aware of the finding and will be having another look at the papers in terms of the Inquest Act," Mr Rossouw said

● Trojan Horse task force 'negligent' — Page 3

4-10/3/88

Inquest raps policemen for 'Trojan Horse' shootings

BY MOIRA LEVY
In Cape Town

POLICE who killed three Cape youngsters in the 1985 Trojan Horse shooting were negligent, a Cape Town inquest court found yesterday. Magistrate D Hoffman also described police evidence as "unreliable and evasive" and rejected police claims that they had fired because they feared their lives were in danger.

The incident — which was filmed by an American network — caused an international outcry. The image of police leaping out of crates on the back of a truck and firing pump action shotguns at a crowd, which included young children, became a symbol of South African repression that flashed throughout the world.

Michael Miranda, 11, Shaun Magmoed, 16, and Jonathan Claassens, 21, died after members of a police task force who were lurching in wooden crates on the back of an open railway truck fired into a crowd gathered in Thornton Road, Athlone, Cape Town, on October 15, 1985.

At the inquest into their death yesterday, the magistrate said police witnesses exaggerated the size of the crowd and the damage done to the truck.

He said there was no evidence that Miranda and Claassens had been identified as stone throwers and the balance of probability was that Magmoed also could not be identified as a stone thrower.

He said police were not taken by surprise in the incident. They went to the area with the intention of catching the stone throwers by surprise and teaching people a lesson. (Police evidence was that their orders were to catch the "ringleaders" and that they fired because their lives were in danger.)

INSIDE
MAYHEM IN THE GARDEN OF EDEN
The rains turned northern Mozambique into a lush Eden. A chilling setting for war and famine.
PAGE 14

Hoffman described the operation as "poorly prepared and planned".

He said it would have been impractical for men to jump one and a half metres from a box and then another one metre from the truck to arrest people.

Police officers' oral evidence also did not tally with evidence shown in the form of a video.

Hoffmann said one of the police men tried to mislead the court about the size of the burning barricade the truck came upon on its second journey down Thornton Road on the day of the incident.

He found police witnesses also exaggerated the size of the crowd which had gathered by the time the truck made its second journey down the road. They claimed it had been between 150 to 200 strong.

Hoffmann found this an exaggeration and that it was more likely half that size.

Police claimed everyone in the crowd had stones and bricks, which was not substantiated by the facts.

Hoffmann noted that almost 40 rounds of buckshot and birdshot were used in the shooting.

He said police evidence in the inquest hearing contradicted that given in an earlier public violence trial arising from the incident.

The contents of this edition have been restricted in terms of the Emergency regulations.

Inkatha kitscop may be witness in violence case

Cape Times 4/3/88

MARITZBURG — An Inkatha youth member, who may be called to give oral evidence in the Supreme Court on October 31 about his alleged involvement in township violence, is among 300 special constables deployed in Maritzburg's townships this week.

Mr Weseni Awetha, the son of Imbali councillor and senior Inkatha member Mr Abdul Awatha, is cited as the second respondent in a Supreme Court application for an interdict to prevent him, his father and two others from assaulting or killing Imbali residents.

It was learned yesterday that Mr Weseni Awetha went to Cape

Town for six weeks to train as a special constable (kitskonstabel) and is now deployed in the city's townships.

Mr Ben Jele, a senior Inkatha member in Imbali, said Mr Weseni Awetha was one of the many special constables deployed in Maritzburg earlier this week who had not been allowed to go home.

Brigadier Leon Mellet was not prepared to comment on allegations that most of the special constables were members of Inkatha.

"As far as we are concerned our members are entitled to belong to cultural organizations but during screening we ensure that they remain completely apolitical.

"A number of our members belong to the National Party, the PFP, the Conservative Party and there is nothing wrong with that as long as they do not allow their membership to interfere with their work."

Yesterday a large contingent of women from the townships of Hammarsdale, Kwamakutha, Kwadlangezani and Maritzburg entered the Supreme Court buildings to hand over a memorandum to the Attorney-General of Natal, Mr Mike Imber.

"We told him that we were afraid that many of the special constables were members of Inkatha and that they would use their positions to seek revenge," a spokeswoman said — Sapa

Minister restrained from 'unlawful action'

Cape Times 4/3/88
own correspondent

251

GRAHAMSTOWN — The Supreme Court has directed the Minister of Law and Order and three members of the police to take all "reasonably necessary steps within their powers" to prevent any members of the SAP from acting unlawfully towards inhabitants of Hofmeyr township.

Earlier this month, the court granted an interim order restraining 14 kitskonstabels from acting unlawfully in any way towards "one or more" of the inhabitants of the townships.

Yesterday, Acting Judge Mr Justice Rein also made the order applicable to the Minister of Law and Order, the Commissioner of Police, the Divisional Commissioner of police in the South Western Districts and the Station Commander in Hofmeyr pending the hearing of the case, which has been referred to oral evidence.

The application was brought by eight residents of the Hofmeyr township, who sought relief from a "reign of unbearable terror" allegedly perpetrated by the kitskonstabels operating in the township.

Mr J de Lange, instructed by E Moosa and Associates in Cape Town and Mr B Sandi in Grahamstown, appeared for the applicants. Mr E Leach, instructed by Whitesides, appeared for the respondents.

Trojan Horse task force 'negligent'

CAH 7015
4/3/88
251
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By YVETTE VAN BREDA

A LIEUTENANT and his eight-man task force on the "Trojan Horse", which entered Athlone at the height of unrest in 1985, were negligent and caused the death of three people when they suddenly opened fire on a crowd in Thornton Road.

This was the finding of a Wynberg inquest into the death of Shaun Magmoed, 16, Michael Miranda, 11, and Jonathan Claasens, 21, who died of multiple bullet wounds.

Making the finding, the magistrate, Mr G Hoffmann, said three commanders in the area — of the SADF, SAP and SAR — had decided to send an unmarked seven-ton railways truck on a predetermined route into Athlone on October 15, 1985.

Wooden crates

Three wooden crates were placed on the back of the truck with two armed policemen inside each. The driver and co-driver in the cab wore grey dust coats to create the impression that this was an ordinary delivery truck.

Previous evidence was that as they neared the intersection the truck was stoned and the police at the back stood up and fired at the crowd.

Mr Hoffmann said Major Christiaan Loedolff, who was commander of the Regional Task Force of the former South African Railways police at the time of the incident, said the goal of the operation was to identify and arrest the "ringleaders".

Lt Douw Vermeulen, who was in command of the operation, said he was instructed not to endanger the

lives of his men and to arrest stone-throwers

Mr Hoffmann asked who had to identify and arrest the ringleaders and when were they supposed to be arrested.

He said the police had exaggerated the events and had contradicted themselves.

Stones thrown

From the BBC and CBS videos taken at the time of the shooting, Mr Hoffmann saw that only one brick and two or three stones were thrown at the truck although the police said the truck was bombarded with stones.

He said 39 rounds of ammunition — AAA and buckshot — had been fired into the crowd. It was naive to think that stone-throwers would stand still if the police fired at them.

Mr Hoffmann said there was not a "shred of evidence" to show that Miranda and Claasens had thrown stones and although Lt Vermeulen identified Shaun Magmoed by a green shirt, he found that Shaun had not thrown stones either.

He said a state of emergency was declared 11 days after the incident and the police "could not hide behind the existence of a state of emergency".

The 1½-metre-high crates were impractical and as cumbersome to jump from as a Casspir, Mr Hoffmann said.

"Did the use of a ghost truck ease the task of the police? No," he said.

The matter will be forwarded to the Attorney-General for a decision on whether prosecution will follow.

Mrs S Swart led the evidence. Mr A H Veldhuizen, instructed by the State Attorney, appeared for the Minister of Law and Order. Mr J Gauntlett, instructed by Y Ebrahim and Co, appeared for the Magmoed and Miranda families. The Claasens were not represented.

Mamelodi investigation into deaths on 21 November 1985

89 Mr P G SOAL asked the Minister of Law and Order

(1) Whether, with reference to his reply to Question No 268 on 8 September 1987, the further investigation by the South African Police into the deaths of persons killed in Mamelodi on 21 November 1985 has been completed, if not, why not, if so (a) when (b) what were the findings and (c) what action has been taken as a result of this investigation

(2) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) 27 October 1987

(b) and (c) The Attorney-General instructed that an inquest should be held

(2) No

Accident at Halt Road, Elises River, member convicted

90 Mr P G SOAL asked the Minister of Law and Order

(1) Whether with reference to his reply to Question No 5 on 28 July 1987 any departmental action has been taken against the member of the South African Police convicted of culpable homicide as a result of an accident in Halt Road Elises River on or about 19 August 1986 if not why not if so (a) what action and (b) when

The MINISTER OF FINANCE

(1) (a) and (b)

	1982/83	1983/84	1984/85	1985/86	1986/87	1987/88
(i) Wages and salaries	3 964 882	4 561 731	5 876 099	6 478 157	7 905 088	9 715 013
(ii) Bonuses	216 341	255 597	341 379	277 575	411 270	594 971
(iii) Housing subsidies	92 447	158 444	277 190	339 294	392 931	449 069
(iv) Contributions to medical schemes and funds	71 643	92 348	123 031	173 525	278 462	215 254
(v) Contributions to pension schemes and funds	701 170	764 084	998 134	1 132 011	1 552 090	1 842 701
(vi) Motor-car schemes	8 284	10 817	11 005	16 457	15 552	21 573
(vii) Leave and retirement gratuities	36 076	34 585	57 673	64 226	73 054	109 084

HOUSE OF ASSEMBLY

(viii) Other forms of direct and indirect expenditure

249 214 287 479 345 118 394 487 378 439 474 017

TOTAL 5 340 057 6 165 085 8 029 629 8 875 574 11 007 546 13 421 682

	1982/83	1983/84	1984/85	1985/86	1986/87	1987/88
(a) Total State Revenue	28.8%	28.9%	31.9%	28.7%	31.6%	33.5%
(b) Total State Expenditure	26.7%	26.2%	28.7%	26.1%	26.4%	27.9%
(c) Gross Domestic Product	6.5%	6.7%	7.4%	7.1%	7.5%	7.6%

Remark In terms of Resolution no 2. Second Report of the former Select Committee on Public Accounts 1981 (2) detailed information regarding spending is no longer submitted to the Treasury and is therefore not available at a central point. The only source from which the information can properly be obtained is the control pay sheets. In terms of Archive instructions these documents are kept for three years only after which they are destroyed. Departments no longer have all the information at their disposal and calculations had to be made for the various items reflected in the question. Consequently the Treasury cannot unconditionally endorse the correctness of the information.

Sentenced prisoners deaths from natural causes

332 Mr D J DALLING asked the Minister of Justice

(1) How many sentenced prisoners died of natural causes in 1987

(2) how many of these deaths were due to pneumonia?

The MINISTER OF JUSTICE

(1) and (2) Of the one hundred and fifty (150) sentenced prisoners who died from natural causes during 1987 eighteen (18) died of pneumonia

Offences against security of State sentences served

335 Mr D J DALLING asked the Minister of Justice

How many (a) males and (b) females were serving sentences in 1987 for offences against the security of the State which exceeded (i) 10 years, (ii) 5 years and (iii) 2 years?

The MINISTER OF JUSTICE

	(a)	(b)
(i) 145	95	48
(ii) 95	1	7
(iii) 48	3	

Awaiting-trial prisoners in custody

345 Mr D J DALLING asked the Minister of Justice

What was the average number of awaiting-trial prisoners in custody on the last day of each month in 1987?

The MINISTER OF JUSTICE

The figures concerning awaiting-trial prisoners who were incarcerated in South African prisons on the last day of each month during 1987 were as follows:

31 January 1987	21 829
28 February 1987	21 373
31 March 1987	20 668
30 April 1987	20 429
31 May 1987	20 501
30 June 1987	19 030
31 July 1987	18 603
31 August 1987	18 609
30 September 1987	17 727
31 October 1987	18 450
30 November 1987	19 508
31 December 1987	20 096

Crimes against security of State sentences served

346 Mr D J DALLING asked the Minister of Justice

How many (a) White (b) Coloured (c) Asian and (d) Black persons were serving sentences for crimes against the security of the State as at

HOUSE OF ASSEMBLY

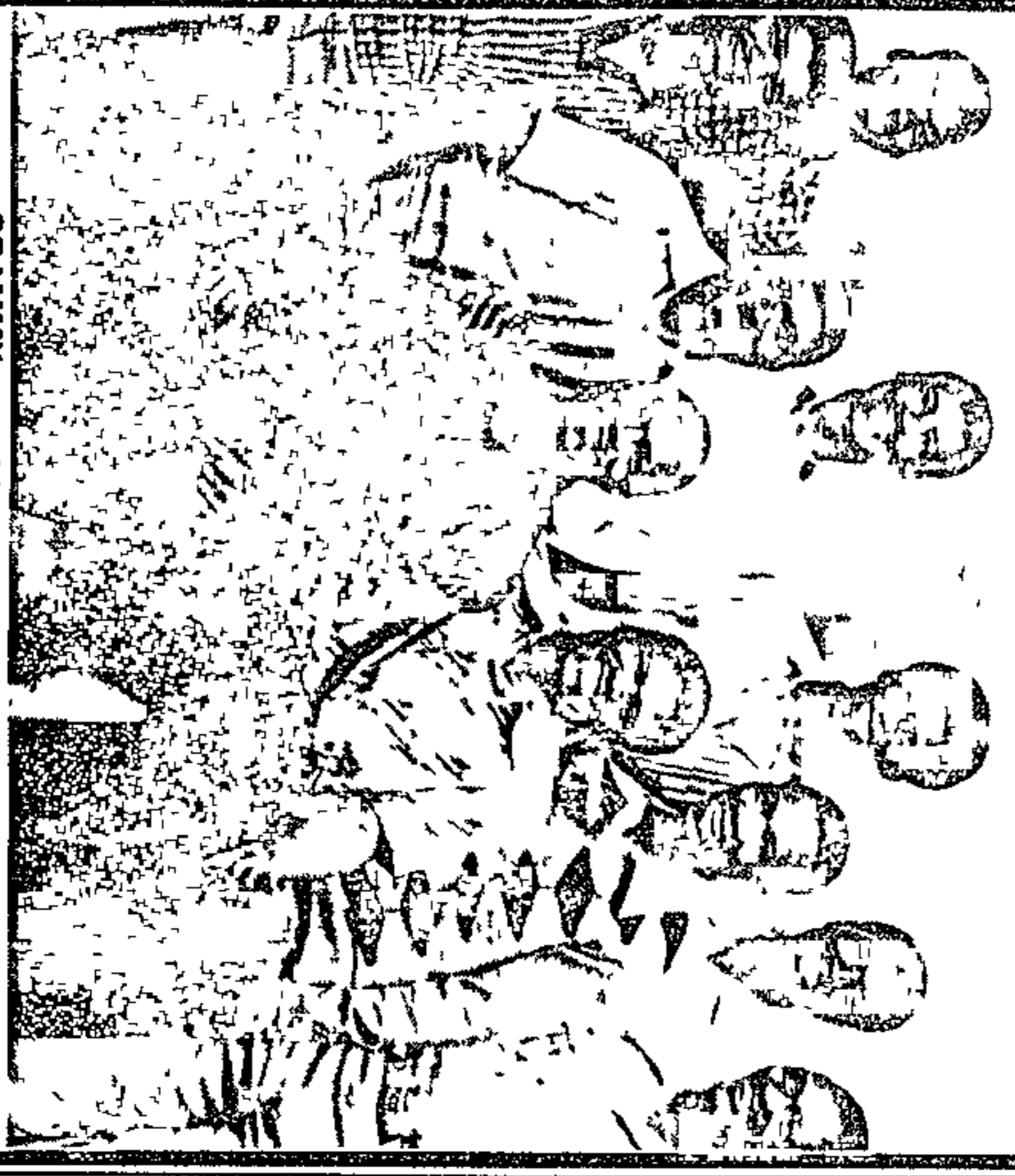
SPURS WINNER

Soudan 4/3/88

251

TO WINNER

Black
Mambazo
score
first



GRAMMY award for music group. See page 2

THE Progressive Federal Party is to seek an urgent interview with Mr Admaan Vlok, Minister of Law and Order, about allegations that a large number of the 300 special constables sent into the fray in the strife-torn Maritzburg area have strong Inkatha links.

Mr Roger Burrows, PFP Natal leader, yesterday expressed the party's concern about the position warning that the presence of the 'krisikonstabels' could be counter-productive

Mr Burrows' reaction follows claims that about 70 of the 300 could be Inkatha members and that one — Special Constable Weseni Aweha — is named as second respondent in an application for an interdict to prevent him, two others and his father, Mr Abdul Aweha, from killing people in the area. His father is an Imbali councillor and senior member of Inkatha Brigadier Leon Mellet, spokesman for the Ministry of Law and Order, rejected the criticism saying the issue was being prejudiced. He accused the UDF supporters of using the applications for court interdicts as a means of propaganda. "An application for an interdict does not mean

To Page 3

Big Day

Southern Transvaal Discount Supermarkets

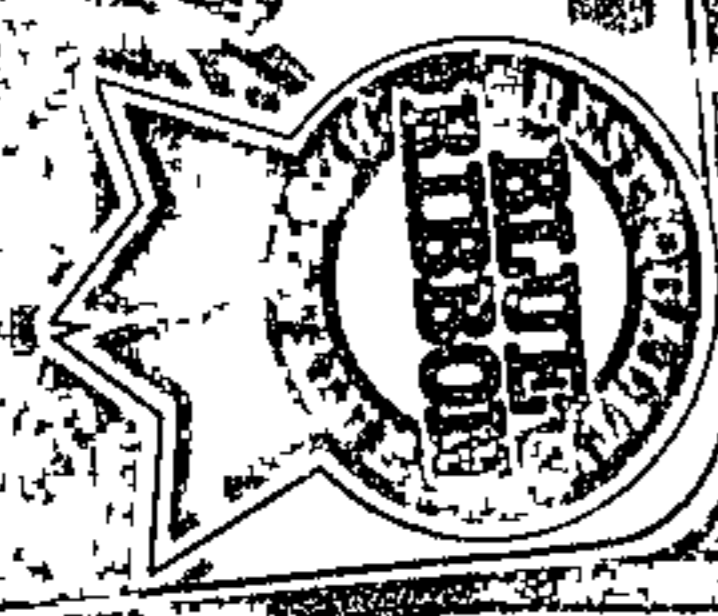
SPRITSJET WINKEL

CELTWINKLES

SAEDONIA

PIEDON

QUINN



THESE two youngsters frolicked near their family's belongings unaware that their parents had been evicted for not paying rent. This was at Dobsonville early this week when 41 families were thrown out.

Cops linked with Inkatha

Sowetan 4/3/88

251

From page 1
that any crime has been committed or that there is even any evidence of a crime.

"The issue should not be prejudiced

"Neither is a single application a yardstick to measure the whole squad."

Brigadier Mellet said the constables were not screened for affiliations to a cultural organisation but "they were properly screened for any criminal history".

The whole purpose of the exercise was to recruit Zulu-speaking people who had grown up in the area and knew the area and were known by the people of the area.

He gave the assurance that the constables would

be used only in a supplementary role to the SAP.

"The SAP will always be in charge with at least a warrant officer in command," he said.

It was learned yesterday that Mr Weseni Awetha went to Cape Town for six weeks to train as a special constable (kitskonstabel) and is now deployed in the city's townships

Seminar on child abuse

A SEMINAR on child abuse will be held by Entokozweni Early Learning and Community Service Centre tomorrow. It will be at 269 Legoale Street, Moletsane.

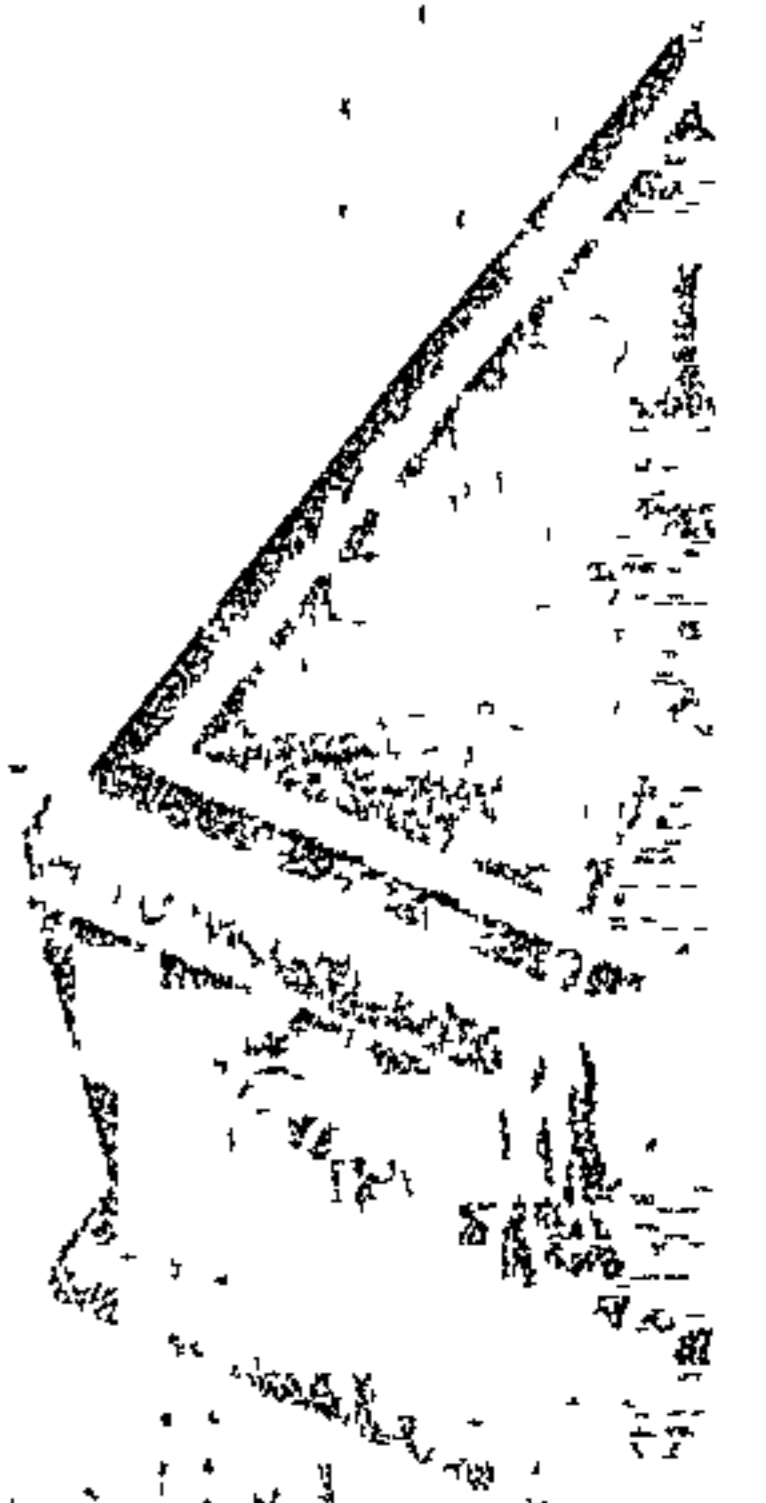
Miss Moipone Buda, a social worker, Miss Cecilia Sililo-Tshishonga, a deputy-director of Entokozweni and Mrs L E Cadwell, a psychologist will be the speakers.

Parents are invited and the seminar will start at 8 am till 1 pm.

Famora

Cc

*The



APR 25/88
APR 25/88
APR 25/88

'Trojan horse': Family reaction

By CHRIS STEYN

LATE on an October afternoon in 1985 a woman walked along Thornton Road in Athlone and saw death jump from large black crates on the back of a seven-ton railwags truck.

She saw the truck with several wooden boxes cruising past a group of schoolchildren standing on the pavement.

The truck returned to the scene later and as it approached the children, it came under a hail of rocks and other objects. Some of the missiles shattered the windshield.

Then the woman saw the wooden crates pop open and five or six policemen jump up. They opened fire with pump-action shotguns.

Mayhem followed, with people

screaming in agony and fear as they ran away. The bodies of two dead boys lay in the wake of the "Trojan Horse".

Three children were shot — including one who was standing at the window of a house opposite the road.

Some of the injured children ran into a nearby home — but they were followed by security force members who kicked the door down and fired birdshot through the window.

In December last year an inquest started in Wynberg Magistrate's Court into the deaths of the "ghost truck's" victims. They were Shaun Magmoed, 16, Michael Miranda, 11, and Johnathan Claasens, 21.

Sergeant James Sayer, who was in the cab of the truck, was asked whether there was any opportunity for

people to get away before the shooting started. "I won't say there was," he said.

The commanding officer on the "ghost truck", Lieutenant Doug Vermeulen, said he fired seven shots — without warning — in the direction of one of the three victims.

He told the court that he had not identified himself, had given no warning and fired seven shots as fast as he could, emptying the magazine.

On Thursday this week, the inquest court found Lieutenant Vermeulen and his eight-man task force on the "Trojan Horse" were negligent and caused the death of the three victims.

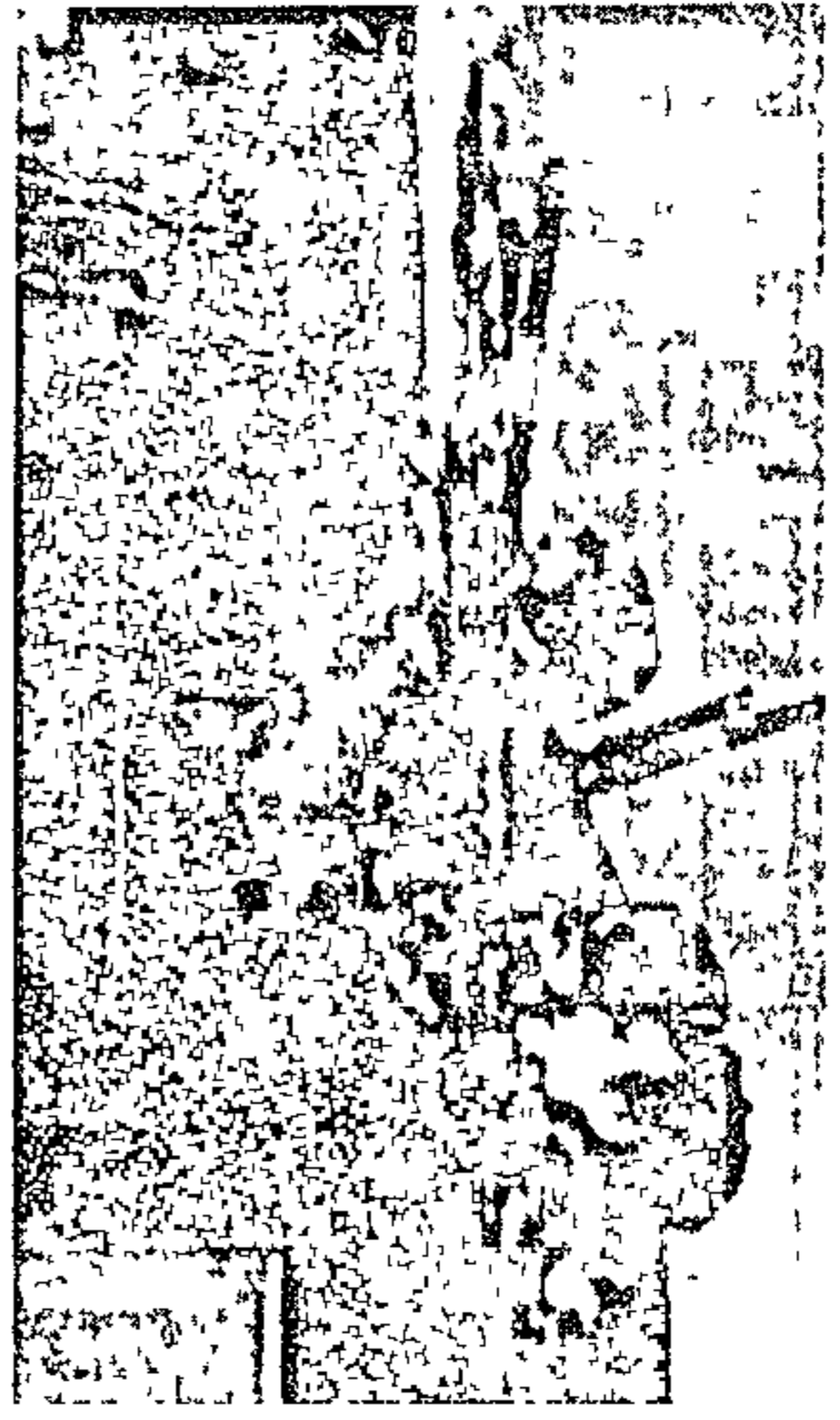
The magistrate, Mr G Hoffmann, said there was not a "shred of evidence" to

show that Miranda and Claasens had thrown stones and although Lieutenant Vermeulen identified Magmoed by a green shirt, he found the teenager had not thrown stones either.

Mr Hoffmann said a state of emergency was declared 11 days after the incident and the police "could not hide behind a state of emergency".

The matter now rests with the Attorney-General of the Cape, Mr Niel Rossouw, who said that the magistrates' finding did not mean that the policemen "would automatically be prosecuted".

But the families of the victims said they were "glad that justice had been done". They intended taking legal action against the policemen.



THE TROJAN HORSE . . . Security force members jump from the wooden crates on the back of a railwags truck and open fire on school children in Athlone

Cape Times, Sat

CP Correspondent

THE Grahamstown Supreme Court heard this week that security police assaulted a Queenstown trade unionist and threatened to label him as an informer if he did inform for them.

The Judge referred to trial an application by Queenstown Fawu secretary, Kayaletu Norman, for an interdict to restrain members of the Queenstown security police from assaulting, threatening, harassing or intimidating him.

Acting Judge van Reenen said there was a conflict in the material aspects of the case

In his founding affidavit, Norman said that two policemen came to his of-

Police assault, threats alleged

fices on January 18

He had been taken to the security police offices where he was hit by one of the policemen, who told him that "jy dra nie 'n swart pet in a wit kantoor nie" (you don't wear a black cap in a white office)

"I was then asked about my activities in Lusaka. When I told him that I had not gone to Lusaka, but to Harare to attend a seminar

there, he accused me of lying"

He had been beaten again after refusing to pose for a picture shaking hands with one of the policemen. He eventually consented

"They said they would give the photograph to the comrades in the township

"They also told me that if I did not act as an informer for them they would carry out their threats of having me labelled as an impimpi"

In a replying affidavit, one of the policemen said he had visited Norman's offices because he had information that Norman attended a function in Harare and made contact with the ANC.

He denied that Norman had been assaulted. - Ano

CP Press
6/3/88

~~FOIA~~ ~~FOIA~~ 251

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Policemen to stay

NOT a single policeman assigned to the Maritzburg unrest area would be withdrawn until stability, calm and law and order was fully restored, Gen Bert Wandag, commander of the SAP counter-insurgency unit said.

He was briefing a Press group invited to visit the 440sq km involved in the current unrest.

He said, in reply to a question, that he wanted to reassure the people of Natal that no policemen would be moved until the situation stabilised.

The situation was currently stabilised, but it was not certain that it was per-

manent.

"If the police and the security forces are withdrawn there could be a revival of serious unrest.

"I want to assure Natal's people that we will not create a vacuum before calm and peace returns," he said.

He said the SAP could not succeed in its task of policing the area - its basic duty - without good communication with the local community.

In recent months 10 temporary police posts had been established, thus re-establishing a SAP and security force presence. - Sapa.

Shelley Beach	1	Germiston	806
Springs	2	Alberton	238
Sulfontein	1	Bedfordview	472
Thabazambu	1	Edenvalle	76
Tzaneen	5	Elsburg	195
Umdon Beach	1	Kailehong	20
Verwoerdburg	2	Primrose	418
Vryheid	1	President	1
Witbank	1	Heidelberg	174
Worcester	1	Balfour	20
Divisional Council Kaffranza	1	Grevlingstad	28
Regional Scrivens Council Algora	1	Grootvlei	112

- (2) (a) None
(b) Falls away

- (i) Falls away
(ii) Falls away

East Rand, persons arrested for trespass

102 Mr P G SOAL asked the Minister of Law and Order

How many (a) Whites (b) Coloureds, (c) Indians and (d) Blacks were arrested for trespass by the South African Police in 1987 in each of the police station areas on the East Rand?

THE MINISTER OF LAW AND ORDER

(a) to (d)	
Statistics of the race of persons arrested for trespassing are not kept therefore only the total number of persons who were arrested in each police station area are being furnished	
Springs	677
Delmas	91
KwaThema	482
Sundra	461
Brakpan	310
Devon	44
Dunnottar	5
Nigel	61
Benoni	89
Actonville	3
Daveyton	0
Petit	27
Puifontein	117
Kempton Park	66
Boksburg	202
Boksburg North	33
Jan Smuts Airport	3
Tembisa	0
Vosloorus	1
Kaalfontein	0
Olifantfontein	9

Trespass arrests

112 Mr S S VAN DER MERWE asked the Minister of Law and Order

How many (a) White, (b) Coloured and (c) Indian persons were arrested for trespass by the South African Police in 1987?

THE MINISTER OF LAW AND ORDER

(a) to (c) 94 264

Note Statistics of the race of persons arrested for trespassing are not kept, therefore only the total number of persons arrested in the Republic are being furnished

Lawsuits against Minister

116 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) Whether any lawsuits have been brought against him in his capacity as Minister of Law and Order by members of the public as a result of police action during unrest-related incidents, if so.

(2) whether he will furnish information regarding these lawsuits, if not, why not, if so, (a) how many lawsuits were brought against him in 1987, (b) what were the circumstances of each lawsuit and (c) what was the outcome in each case?

THE MINISTER OF LAW AND ORDER

(1) Yes
(2) (a) to (c)

Separate record of unrest-related lawsuits is not being kept by the South African Police. Because the work involved in compiling this information would be voluminous and time-consuming, it is not practically feasible to furnish this information

Fire-arms: licences

119 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) (a) How many persons in the Republic were as at 31 December 1987 licensed to possess fire-arms and (b) what was the total number of licences issued as at that date,

(2) how many applications for licences were (a) received and (b) granted in 1987,

(3) whether any fire-arms were reported lost or stolen in 1987, if so, how many,

(4) whether, in 1987, any persons were declared unfit to possess fire-arms, if so, how many?

THE MINISTER OF LAW AND ORDER

(1) (a) 1 083 880 persons
(b) 2 633 170 licences

(2) (a) 148 164 applications received
(b) 140 537 applications granted

(3) Yes, 8 804 fire-arms
(4) Yes, 2 640 persons

Note During 1987 theft and losses of fire-arms decreased by 12,9%

Fire-arms: illegal possession

120 Mr S S VAN DER MERWE asked the Minister of Law and Order

(a) How many persons were arrested in each province of the Republic in 1987 for (i) illegal possession of fire-arms and (ii) being in possession of stolen fire-arms and (b) how many of the lawful owners of such fire-arms were traced in each category?

THE MINISTER OF LAW AND ORDER

(a) Transvaal	(i) 1 481	(ii) 903
Natal	674	159
Orange Free State	108	79
Cape Province	323	302
(b) Transvaal	456	451
Natal	137	90
Orange Free State	50	59
Cape Province	144	182

Persons enlisted in SAP

124 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) How many Whites, Coloureds, Blacks and Indians, respectively, enlisted in the South African Police in 1987,

(2) how many persons in each race group had their service as members of the Police Force terminated in that year (a) on account of (i) resignation, (ii) retirement and (iii) expulsion and (b) for other specified reasons?

Shelley Beach	1	Germiston	806
Springs	2	Alberton	238
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Witbank	1	Heidelberg	174
Worcester	1	Balfour	20
Divisional Council Kaffrara	1	Greylingstad	28
Regional Services Council Algoa	1	Groovier	112

267 (2) (a) None
 (b) Falls away
 (i) Falls away
 (ii) Falls away

East Rand persons arrested for trespass
 102 Mr P G SOAL asked the Minister of Law and Order

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The MINISTER OF LAW AND ORDER

(a) to (d)

Statistics of the race of persons arrested for trespassing are not kept therefore only the total number of persons who were arrested in each police station area are being furnished	677
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Daveyton	27
Petit	117
Putfontein	66
Kempson Park	202
Boksburg	33
Boksburg North	3
Jan Smuts Airport	0
Tembisa	1
Vosloorus	0
Kaalfontein	9
Ollifantsfontein	

103 Mr P G SOAL asked the Minister of Law and Order

(a) How many incidents of each specified kind were reported in 1987 to the mobile charge office in Rosebank, Johannesburg, and (b) (i) how many fines were paid and (ii) what total amount in fines was collected at this charge office in 1987?

The MINISTER OF LAW AND ORDER

(a) Vehicle collisions 350
 Theft of motor vehicles 144
 Theft from motor vehicles 150
 Robbery 10

(b) (i) 552 fines
 (ii) R19 620

KTC/Crossroads: arrests for offences

109 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any persons have been arrested in connection with (a) arson, (b) theft, (c) malicious damage to property, (d) assault with intent to do grievous bodily harm, (e) common assault, (f) murder and (g) attempted murder during unrest in (i) Crossroads in May 1986 and (ii) the KTC area in June 1986, if not, (aa) why not and (bb) what progress has been made by the South African Police in this regard, if so, how many in each case?

The MINISTER OF LAW AND ORDER

(a) to (g)

Several lawsuits resulting from the occurrences in the area are still pending. Furthermore, incidents of violence between the rival factions take place from time to time. Therefore, I do not consider it desirable in the public interest to furnish the information

Trespass: arrests
 112 Mr S S VAN DER MERWE asked the Minister of Law and Order

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The MINISTER OF LAW AND ORDER

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The MINISTER OF LAW AND ORDER

(1) Yes
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Separate record of unrest-related lawsuits is not being kept by the South African Police

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The MINISTER OF LAW AND ORDER

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Note During 1987 theft and losses of fire-arms decreased by 12.9%

Fire-arms illegal possession
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(1) How many Whites, Coloureds, Blacks and Indians, respectively enlisted in the South African Police in 1987,
 (2) how many persons in each race group had their service as members of the Police Force terminated in that year (a) on account of (i) resignation, (ii) retirement and (iii) expulsion and (b) for other specified reasons?

Howard

The MINISTER OF LAW AND ORDER

(1) Whites	5 843	(2)	(a) Whites	1 437	(i)	117	(iii)	97
Coloureds	880		Coloureds	101		14		40
Blacks	2 339		Blacks	278		147		268
Indians	153		Indians	21		8		9

(b) Unfit for training	5	Whites	Coloureds	Blacks	Indians
Deaths	130				
Medically unfit	145				
Transfer to other Government departments and/or independent States	39				

Resignations of policemen/new recruits

125 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) (a) How many policemen of each rank resigned from the Police Force from 1 January to 31 December 1987 and (b) how many new recruits were there during this period.		The MINISTER OF LAW AND ORDER	(1) (a) Major	1
			Captain	8
			Lieutenant	43
			Warrant Officer	53
			Sergeant	276
			Constable	1 318
			Student	138

(2) what was the shortage of policemen of each rank in each province as at the latest specified date for which figures are available?		(b) 8 731 recruits
		(2) 31 December 1987

Colonel	Transvaal	Orange Free State	Natal	Cape
Lieutenant-Colonel	14	2	3	6
Major	9	1	5	8
Captain	32	2	15	24
Lieutenant	74	5	21	30
Warrant Officer	91	18	24	25
Sergeant	491	36	167	328
Constable	605	—	256	—

Note I wish to point out to the honourable member that besides the 8 731 recruits, a further 484 persons were taken into service comprising re-enlistments, expert and artisan staff

138 Mr D J DALLING asked the Minister of Law and Order

Sandton/Bramley/Lombardy East: offences
 How many offences relating to (a) murder, (b) assault with intent to do grievous bodily harm, (c) common assault, (d) burglary, (e) robbery, (f) theft of vehicles and cycles, (g) other thefts, (h) damage to property, (i) dagga and (j) rape were reported and investigated in the (aa) Sandton, (bb) Bramley and (cc) Lombardy East police station areas during the period 1 July 1986 to 30 June 1987?

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Sandton	16	80	226	1 735	106	687	1 752	217	81	17
Bramley	20	100	180	1 262	624	902	1 806	221	29	26
Lombardy East	6	24	67	757	51	377	545	101	9	15

Note I wish to point out to the honourable member that for the sake of efficiency statistics were furnished for the period 1 January to 31 December 1987. All statistical reports will in future be furnished in calendar year periods

Howard

Alexandra: offences

139 Mr D J DALLING asked the Minister of Law and Order
 How many offences relating to (a) murder (b) assault with intent to do grievous bodily harm, (c) common assault, (d) burglary, (e) robbery, (f) theft of vehicles and cycles, (g) other thefts, (h) damage to property, (i) dagga and (j) rape were reported and investigated in the Alexandra Township during the period 1 July 1986 to 30 June 1987?

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	
Alexandra	141	749	542	129	340	103	364	308	108	129

Note I wish to point out to the honourable member that for the sake of efficiency, statistics were furnished for the period 1 January to 31 December 1987. All statistical reports will in future be furnished in calendar year periods

Randburg: offences

140 Mr D J DALLING asked the Minister of Law and Order
 How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Randburg police district in 1987?

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Randburg	48	39	192	364	56	173	728	311	3 181
Alexandra	141	12	749	452	129	340	103	308	129
Bramley	20	43	100	180	26	624	892	211	1 266
Halfway House	13	30	79	102	30	44	169	78	982
Sandton	16	26	80	226	17	106	685	217	1 735
Linden	12	4	71	149	18	62	859	152	943

Policemen/-women: colleges for training

145 Mr M J ELLIS asked the Minister of Law and Order
 (1) (a) How many colleges for training of (i) policemen and (ii) policewomen are there in the Republic, (b) where are they located in each case, (c) how many (i) Whites, (ii) Coloureds, (iii) Asians and (iv) Blacks are on the teaching/instructor staff of each of these colleges and (d) in respect of what date is this information furnished,
 (2) how many (a) Whites, (b) Coloureds, (c) Asians and (d) Blacks were trained at each of these colleges during the latest specified 12-month period for which information is available?

(i)	(ii)	(iii)	(iv)
(a) 211 teaching/instructor staff	(b) 36 teaching/instructor staff	(c) 11 teaching/instructor staff	(d) 88 teaching/instructor staff
(a) 3 774 students	(b) 903 students	(c) 244 students	(d) 2 800 students

The MINISTER OF LAW AND ORDER

146 Mr M J ELLIS asked the Minister of Law and Order
 How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) burglary of business premises, (g) burglary of residential premises, (h) robbery with aggra-

The MINISTER OF LAW AND ORDER

(1)	(2)	(a)	(i)	(ii)	(iii)
Whites	5 843	Whites	1 437	117	97
Coloureds	880	Coloureds	101	14	40
Blacks	2 339	Blacks	278	147	268
Indians	153	Indians	21	8	9

(b)	Whites	Coloureds	Blacks	Indians
Unfit for training	5	2	3	—
Deaths	130	15	166	8
Medically unfit	145	20	94	12
Transfer to other Government departments and/or independent States	39	—	195	—

Resignations of policemen/new recruits

125 Mr S S VAN DER MERWE asked the Minister of Law and Order

The MINISTER OF LAW AND ORDER

(1)	(a)	Major	Captain	Lieutenant	Warrant Officer	Sergeant	Constable	Student
(1) How many policemen of each rank resigned from the Police Force from 1 January to 31 December 1987 and (b) how many new recruits were there during this period	(1)	1	8	43	53	276	1 318	138

(2) what was the shortage of policemen of each rank in each province as at the latest specified date for which figures are available?

(2)	Transvaal	Orange Free State	Natal	Cape
Colonel	14	2	3	6
Lieutenant-Colonel	9	1	5	8
Major	32	2	15	24
Captain	74	5	21	30
Lieutenant	91	18	24	25
Warrant Officer	491	36	167	328
Sergeant	605	—	256	—
Constable	—	—	—	—

Note I wish to point out to the honourable member that besides the 8 731 recruits, a further 484 persons were taken into service, comprising re-enlistments, expert and artisan staff

126 Mr D J DALLING asked the Minister of Law and Order

How many offences relating to (a) murder, (b) assault with intent to do grievous bodily harm, (c) common assault, (d) burglary, (e) robbery, (f) theft of vehicles and cycles, (g) other thefts

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Sandton	16	80	226	1 735	106	687	1 752	217	81	17
Bramley	20	100	180	1 262	624	902	1 806	221	29	26
Lombardy East	6	24	67	757	51	377	545	101	9	15

Note I wish to point out to the honourable member that for the sake of efficiency, statistics were furnished for the period 1 January to 31 December 1987. All statistical reports will in future be furnished in calendar year periods

Alexandra. offences

139 Mr D J DALLING asked the Minister of Law and Order

How many offences relating to (a) murder, (b) assault with intent to do grievous bodily harm, (c) common assault, (d) burglary, (e) robbery,

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Alexandra	141	749	542	129	340	103	364	308	108	129

Note I wish to point out to the honourable member that for the sake of efficiency, statistics were furnished for the period 1 January to 31 December 1987. All statistical reports will in future be furnished in calendar year periods

Randburg. offences

140 Mr D J DALLING asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f)

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Randburg	48	39	192	364	56	173	728	311	3 181	—
Alexandra	141	12	749	452	129	340	103	308	129	—
Bramley	20	43	100	180	26	624	892	211	1 266	—
Halfway House	13	30	79	102	30	44	169	78	982	—
Sandton	16	26	80	226	17	106	685	217	1 735	—
Linden	12	4	71	149	18	62	859	152	943	—

Policemen/-women. colleges for training

145 Mr M J ELLIS asked the Minister of Law and Order

(1) (a) How many colleges for training of (i) policemen and (ii) policewomen are there in the Republic, (b) where are they located in each case, (c) how many (i) Whites, (ii) Coloureds, (iii) Asians and (iv) Blacks are on the teaching/instructor staff of each of these colleges and (d) in respect of what date is this information furnished.

(2) how many (a) Whites, (b) Coloureds, (c) Asians and (d) Blacks were trained at each of these colleges during the latest specified 12-month period for which information is available?

The MINISTER OF LAW AND ORDER

(1) (a) (i) and (ii) 4

(b) Pretoria
Bishop Lavis
Wentworth
Hammanstraal

(c)	(i)	(ii)	(iii)	(iv)
(1)	211 teaching/instructor staff	36 teaching/instructor staff	11 teaching/instructor staff	88 teaching/instructor staff
(2)	3 774 students	903 students	244 students	2 800 students

146 Mr M J ELLIS asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) burglary of business premises, (g) burglary of residential premises (h) robbery with aggra-

We watched father beaten to death, say family

By GAYE DAVIS in George

251
w/m
3/13-7/4/88

A YOUNG Cape political activist died of severe head injuries this week hours after allegedly being brutally beaten by police for at least 30 minutes in front of eyewitnesses

Witnesses — including the victim's common-law wife — have drawn up affidavits telling how they saw police in George, in the southern Cape, beat and kick Andile "Ace" Kobe, 22, for no apparent reason.

After using sjamboks and boots to assault him for some time — and sjamboking people who tried to stop them — police allegedly dragged him to a police van and drove him to a police station

The witnesses were prevented from entering the station, but for at least 20 minutes they heard Kobe screaming from inside, apparently being beaten

The last time Kobe was seen by his family, he was being thrown, apparently unconscious, into a police van and driven towards a nearby beach

Police say they found Kobe still alive at 1 30am on a stretch of beach outside George. He died in hospital the next day. Police have opened a murder docket.

Kobe, 22, a member of the George youth and civic organisations, was to have married his common-law wife, Elizabeth Qatana, 21, by whom he has two children, on April 8.

Instead he will be buried this weekend at his birthplace, the Eastern Cape town of Steytlerville.

Qatana told *Weekly Mail* that on March 19, she, Kobe, his 14-year-old cousin and her sister were on their way home through Sandkraal when they became involved in an altercation with a resident who had earlier taken issue with them for using a short cut through his property. Blows were exchanged.

"At that moment a yellow police van arrived with three white policemen inside," she said. "Two policemen ran up and without saying anything started beating Ace and the owner of the house with a kierre and a sjambok." The home owner retreated indoors and Kobe ran away.

"They caught him and one of them started beating and kicking him" When she tried to protect him, she was allegedly assaulted by the policemen who knocked her to the ground,

sjamboked and kicked her.

She said the police dragged Kobe to the van, put him in the back and drove away.

Taking a short cut, Qatane and her companions arrived at the Sandkraal police station as the van drew up. She saw policemen take Kobe from the van and again assault him.

As one of the policemen removed his shirt, "Ace got up and ran away", Qatane said. When they caught him they again beat him, she said

"I was pleading with them. Ace screamed to me that I should help him. I said I was trying, but the police don't listen."

When she tried to follow the policemen into the station she was threatened. She said she could hear Kobe screaming inside the police station, apparently being beaten. He was calling for her and begging the policemen to stop. This went on for 20-30 minutes; then there was silence.

She saw the police emerge carrying Kobe to the van. He seemed to be unconscious, with his head lolling from side to side. "They threw him into the van and drove off."

She watched the van drive away and then turn off on to a road leading to the beach — a route she and Kobe took on Sunday beach outings.

Qatane went back to the Sandkraal police station, arriving as the police van returned. One policeman told her Kobe had jumped from the van and run away "and that I must go and look for him in the bush".

After searching for him, she was told at 5am the next day that he was in George Hospital. There she saw him briefly before he underwent emergency brain surgery. He was unconscious and his head was grotesquely swollen.

"About an hour later, they came and told me he was dead," Qatane said.

Major Mike Lombard, South Western Districts Police liaison officer, said a murder docket had been opened. "All these allegations will be thoroughly investigated; details we do have at this stage are *sub judice*. Everything will come out if there is an inquiry," he said.

Minister⁽²⁵⁾ gets leave^{13/88} to appeal^(3/8)

BLOEMFONTEIN — The Minister of Law and Order has received leave from the Appeal Court in Bloemfontein to appeal against a judgment in favour of a former detainee, Mr Shepard Matshoba of Worcester.

Mr Matshoba was detained in terms of the emergency regulations on June 12 1986.

On October 2 1986 he launched an application in the Cape Supreme Court for his arrest and detention to be declared unlawful and for him to be released immediately.

On June 4 1987 Mr Justice G Friedman reserved judgment. Mr Matshoba was released from detention on June 11 1987.

When judgment was given it was held that Mr Matshoba's detention at Victor Verster Prison was not in accordance with the emergency regulations and his detention was unlawful. It followed that he would have succeeded in his original application and he was entitled to costs. — Sapa.

Seven AWB
ARGUS 7/3/88
members
expelled
251
from police

Political Staff

SEVEN police reservists in the Northern Transvaal have been expelled because they are members of the Afrikaner Weerstandsbeweging.

It is understood they are the first policemen to feel the effects of the recently-stated policy to bar AWB members.

The seven are all from the Far North police district, police sources said.

And Brigadier Leon Mellet, spokesman for the Minister of Law and Order Mr Adriaan Vlok, warned today that similar action was certain against any other AWB members in the force.

The policy on the AWB was "crystal-clear," he said.

MAKE UP MINDS

"The Minister has repeatedly stated that AWB members will not be tolerated in the police force.

"He told Parliament last week that if there are any AWB members in the police force they will have to make up their minds, either to stay in the force or remain members of the AWB."

Brigadier Mellet said he did not know if there still AWB members in the police force.

If there were, they would soon be identified, he said. Other members of the force did not want them.

AWB leader Mr Eugene Terre-Blanche is understood to have given notice that he will legally contest the expulsions.

SOWETO TYCOON HELLS OF SHOOTING

Sowetan
7/3/88
251

WEALTHY Soweto building contractor told a Rand Supreme Court on Friday that he was lured from his double-storey home in Mapetla by two policemen on the pretext of looking for a stolen Porsche, and was shot in the back four times by one of them.

Mr Ernest Molokoane was giving evidence at the trial of Captain H (Jack) le Grange (40), former head of the East and Murder and Robbery Squad and Detective Sergeant Robert Edmundt van der Merwe (30), of the Brixton Murder and Robbery Squad.

Both pleaded not guilty before Mr Justice Vincent Steyn and two assessors to murdering Mr Bennie Alex Ogle (30), an import-export agent of Ennerdale, and Mr Peter Godfrey Pillay (39), a taxi driver, and attempting to murder Mr Molokoane.

Killed

A packed court heard the Attorney-General of the Witwatersrand, Mr Klaus von Lieres, SC, outline the State case by saying Mr Ogle and Mr Pillay had been killed and an attempt made on Mr Molokoane's life in a planned conspiracy by the two policemen.

Captain le Grange and Sergeant van der Merwe are both in custody and have been refused bail.

The A-G said that on September 28, last

Top policemen appear on murder charges

SOWETAN Reporter

year, Mr Ogle was lured out of his house, on a pretext of wanting to see his car registration and licence papers, and shot four times with a .22 weapon.

Three hours later, on September 29, Mr Molokoane was lured out of his house after being told they suspected his Porsche of being stolen, and his registration papers had to be checked. He was gunned down with a .22.

On October 4, Mr Pillay had an appointment with Sergeant van der Merwe at 10pm and was found dead by an Escom inspector near Crown Mines next morning. There was no trace of R5 000 he was carrying on him.

Mrs Vanessa Ogle told the court that police called at their house late on September 28.

Mr Ogle went to the

door in his dressing gown and they asked for his car registration papers. He went outside with them and Mrs Ogle heard shots.

Mrs Ogle said her husband had never dealt in drugs and she was shocked to see mention of this in newspapers.

Car

Mr Molokoane told the court that when he returned home early on September 29 with a friend, he saw a car parked outside his house and they decided to drive off.

Later he entered his house through the kitchen door. His wife told him the police were looking for him and had visited the house three times.

The police later arrived and after identifying themselves, said they were looking for a stolen Porsche and asked him for his car registration papers.



MR TSIETSI Molokoane . . . shot and wounded.

which he showed them, explaining that the Porsche was at a garage being repaired.

"They said there had been a mistake and asked me to come with them to their car so they could telephone and explain this to headquarters," said Mr Molokoane.

"One of the policemen got into the car

and rummaged in the cubbyhole while Sergeant van der Merwe stood behind me.

"I looked at Sergeant van der Merwe and saw he was grimacing as if he was trying to pull something from his belt. I walked towards Sergeant van der Merwe and he backed away.

"The policeman in the car said I should

take my papers and as I did so I heard shots going off.

Sergeant van der Merwe then ran to the car, got in and was driven off.

"I was bleeding and staggered to my brother's house (which is behind his), where I called out for help," he said.

Bullets

Two of the bullets were left in his body because they were considered too dangerously lodged to be removed.

Mr Molokoane said that on October 1, after he had been discharged from the clinic, was the "first time I went to Brixton Police Station to look for the men who had shot me. I saw Sergeant van der Merwe there. He got into a Sierra with another man and they drove off.

"When I told the policemen at Brixton it was Sergeant van der Merwe who shot me, they said it couldn't be because he was from Vereeniging. They lied to me," said Mr Molokoane.

He later pointed out Sergeant van der Merwe at an identity parade.

The case continues today.

Attorneys

THE MINISTER OF EDUCATION AND CULTURE

- (1) No change has been effected. Changes according to needs are considered from time to time when altered circumstances warrant it.
- (2) The present subsidy formula is based on 45% or 15% or 0% of the provision for the current expenditure in primary and secondary schools for each actual pupil in a registered private school of the particular education department, as calculated according to the proposed standard formula for the financing of an education department.
- (3) no

For written reply

General Affairs

Displaying of banner in Monument Park, Pretoria investigation

195 Mr K M ANDREW to ask the Minister of Law and Order

- (1) Whether, with reference to his reply to Question No 21 on 8 September 1987, the investigation into the incident involving the displaying of a banner in Monument Park, Extension 2 Pretoria, has been completed, if not, (a) why not and (b) when is it anticipated that the investigation will be completed, if so, (i) when and (ii) what were the findings.
- (2) whether any persons have been charged with offences in connection with the incident. If so, (a) who and (b) with what offences.
- (3) whether any further action has been taken in connection with this incident, if not, why not if so, what action?

THE MINISTER OF LAW AND ORDER

- (1) Yes
- (a) and (b) Fall away
- (i) 30 September 1987
- (ii) The South African Police could not identify the responsible person/persons
- (2) No

HOUSE OF ASSEMBLY

Public Safety Act: restriction orders served

200 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (a) How many persons detained under the 1987 emergency regulations in terms of the Public Safety Act, No 3 of 1953, were subsequently served with restriction orders and (b) to which areas were they restricted in each case?

THE MINISTER OF LAW AND ORDER

- (a) and (b)
- I refer the honourable member to my reply to written question 87

Internal Security Act: detainees

201 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) (a) What total number of persons was detained in terms of the Internal Security Act, No 74 of 1982, in 1987 and (b) (i) in terms of which section or sections of the said Act and (ii) for what period was each such person detained.
- (2) whether any persons so detained were (a) charged and (b) convicted, if so, how many in each case in respect of that year?

THE MINISTER OF LAW AND ORDER

- (1) (a) and (b)
- I refer the honourable member to my reply to written question 48
- (2) (a) Yes—81 persons
- (b) 8 persons were convicted
- 2 persons were acquitted
- The trial of 71 persons are still pending

Inspectors/magistrates, visits to detainees

203 Mr S S VAN DER MERWE asked the Minister of Law and Order

- How many visits to detainees held under section 29 of the Internal Security Act, No 74 of 1982, were made by (a) inspectors and (b) magistrates in 1987?

THE MINISTER OF LAW AND ORDER

- (a) 3 745 visits
- (b) 3 896 visits

Detention/release: representations from detainees

204 Mr S S VAN DER MERWE asked the Minister of Law and Order

- Whether he received any written representations in 1987 from detainees held under section 29 of the Internal Security Act, No 74 of 1982, relating to their detention or release, if so, (a) how many and (b) in how many cases did the representations result in the release of the detainees concerned?

THE MINISTER OF LAW AND ORDER

- Yes
- (a) 71 detainees
- (b) none

Section 50/29(1) of Internal Security Act, detainees

205 Mr S S VAN DER MERWE asked the Minister of Law and Order

- Whether any persons detained in 1987 in terms of section 50 of the Internal Security Act No 74 of 1982, were subsequently detained in terms of section 29(1) of the said Act, if so, how many?

THE MINISTER OF LAW AND ORDER

No

Alleged contraventions of Group Areas Act, investigations

209 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (a) How many investigations have been held by the South African Police into alleged contraventions of the Group Areas Act, No 36 of 1966, since 30 April 1987 and (b) in respect of what date is this information furnished?

THE MINISTER OF LAW AND ORDER

- (a) 1 026 cases
- (b) 30 April 1987 until 31 January 1988

Drugs confiscated

210 Mr S S VAN DER MERWE asked the Minister of Law and Order

- What was the (a) mass or number of units and (b) value of the (i) dagu, (ii) LSD, (iii) heroin, (iv) cocaine, (v) Mandrax and (vi) other drugs

HOUSE OF ASSEMBLY

Police murder trial told victim was informer

SM 4/3/88 By Joe Openshaw

Mr Peter Godfrey Pillay, the Eldorado Park man found shot near Crown Mines on October 4 last year, was a registered informer who worked for the policeman charged with his murder, Captain Hendrik Johannes la Grange, former head of the East Rand Murder and Robbery Squad, the Rand Supreme Court was told yesterday.

This was evidence by Warrant Officer P Maree of the Brixton Murder and Robbery Squad at the trial of two policemen, Captain la Grange (40), and Detective Sergeant Robert Edmundt van der Merwe (30), of the Brixton Murder and Robbery Squad.

Both pleaded not guilty before Mr Justice Steyn to murdering Mr Bennie Alex Ogle (30), an import-export agent of Ennerdale, and Mr Peter Godfrey Pillay (39), of Eldorado Park, and attempting to murder Mr Ernest Molokoane, a building contractor of Soweto.

DRUGS

The two policemen are in custody.

Warrant Officer Maree told the court the three had been involved in drug smuggling.

Mr Pillay's wife, Mrs Vivica Pillay, told the judge two attempts had been made on her husband's life and on the night before he was killed he was carrying R5 000.

Mr Ogle was shot on September 28. He had allegedly been lured out of his house by the two policemen saying they wanted to see his bakkie's registration papers.

On September 29, Mr Molokoane was allegedly lured from his house by the two policemen who said they wanted to see papers for his Porsche. He was shot in the back and treated at Baragwanath Hospital. Mr Molokoane has identified Detective Sergeant van der Merwe as the person who shot him.

Mr Klaus von Lieres, SC, appears for the State. Mr F Maritz, pro deo for Detective Sergeant van der Merwe.

The hearing continues

D/D 8/3/88

Accused explains demonstration

GRAHAMSTOWN — The trial of two Unrest Unit policemen resumed in the Supreme Court here yesterday after a break of 11 days

Warrant/Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 26, are charged on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents in Cradock when a section of the unit was sent to monitor a funeral on July 26, 1986.

Yesterday, the cross-examination of W/O De Villiers continued. He was asked about the instructions he had been given for the trip and why he had demonstrated "house penetration" to his unit.

He said he had been told it was expected that six

or seven terrorists would attend the funeral and the youngsters who comprised 80 per cent of his section had not been trained to combat urban terrorism. He tried to brief them on the positions they would assume if the terrorists were located, and show how he and Const Goosen would "penetrate" a house if they took shelter.

After he had been questioned about the route the unit took when it entered the townships, Mr Justice Zietsman was constrained to ask the relevance of the cross-examination.

He asked the Attorney General, Dr J A van S D'Oliveira to leave "every little turn and detail" and get to the important differences between the state and defence versions.

The trial continues — DDC

251

Station subway assaults 'nearly every day'

By BARRY STREEK

ASSAULTS were occurring nearly every day in a subway near Claremont railway station, Mr Jan van Eck, the independent MP for Claremont, said yesterday.

Plans to replace the level crossing at Stegman Road with a pedestrian bridge were now in the final planning stages, but would still take a few years to complete, he said.

After investigating the issue and arranging a petition to test public opinion on the issue, he had approached various authorities with the request to reopen the level crossing.

This was turned down on the grounds that the train frequency was too high.

Mr Van Eck said he was convinced that the police had instituted additional patrols after a request from the Minister of Transport Affairs, Mr Eli Louw.

But many of the victims of these attacks did not report them and then the police said statistics showed that increased patrolling was not necessary.

"Without wanting to politicize this matter, I must stress the fact that while we cannot get more police in Claremont, the townships are grossly over-supplied with policemen.

"I believe this imbalance should be rectified by taking the police from the townships."

CAPE TOWN
8/3/88
251

CAPT TMS
Vlok mum
on unrest

8/3/88
251
Political Staff

THE Minister of Law and Order, Mr Adriaan Vlok, yesterday declined to say whether anyone had been arrested for offences committed during unrest in Crossroads in May 1986 and the KTC area in June 1986.

He had been asked by Mr Tian van der Merwe (PFP, Green Point) whether anyone had been arrested in connection with arson, theft, malicious damage to property, assault with intent to do grievous bodily harm, common assault, murder and attempted murder in Crossroads in May 1986 and the KTC area in June 1986.

Mr Vlok said he "did not consider it desirable in the public interest to furnish the information".

Casspir ignored dying man, cleric tells court

CAPE TOWN — A clergyman told the Cape Town Supreme Court yesterday that when he had gesticulated to a passing police Casspir in the KTC squatter camp to stop and attend to a seriously injured man, the vehicle did not stop or slow down but drove past.

The Rev John Freeth was testifying in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes.

Rev Freeth, an Anglican minister, said that on June 9 1986, he arrived at KTC to find the Zolani Centre smouldering. He saw a man bleeding profusely and naked from the waist up, lying on the ground near the soccer stadium entrance.

"Blood was oozing out or almost pumping out of his neck. I realised that he needed expert medical attention immediately," Rev Freeth said.

A Casspir then came along the road at "little more than a walking pace", he said.

"I leapt up and gesticulated wildly and sought to attract attention because I wanted medical help for this injured man immediately. Although the Casspir was virtually only three metres away and the driver turned in my direction, the Casspir did not alter pace or direction or slow down or stop to help at all."

He then ran to the nearby Divisional Council clinic where he fetched two doctors and a nurse.

"When we returned to him it was very clear that he was in the process of dying... he in fact, died in my arms," Rev Freeth said.

The hearing continues today — Sapa.

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8/3/88

ARGUS 8/3/88 (251)

Murdered man informer for accused, court told

The Argus Correspondent

JOHANNESBURG. — Mr Peter Godfrey Pillay, the Eldorado Park taxi-owner found near Crown Mines on October 4 last year with five gunshot wounds in the head, was a registered informer and worked for the policeman charged with his murder, Captain Hendrik Johannes (Jack) le Grange, former head of the East Rand Murder and Robbery Squad.

This was evidence by Warrant Officer P Maree of the Brixton Murder and Robbery Squad in the Rand Supreme Court yesterday at the trial of Captain le Grange, 40, and Detective Sergeant Robert Edmundt van der Merwe, 30, also of the Brixton squad.

Both pleaded not guilty before Mr Justice Irving Steyn and two assessors to murdering Mr Bennie Alex Ogle, 30, an

import-export agent of Ennerdale, and Mr Peter Godfrey Pillay, 39, a taxi-owner of Eldorado Park, and attempting to murder Mr Ernest Molokoane, a wealthy building contractor of Mapetla, Soweto

W/O Maree, at one stage investigating officer into the death of the two men and the attempted murder of Mr Molokoane, said in a packed court that the three had been involved in rival drug-smuggling rings

Dead on pavement

The State alleges the two accused conspired to kill the three men after luring them out of their houses

Mr Ogle was allegedly lured out of his house by the two policemen who said they wanted to see his bakkie's registration and licence papers, and was found by his wife lying dead on the pavement after she heard shots

A similar ploy was allegedly

used three hours later on Mr Molokoane who, however, survived being shot in the back four times Mr Molokoane identified Detective Sergeant van der Merwe as the person who shot him.

Mr Pillay was murdered on October 4, the day of Mr Ogle's funeral

The State alleges Captain le Grange had an assignation with Mr Pillay that night, and when the taxi-owner's body was found R5 000 he had been carrying was missing.

According to the statement made by Captain le Grange, Mr Pillay had requested a meeting with him on Sunday night, October 4, saying he was "in big trouble" because the Brixton Murder and Robbery Squad wanted to arrest and question him in connection with Mr Ogle's death. He had already been in touch with his lawyer and was that very night going to meet an unidentified man about the matter

Catching out AWB

Political Correspondent

CAPE TOWN — The police were confident of "catching out" any remaining AWB members in the force, a spokesman for Law and Order Minister Adriaan Vlok said yesterday.

He was reacting to the expulsion of seven police reservists in the northern Transvaal after it had become known they were AWB members.

The spokesman said it was "virtually impossible" for a policeman to disguise his membership of the AWB. He said "We don't want them in the force."

251
8/3/88

DIP 8/3/88

Bullet wound evidence at trial of policemen (251)

JOHANNESBURG — A forensic expert, Dr Patricia Joan Klepp, gave evidence yesterday in the trial in the Rand Supreme Court of two senior policemen charged with murder

Dr Klepp was giving evidence at the trial of Captain H (Jack) la Grange, 40, former officer commanding the East Rand murder and robbery squad, and Detective-Sergeant Robert Edmundt van der Merwe, 30, of the Brixton murder and robbery squad

They are charged with the murder of Mr Bennie Alex Ogle, 30, an export-import agent from Ennerdale, Vereeniging, and Mr Peter Godfrey Pillay, 39, who died in September and October last year

Both policemen are also charged with the attempted murder of Mr Ernest Molokoane, a Soweto building contractor, who was shot four times in the back with a 22 weapon outside his house in Mapetla on September

29, three hours after Mr Ogle had been shot

Mr Ogle was found dead outside his house in Ennerdale with four 22 bullet wounds — in the head, heart, lung and stomach, by his wife, Mrs Vanessa Ogle, on September 28

Last week Mrs Ogle told the court policemen had called at their home to check the registration and licence papers of her husband's car.

Dr Klepp told the court yesterday that Mr Pillay, a taxi owner, had five gunshot wounds on his head

Mr Pillay was found in the early morning of October 4 sitting behind the wheel of his car in Crown Mines by an Eskom inspector.

Dr Klepp said yesterday Mr Pillay must have been standing very still or sitting when the shots were fired at him.

The case continues — Sapa

SAP numbers increase by 4 000

CAPL Tink 8/3/88

251

By BARRY STREEK

THE police force increased by 4 371 members last year, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

Mr Vlok, replying to Mr Tian van der Merwe, said the force had lost 4 844 members, 1 837 policemen had resigned, 286 had retired and 414 members were expelled

A further ten members were declared unfit for training, 319 died, 271 were declared medically unfit and 234 were transferred to other government departments or the homelands.

He said one major, eight captains, 43 lieutenants, 53 warrant officers, 276 sergeants, 1 318 constables and 138 students resigned in 1987

There was a shortage of 25 colonels, 23 lieutenant-colonels, 73 majors, 130 captains, 158 lieutenants, 1 022 warrant officers and 861 sergeants

8/3/88 (251) SPR

Police expel seven members of AWB

CAPE TOWN — Seven police reservists in the northern Transvaal have been expelled because they are Afrikaner Weerstandsbeweging (AWB) members.

It is understood the seven are the first to feel the effects of the recently stated policy on AWB membership.

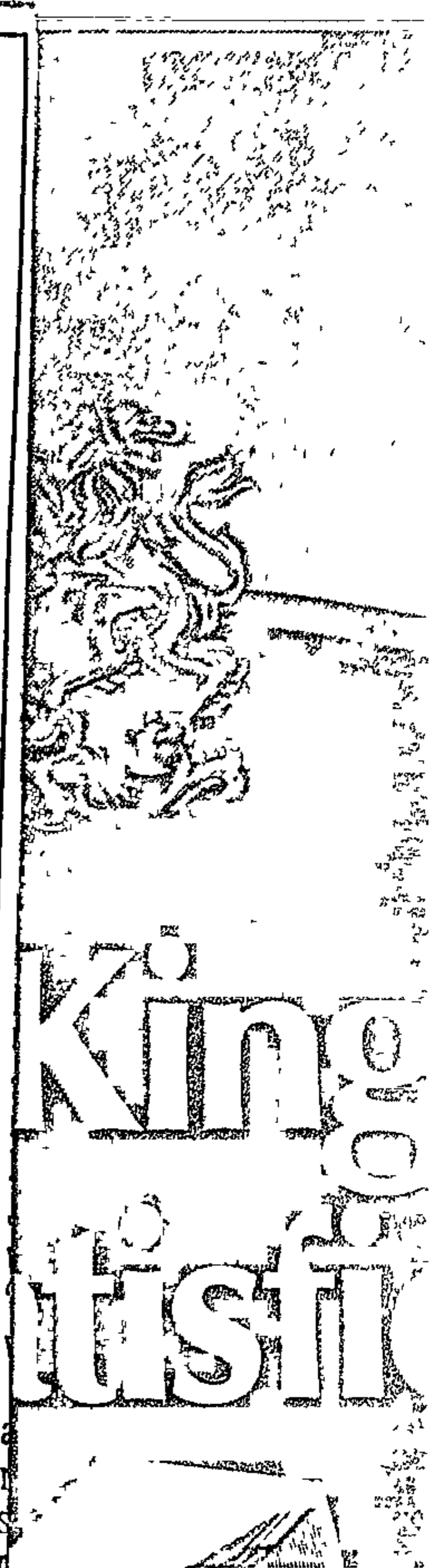
Brigadier Leon Mellett, spokesman for Law and Order Minister Mr Adriaan Vlok, warned on Sunday that similar action was certain against any remaining AWB members in the force.

He said the Minister had repeatedly stated to the police force and in public that AWB members would not be tolerated.

Brigadier Mellett added that he did not know if there were still AWB members in the force. If there were, they would soon be identified.

AWB leader Mr Eugene TerreBlanche is understood to have given notice that he will legally contest the expulsions. He is reported as saying the AWB is not an illegal organisation and that it is therefore against public service rules to fire someone for belonging to it.

Brigadier Mellett said that, according to regulation 58 (33) (a) of the Police Act of 1958, a member of the force would commit an offence if he became a member of any unregistered political party, movement or organisation, or of an association with political goals. — Political Staff-Sapa.



'Police

Ch. T. 1/5
8/3/88

sympathy

for AWB

251

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Own Correspondent

JOHANNESBURG. — One of seven expelled AWB police reservists, Mr Attie Engelbrecht, last night claimed at least 40% of reservists in the northern Transvaal were members of the AWB.

Between 80% and 100% of reservists in the area, of whom there are more than 800, were either also members or sympathisers of the organization, he said.

Mr Engelbrecht said this would give a good indication of how widespread AWB membership was in the security forces.

They had all owned up to being AWB members after being asked by the SA Police to sign a declaration that they were not members "about eight months ago", he said.

Reacting to the expulsion of the seven police reservists, Brigadier Leon Mellet, spokesman for Law and Order minister Mr Adriaan Vlok, said the SAP was confident of "catching out" any remaining AWB members in the force.

"We don't want them in the force, and if they are there they must make a choice very soon," Brig Mellet said.

Off 6 Times 8/3/88

Unrest Unit trial resumes

(251) ~~251~~ Correspondent

GRAHAMSTOWN — The trial of two Unrest Unit policemen resumed in the Supreme Court here yesterday after a break of 11 days

Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 26, are charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents in Cradock when a section of the unit was sent there to monitor a funeral on July 26, 1986

Yesterday, the cross-examination of W/O De Villiers — who has spent four days in the witness box so far — continued

He was asked about the instructions he had been given for the trip and why he had chosen to demonstrate "house

penetration" to his unit
He said he had been told it was expected that six or seven terrorists would attend the funeral and the youngsters who comprised 80% of his section had not been trained to combat urban terrorism

He tried to brief them on the positions they would assume if the terrorists were located, and show how he and Constable Goosen would "penetrate" a house if they took shelter

He said a total of 34 policemen had been sent from Port Elizabeth to assist at the funeral

Mr Justice Zietsman asked the Attorney-General, Dr J A van S D'Oliveira, to leave "every little turn and detail" of the route the police took and get to the important differences between the state and defence versions. The trial continues today

Port Elizabeth

country.

Port Elizabeth

Casspir 'drove past dying man'

1976 Times 8/3/88

751 Supreme Court Reporter

A CLERGYMAN told the Supreme Court yesterday that when he had gesticulated to a passing police Casspir in KTC to stop and attend to a seriously injured man, the vehicle did not stop or slow down but drove past

Testifying in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes, the Rev John Freeth, an Anglican minister, said the incident happened on June 9, 1986

He told the court that after he failed in his efforts to stop the Casspir, the man died of his injuries. Mr Freeth said "absolutely nothing at all was done by the police or by the patrolling Casspirs to restrain" witdoek aggression

"The only sad conclusion that one could draw was that the police did not really make a serious and committed effort to prevent the violence and were happy to see KTC being destroyed in the same manner as Crossroads

"It was possible, in the light of a lack of any satisfactory explanation, that police had orders from the government to permit the destruction of KTC," Mr Freeth said.

The hearing continues today. Mr Justice De Kock presided. Mr HP Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr C D Griesel SC and Mr L Visser SC, with Mr C Y Louw and Mr F D J Brand and instructed by the State Attorney, appeared for the minister.

F. E.



By Claire Robertson,
Pretoria Bureau

Lawyers to convene inquiry into alleged police shooting

A lawyers' group has decided to hold its own commission of inquiry into a shooting incident, involving police, in which two children died.

Lawyers for Human Rights has decided that it will convene inquiries, "in the light of a growing tendency by Government not to hold commissions of inquiry into incidents involving officials — such as the "Mamelodi massacre" and the "Winterveld shootings" — said national director of the group Mr Brian Currin

The first, due to commence today, will investigate the circumstances surrounding the death of two children and injury of at least 14 others during a police dagga raid in the coloured township of Langverwag, near Kakamas, in the far northern Cape last month.

Four-year-old Desirée Cloete and Michael Jules (13) died during the incident

First reports from the scene

said that police had opened fire to defend themselves from stone-throwing

However, independent eye-witnesses later gave an account of the incident that pointed to police opening fire on curious bystanders, according to a dossier of evidence collected by independent MP Mr Jan van Eck, released last week.

Lawyers for Human Rights has informed the Commissioner

of Police that it is to hold the commission, and has expressed a desire to call policemen to testify, said Mr Currin.

Three commissioners have been appointed. They are Mr Justice Moloto, director of the Black Lawyers' Association's legal education centre; Mr Peter Leon of the firm Webber, Wentzel, and Mr David Dison of the firm Bell, Dewar and Hall.

The secretary of the commission is Mr Aubrey Lekwane of Lawyers for Human Rights.

The commission will sit at Kakamas and its findings will be published by the end of this month, Mr Currin said.

Murder accused discussed 'problem'

Tape transcripts read out at trial

9/3/88
By Joe Openshaw

251

Transcriptions of secret tape recordings in which two policemen now facing murder charges discussed their case were read in the Rand Supreme Court yesterday

Captain H (Jack) la Grange (40), former head of the East Rand murder and robbery squad, and Detective-Sergeant Robert Edmundt van der Merwe (30) of the Brixton murder and robbery squad, are appearing before Mr Justice Irving Steyn and two assessors. They are charged with two counts of murder and one of attempted murder.

According to one transcript, Detective-Sergeant Van der Merwe told Captain la Grange that there was a "big problem" because police said R35 000 was involved.

"They are not worried about the two who are dead, and the one who is half dead, they are worried about the fact that money is involved here."

"I heard something else. This Ogle who we shot first, they retrieved money from behind his car seat."

They also claimed they were being humiliated and that Colonel "Suiker"

Britz, head of the Pretoria murder squad, was trying to "nail" the Johannesburg murder and robbery squad.

The conversations between the two, peppered with foul language, were taped when they were left alone in a police car by Detective Warrant-Officer Oosthuizen of the Pretoria murder and robbery squad on January 19 and February 2.

The policemen are charged with murdering Mr Bennie Alex Ogle (30), an import-export agent of Ennerdale, and Mr Peter Godfrey Pillay (39), a taxi owner of Eldorado Park, and attempting to murder Mr Ernest Mr Molokoane, a wealthy building contractor of Soweto.

Mr Ogle was found on the pavement outside his house on September 18 last year. He had four bullet wounds. Three hours later, Mr Molokoane was shot in the back outside his home. Mr Pillay was found in the driver's seat of his bakkie with five gunshot wounds in the head.

The State alleges that the two policemen lured the men from their homes in a conspiracy to kill them. Both have pleaded not guilty.

In earlier evidence yesterday, Detective Warrant-Officer

Oosthuizen said Captain la Grange shaved off his moustache in the Pretoria police cells before being brought to Johannesburg to appear on an identity parade. The captain also asked him to stop at a pharmacy on the way to Johannesburg and bought a bottle of brown liquid, which he rubbed on his upper lip to darken his skin.

The hearing continues.

(251) Sapa 9/3/88

Allegations of murder inexplicable — accused

GRAHAMSTOWN — Warrant Officer Leon de Villiers could not explain to the Supreme Court yesterday why, if the shooting of Mr Mlungisi Stuurman was an accident, five members of the unrest unit alleged it was intentional.

W/O de Villiers (36) and Constable David Patrick Goosen (26) are charged with two counts of murder — including that of Mr Stuurman — two of assault and one of attempting to defeat the ends of justice.

The charges arise from alleged incidents at Cradock where 10 members of the unrest unit were sent to monitor a funeral on July 26 1986.

During the fourth day of his cross-examination, W/O de Villiers was questioned about why five members of his squad should allege Mr Stuurman's death was deliberate — a murder.

He suggested it was because they were afraid of being charged with assault and as accomplices.

He agreed that if they were to be charged as accomplices it would be better to be blamed for an accidental death and assault than for murder.

He said Constable Goosen came back to the van white and shaken and reported there was an accident. He asked Constable Goosen how badly Mr Stuurman was injured and when Constable Goosen could not say, he sent him back to establish the degree.

He agreed there were fit and able men standing around. He could not explain why he had not gone himself or at least sent somebody with the

shocked" Constable Goosen.

When he heard Mr Stuurman was dead, he fully intended to report the matter. He did not go to assess the position himself because he was sure Constable Goosen would be able to supply all the necessary information.

He agreed there was a strict procedure laid down for any shooting incident in the police "standing orders".

He agreed these required a guard to be placed on the body to see that the scene was not disturbed. He did not place one because the area appeared deserted.

It never occurred to him that anyone would allege the shooting was deliberate. He agreed it was important that any evidence showing that the shooting was accidental should have been preserved.

He said on the way back to the township he decided not to report the accident. This was because they had been outside their duty area, because he was shocked, and because he was under the influence of liquor.

He agreed he reported a subsequent shooting to Captain G Grobbelaar later. It did not occur to him to report the river shooting at the same time.

He did not think he ever believed Mr Stuurman's body would be washed away by the river and they would never hear of the incident again.

He agreed he was required to account for all ammunition fired by his section and that he had not done so.

The trial continues today — Sapa.

251 B/day 9/3/88

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LAW and Order Minister Adriaan Vlok said 15 policemen were suspended and five dismissed last year as a result of arrests, interrogations, detentions or other unrest-related activities.

Some 72 detainees made written representations about their detention or release, but in none of these cases did the representations result in the release of the detainees concerned. Inspectors made 3 745 visits to detainees last year and magistrates 3 896 visits.

□ □ □

A POLICEMAN who shot and killed a 10-year-old Soweto, Port Elizabeth, boy was convicted of culpable homicide and fined R800 (or six months), by the Port Elizabeth Regional Court yesterday. Gavin Ben Dhanda, 24, was sentenced to a further 12 months imprisonment, conditionally suspended for three years.

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THE EMBARCO freight traffic placed as a result in the Free State: Cape had been March 6, Sats a (marketing) Gert yesterday.

However, the e applied to traffic north of Keetman

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CHEMISTS wi President P W E pensing services h trict surgeons by cial authoritie returned to the pr the SA Associatic Pharmacists deci day.

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ANY FURTHER dollar in the forei market would be sirable and cou tive" said Feder Board Governor gell He said the pears to have m:

Cops 'beat suspect'

A PRETORIA policeman yesterday told a local magistrate that he and his colleagues repeatedly assaulted an accused in the Pan Africanist Congress trial, Mr Mabat Enoch Zulu, at a house where he was arrested in Bophuthatswana.

Lieutenant Petrus van Wyk told Mr J H Bekker that the assault took place on the night of April 10/11, 1986 after Mr Zulu had removed a hand-grenade from a box on a table.

The court heard that the policeman and his colleagues went to the house after the SAP had been requested to back up the Bophuthatswana police during an operation in the homeland. He said a box containing "strange objects," which he later learnt were grenades, was found inside the house.

"A black man whom we found there put his hands inside the box. My colleague and I started hitting him as he grabbed a hand-grenade and hit it against the floor," the policeman said.

He said Mr Zulu fell on his knees and elbows as each policeman hit him with the butt of a gun.

Mr Zulu and six alleged members of the PAC and Qibla, a Muslim organisation, have pleaded not guilty to terrorism, subversion, attempted murder and defeating the ends of justice.

9/3/86
Sowetan

~~11/11~~ 251

Court told killing ^{D/D 9/3/88} deliberate ⁽²⁵¹⁾

Daily Dispatch
Correspondent

GRAHAMSTOWN —
Warrant/Officer Leon de Villiers could not explain to the supreme court here yesterday why, if the shooting of Mr Mlungisi Stuurman was an accident, five members of the unrest unit alleged that it was intentional

W/O De Villiers, 36, and Constable David Patrick Goosen, 26, were charged with two counts of murder — including that of Mr Stuurman — two of assault, and one of attempting to defeat the ends of justice

The charges arise from alleged incidents when 10 members of the unrest unit were sent to a funeral in Cradock, on July, 26, 1986

During the fourth day of his cross-examination, W/O De Villiers was questioned on why five members of his squad should allege that Mr Stuurman's death was deliberate.

He suggested that it was because they were afraid of being charged as accomplices

He agreed, however, that, if they were to be charged as accomplices,

it would be better for them to be blamed for an accidental death and assault than for murder

W/O De Villiers said Const Goosen had returned to the van white and shaken and had reported that there had been an accident

He asked Const Goosen how badly Mr Stuurman was injured and, when Const Goosen could not say, he sent him back to establish the degree of the injuries

He could not explain why he had not gone himself, or sent somebody with the "shocked" Const Goosen

W/O De Villiers said that, when he heard Mr Stuurman was dead, he fully intended to report the matter

He said he did not go and assess the position himself because he was sure that Const Goosen would be able to supply all the necessary information

He agreed that there was a strict procedure laid down for any shooting incident in police "standing orders"

He also agreed that these required a guard

to be placed on the body to see that the scene was not disturbed W/O De Villiers said he did not place a guard because the area appeared to be deserted

It never occurred to him that anyone would allege that the shooting was deliberate, he said However, he agreed that it was important that any evidence should have been preserved

He said he decided not to report the accident on the way back to the township This was because they had been outside their duty area, because he was shocked and because he was under the influence of liquor

W/O De Villiers said he reported a subsequent shooting to Captain G Grobbelaar later but said it did not occur to him to report the river shooting at the same time

He said he did not think he ever believed Mr Stuurman's body would be washed away by the river and that they would not hear of the incident again

He agreed that he was required to account for all ammunition fired by his section and that he had not accounted for the shot

The trial will continue today — it's 52nd day

awpu
If the CP application is granted, it will be the first political party to have a branch at Tukkies.

Govt 'not empowered to expel AWB police'

By Claire Robertson,
Pretoria Bureau

The Government was not empowered to expel police reservists because

they belonged to the Afrikaner Weerstandsbeweging (AWB), according to its leader, Mr Eugene TerreBlanche.

He labelled the sacking of seven police reservists recently as "insulting to the police force".

GIVE REASONS

Mr TerreBlanche said he had requested the Commissioner of Police to furnish the grounds for the move.

"The Government had the opportunity when they restricted those 17 organisations to put curbs on us as well.

"But they didn't, because they know we are a legal, registered organisation," Mr TerreBlanche said yesterday.

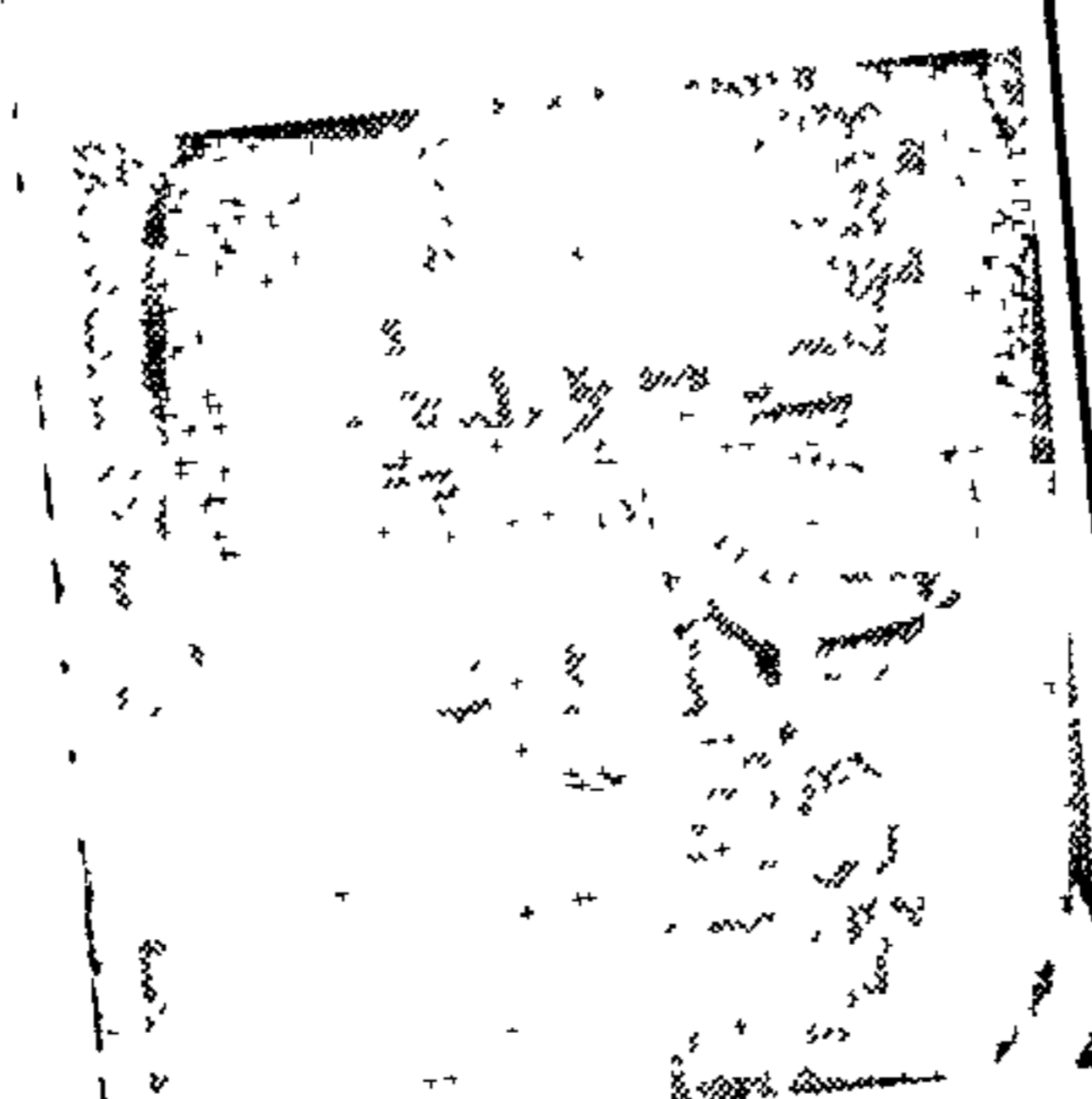
QUESTIONED

"This is a pathetic move. If a policeman is trusted with a gun, and he has to make a split-second judgment whether or not to take a life, how can the Government then question his good judgment?"

It is understood that Mr TerreBlanche may seek court action to overturn the expulsions.

The expulsion of the AWB members was "certainly victimisation", he said.

s pressure
end
s Steyn



Mr Jan Steyn . . . "positive assistance needed."

basis".

Constructive alliances between private sector organisations and black groupings were needed to act as intermediaries between the Government and disenfranchised South Africans to create conditions more favourable for balanced negotiations, Mr Steyn said.

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28/5

9/3/88

5/3/88

Court hears 'bugged' policemen

CAT Trans
9/3/88
251

Own Correspondent

JOHANNESBURG. — Transcripts of conversations taped in a "wired" police car between the suspended head of the East Rand Murder and Robbery Unit, Captain Jack la Grange, and his co-accused, Sergeant Robert van der Merwe, charged with murdering a pair of drug dealers, were handed in as evidence in the Rand Supreme Court yesterday.

Captain La Grange, 40, and Sergeant Van der Merwe, 30, have both pleaded not guilty to both charges and a third charge of attempted murder.

The state alleges they murdered Mr Bennie Ogle at his Ennerdale home in September 28 last year. It is also alleged they murdered Mr Peter Pillay at Crown Mines on October 4 and attempted to murder Mr Ernest Molokoane on September 29.

Transcripts of both conversations were read to the court by

Warrant Officer S A Oosthuizen.

The first conversation was taped when the men were sitting in the car outside the Rand Supreme Court on February 22 this year. The second was taped after they had appeared in Johannesburg Magistrate's Court on January 29 and the police car had stopped to "assist" another.

In the second conversation Captain La Grange denied that he had taken a bribe from anyone.

"I want to get ahead, I want to be commissioner. That's what it is all about."

Van der Merwe "Yes, sure, but it must show there is no corruption in the police."

"Suiker Britz (the investigating officer) said to me they are not worried about this case. The two who are dead, the one who is half dead, that doesn't worry them."

"It is the fact that money is involved here."

La Grange "But where do they come with that? You know a drug dealer. How many times doesn't he walk around with big amounts

of money on him?"

"Pillay goes and withdraws R30 000, now suddenly is it paid over to me. Where do they get that? There isn't a witness who can say that."

Van der Merwe "I hear that they found who knows how much money behind the seat."

Further on in the transcript Van der Merwe told La Grange he had heard that Mr Pillay had friends in Pretoria — including a brigadier and a general — and added there was a story that, following their own case, there were worried policemen who had taken bribes.

La Grange "I didn't take a bribe from anyone. They come with all kinds of nonsense now about bribes and this and that."

"The fact of the case is that they must prove it, they cannot come with that."

"Where is the evidence that there was anything paid to me? It is the biggest bloody..."

The trial was adjourned.

Mr Justice Irving Steyn and two assessors are hearing the trial.

Police 'afraid of assault charges'

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9/3/88

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Own Correspondent

GRAHAMSTOWN. — Warrant Officer Leon de Villiers could not explain to the Supreme Court yesterday why, if the shooting of Mr Mlungisi Stuurman was an accident, five members of the unrest unit alleged it was intentional.

W/O De Villiers, 36, and Constable David Patrick Goosen, 26, are charged with two counts of murder — including that of Mr Stuurman, two of assault and one of attempting to defeat the ends of justice.

The charges arise from alleged incidents at Craddock where 10 members of the unrest unit were sent to monitor a funeral on July 26, 1986.

During the fourth day of his cross-examination, W/O De Villiers was asked why five members of his squad should allege that Mr Stuurman's death was deliberate — a murder.

He suggested that it was because they were afraid of being charged with assault and as accomplices.

But he agreed that if they were to be charged as accomplices it would be better to be blamed for an accidental death and assault than for murder.

He said that on the way back to the township he decided not to report the accident. This was because they had been outside their duty area, because he was shocked and because he was under the influence of liquor.

He agreed that he was required to account for all ammunition fired by his section and that he had not accounted for the shot.

The trial will continue today, its 52nd court day.

Access to JMC papers blocked

By RONNIE MORRIS

THE government yesterday denied lawyers — acting for KTC residents in a R312 000 damages action — access to documents regarding Joint Management Centres (JMCs) because it would “endanger state security”.

Mr H P Viljoen, SC, for the Methodist Church and the 21 KTC families in the action, said a subpoena was served on a Commandant Henn to testify and submit all JMC documents produced in May, June and July, 1986, which referred to events near KTC and/or Crossroads on June 9, 10 and 11 that year.

Correspondence between the Legal Resources Centre — the instructing attorneys — and the State Attorney's office was submitted.

In response to the subpoena, the Deputy-Minister of Law and Order, Mr Roelf Meyer, issued a certificate in terms of the Inter-

nal Security Act blocking access to documents in the interest of state security.

The State Attorney asked that a list of questions to be put to Cmdt Henn, be compiled. His answers would then be submitted to the Mr Meyer who would consider their bearing on state security.

If the list was not submitted, counsel for the State would have to ask for an adjournment after each question.

Mr Viljoen replied. “We know very little about the involvement of the so-called JMCs in the events which concern the court in this case, but do have reason to believe that one or more such centres were involved in those events. We wish to investigate this.

“We had and have no reason to believe that the activities of JMCs, which apparently operate throughout the country, are confidential”

The subpoena served on Cmdt Henn made it quite clear that he was to submit all JMC documents

relating to the destruction of KTC

Mr Viljoen said the certificate issued by Mr Meyer followed those issued by the Ministers of Law and Order, Mr Adriaan Vlok, and of Defence, General Magnus Malan, with regard to documents in their possession

It would be “practically impossible” to formulate a list of questions which they wished to put to Cmdt Henn

“It does not seem to us that there is any duty upon us to do so or any right in the Minister, or any other organ of the executive government, to prescribe beforehand which questions may and may not be answered in a court of law”

Mr Viljoen said they would oppose an application for a postponement after each question has been put.

The hearing continues today

Mr Justice De Kock presided. Mr H Viljoen with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre appeared for the plaintiffs. Mr H M Scholtz appeared for the government yesterday. Mr C D Griseel SC, and Mr L Visser SC with Mr C Y Louw and Mr F D J Brand and instructed by the State Attorney appeared for the Minister.

S

COURT BRIEFS

Appeal to jail kitscop fails

(25)

South
10-16/13/01

GRAHAMSTOWN - An application to jail a kitskonstabel for contempt of court has been withdrawn after the policeman said he had not been informed about a court order

In January Justice Kannemeyer issued a court order restraining 12 kitskonstabels and two policemen from Aberdeen from assaulting or acting in any unlawful manner towards the residents of the township

After one of the kitskonstabels allegedly continued assaulting residents, lawyers acting for the community brought a contempt of court charge against the policemen

This application was dropped after the kitskonstabel claimed he had not known about the court order

Residents of Themalesizwe township claimed that the kitskonstabel, Pokori Danjana, assaulted them three days after the police undertaking - ANA

Police officer 'under influence'

GRAHAMSTOWN - The commanding officer of an unrest unit told the Supreme Court he had decided not to report a shooting in which a person had been killed because he was under the influence of liquor

Warrant Officer Leon de Villiers, 36, was giving evidence at the trial in which he and Constable David Goosen are charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice.

Earlier, the court had heard how Goosen and De Villiers had assaulted a man so badly that they decided he would have to be killed

State of shock

The court heard that Goosen took the man to a river and shot him through the back of his neck.

De Villiers said the shooting had been an accident. Goosen had slipped and the shot had gone off

Asked why he had not reported the shooting, De Villiers said he was under the influence.

He said he was also scared as he had left the boundary of his work and he was in a state of shock.

The trial, in its 52nd day, is continuing.

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10-16/13/88
Supt

(15)

I was told to kill brigadier — accused

SUE RUSSELL

SAP Sergeant Robert van der Merwe said in a statement submitted to the Rand Supreme Court yesterday that he and suspended head of the East Rand Murder and Robbery branch Captain Johannes Hendrik la Grange had been told by senior colleagues to "eliminate" Brigadier Basie Smit.

koane on September 29 They have pleaded not guilty

He and La Grange are charged with murdering Bennie Ogle on September 28 last year and Peter Godfrey Pillay on October 4, and with the attempted murder of Ernest Molo-

In his statement Van der Merwe said La Grange told him he had been summoned to head office and told to eliminate two ANC members who were smuggling pills. In his statement Van der Merwe

told how he and La Grange drove to an Ennerdale house where he shot an unknown coloured man five times. They also went to a house in Soweto where he shot a man five times.

Van der Merwe said about a week later La Grange informed him there was trouble and it was now necessary to eliminate an informant. He said La Grange told him this person also had ANC contacts and

smuggled drugs. He was a threat to head office and their own two previous actions La Grange told him the order had come from Brigadier Basie Smit. Van der Merwe said they met the man at Van Wyksrus and drove to Riverlea where he shot him five times.

Van der Merwe said about two weeks later La Grange told him they were to eliminate Basie Smit.

'Police brigadier to be eliminated'

Officer told me to kill three men, says detective

251
SPK
10/3/88

By Joe Openshaw

A member of the Brixton Murder and Robbery Squad confessed to shooting three men — killing two and wounding the other — because he believed he was eliminating African National Congress members in a clandestine police operation, a Rand Supreme Court judge heard yesterday.

The confession was made by Detective Sergeant Robert Edmundt van der Merwe (30), to a Soweto magistrate, Mr Cornelius Bezuidenhout

In it he said Captain H (Jack) la Grange told him the ANC members had to be eliminated because they were smuggling drugs and supplying weapons to robbers

Captain la Grange is the former chief of the East Rand murder and robbery squad and is accused, together with Detective Sergeant van der Merwe, of murdering two men and attempting to murder another

According to the confession, Captain la Grange told Sergeant van der Merwe that the instructions came from headquarters

Survived

The State alleges that the policemen murdered Mr Bennie Alex Ogle (39), an import/export agent of Isis Crescent, Ennerdale, outside his house on the night of September 28 last year. He was found dead with 0 22 bullet wounds in his head, heart, chest and stomach

Mr Ernest Molokoane, a building contractor, was shot four times in the back outside his house in Mapetla, Soweto, three hours later, but survived to give evidence in the trial

The accused also allegedly killed Mr Peter Godfrey Pillay (30), a taxi owner of Eldorado Park, who was found dead in his bakkie near Crown Mines on October 4. He had been shot five times in the head.

Both accused have pleaded not guilty

Sergeant van der Merwe said in the confession "Capt la Grange told me he had been asked by headquarters to eliminate two ANC members who were smuggling drugs. I was informed there were files on the men at headquarters and they were also supplying weapons

to robbers so it was necessary to eliminate them

"If the elimination was successful I would be transferred to the East Rand murder and robbery squad."

On a certain night he met Captain la Grange who gave him a 0 22 pistol and they went to Ennerdale and found the house they were looking for.

They jumped the fence — the gate was locked — and knocked on the door and an unknown coloured man opened the door. They introduced themselves as being from the vehicle squad and said they wanted to examine his car

Captain la Grange indicated to Sergeant van der Merwe this was the man they wanted and, when they were all behind the car, said "Now!"

"I fired five shots and the man fell"

From there they drove to a house in Mapetla but the man they wanted was not at home. He arrived later in a Kombi and went into the house

They knocked on the door and when the man came out told him they wanted to see his white Porsche and took him to their car to examine documents

"The man saw the captain wink at me and turned around to see me drawing the pistol. He started running away and I shot at him. I fired five shots and we got in the car and drove off

"Captain la Grange took the pistol and that is the end of the story"

A week later Captain la Grange told Sergeant van der Merwe that he had received instructions from Brigadier Basie Smit at headquarters in Pretoria to eliminate a security police informer

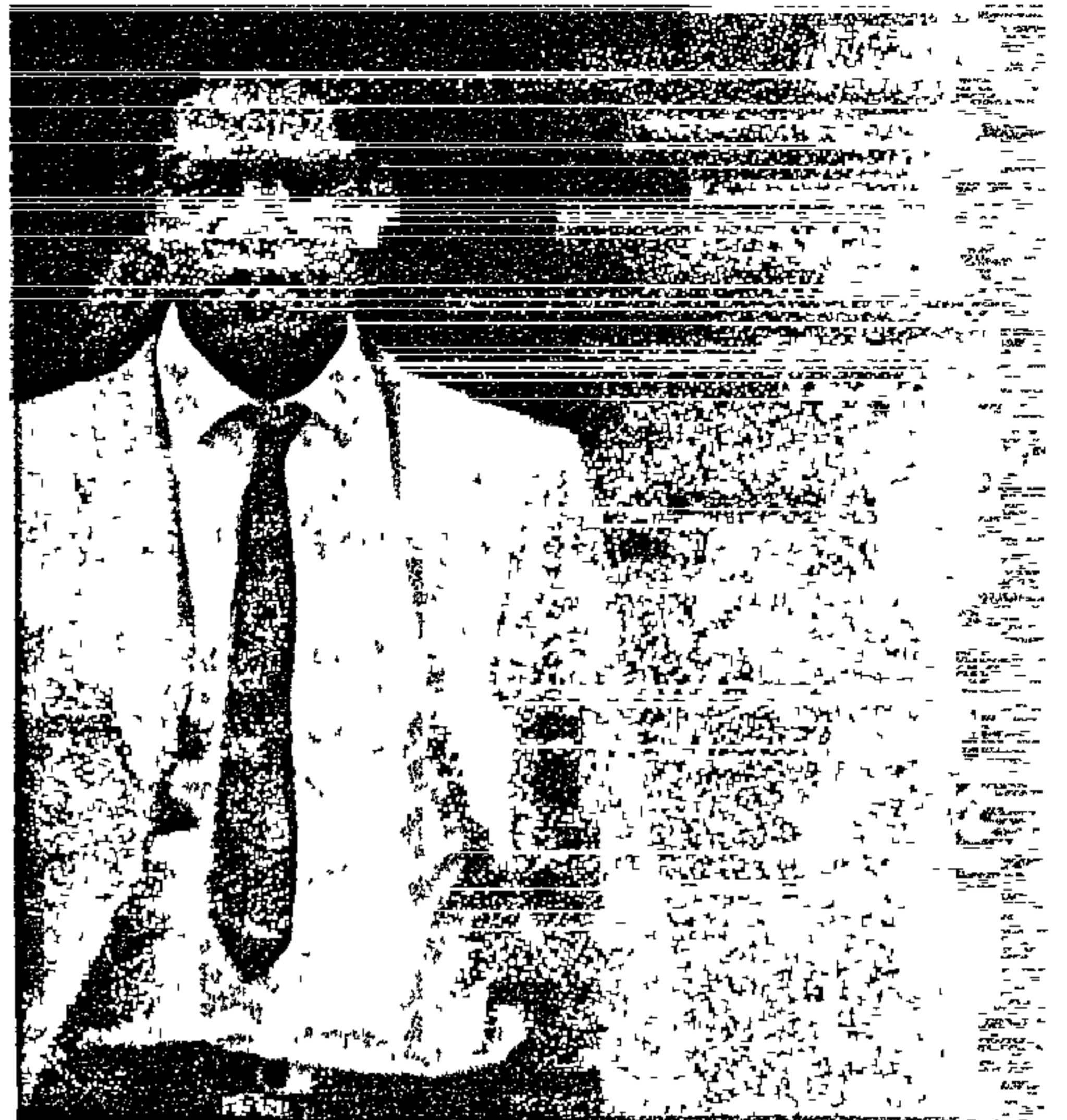
He said he shot the man in Captain la Grange's presence

"Had I known there was money involved I would not have done it. I never got any money. I believed it was an instruction from headquarters," said Sergeant van der Merwe

He said about two weeks later Captain la Grange came to him and said files from Brixton had been transferred to headquarters for investigation and he wanted them to eliminate Brigadier Basie Smit

"I told the captain I wanted nothing to do with this and believed I could explain my actions in the three incidents," said Sergeant van der Merwe in the confession

The hearing continues



Mr Ernest Molokoane, who was shot four times, leaves court yesterday followed by Mrs Vanessa Ogle.



An artist's impression of Detective Sergeant Robert van der Merwe (left) and Captain Jack la Grange at the Rand Supreme Court yesterday.

Aged repc hailed as 'courageous'

By Janne

The National Council the Aged has been hailed as "courageous" for its recommendations of the National Council's report on ageing, released in Johannesburg yesterday

Council director Eckley said the council had tackled problems for decades which, he said, had not been addressed, and could lead to a future "inter-generational war"

He complimented the report for highlighting current disparities in pensions for different population groups and its recommendations related to tax and crimes against the

Regarding the contributory pension system, Mr Eckley said the council had long urged the Government to initiate legislation to ensure the transferability of funds, as soon as

See Page 1

Boy tells mother about his 'abduction'

A five-year-old Soweto child who was allegedly abducted in Soweto last week told his mother that he was put inside an "ambulance" and made to sleep next to an old man — presumably a corpse

Mrs Jermina Chabatsane of Zola North yesterday told The Star how her son, James, went missing on his way from school on Friday and was later found inside a vehicle whose occupants were killed by a mob before it was set alight

She said she saw a group of people running after a white vehicle and when it was stopped, she found her son hidden inside under a green carpet used by undertakers

"When he was handed over to me, he was shaken and confused," Mrs Chabatsane said

Soweto police said yesterday that despite the widespread rumours of child abduction in Soweto, James's abduction was the only one reported to them

COURT ROUNDUP

Man killed by municipal police

GRAHAMSTOWN - A municipal policeman who shot and killed a suspect he had earlier arrested told an inquest court he had not run after the man, as he had not wanted to further injure himself

Sergeant Elbit Kotyi, of the municipal police, said he had injured his ankle before the shooting on October 1986.

The court is looking into the death of Mr Tatiye Sikhwentu, shot and killed by Kotyi.

The policeman said he had gone into the township looking for comrades. He had heard they had firearms and were looking for policemen.

He had seen a group of comrades and had decided to arrest some of them.

After walking with him for about 500m Sikhwentu suddenly started running.

Kotyi said he "could not prevent the deceased from fleeing other than to shoot at him with his pistol."

According to the policeman, he drew his pistol, shouted at the man to stop, but Sikhwentu had continued running.

The case has been postponed. - ANA

South

(251)

10-16/3/88

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Police officer 'under influence'

GRAHAMSTOWN. - The commanding officer of an unrest unit told the Supreme Court he had decided not to report a shooting in which a person had been killed because he was under the influence of liquor.

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Warrant Officer Leon de Villiers, 36, was giving evidence at the trial in which he and Constable David Goosen are charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice.

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Earlier, the court had heard how Goosen and De Villiers had assaulted a man so badly that they decided he would have to be killed.

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State of shock

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The court heard that Goosen took the man to a river and shot him through the back of his neck.

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De Villiers said the shooting had been an accident. Goosen had slipped and the shot had gone off.

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Asked why he had not reported the shooting, De Villiers said he was under the influence.

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He said he was also scared as he had left the boundary of his work and he was in a state of shock.

The trial, in its 52nd day, is continuing.

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10-16/3/82
S...R

Nine injured in grenade and gun attack in Soweto

COPS HIT IN SHOOTOUT

Sowetan 10/3/88

251
10/3/88

Searching for clues

By THEMBA MOLEFE
A POLICEMAN was seriously wounded and eight others slightly injured when unknown people attacked a hall in Soweto with AK-47 rifles and grenades on Tuesday night.

The South African Police directorate for public relations in Pretoria said yesterday that no one died when the group attacked municipal policemen at Phiri Hall, Soweto.

The attackers are not known, police said.

"A number of shots were fired and three grenades hurled at the policemen.

"The policemen returned the fire with shotguns and the attackers fled in a vehicle. A number of AK-47 cartridge cases and three AK-47 magazines were found at the scene of the shooting," said the police.

Sparks

Witnesses said the shooting occurred at 8.30pm. They heard rapid fire which lasted for about 30 minutes.

Miss Sessie Mqwetho, whose Phiri home is directly opposite the hall, said a car parked in their yard was hit. A side window was shattered. No bullets or cartridges were found in the yard.

A 19-year-old woman said the shooting "shook the township" and that she saw people running about and ambulances coming in and going out at high speed.

"I was standing at the kitchen window when I saw sparks flying between the grounds of the hall and the roof.

"I saw about five men falling from the roof of the building," she said.



POLICEMEN inspect the grounds of Phiri Hall for clues or ammunition after Tuesday night's shootout.

Pic MBUZENI ZULU

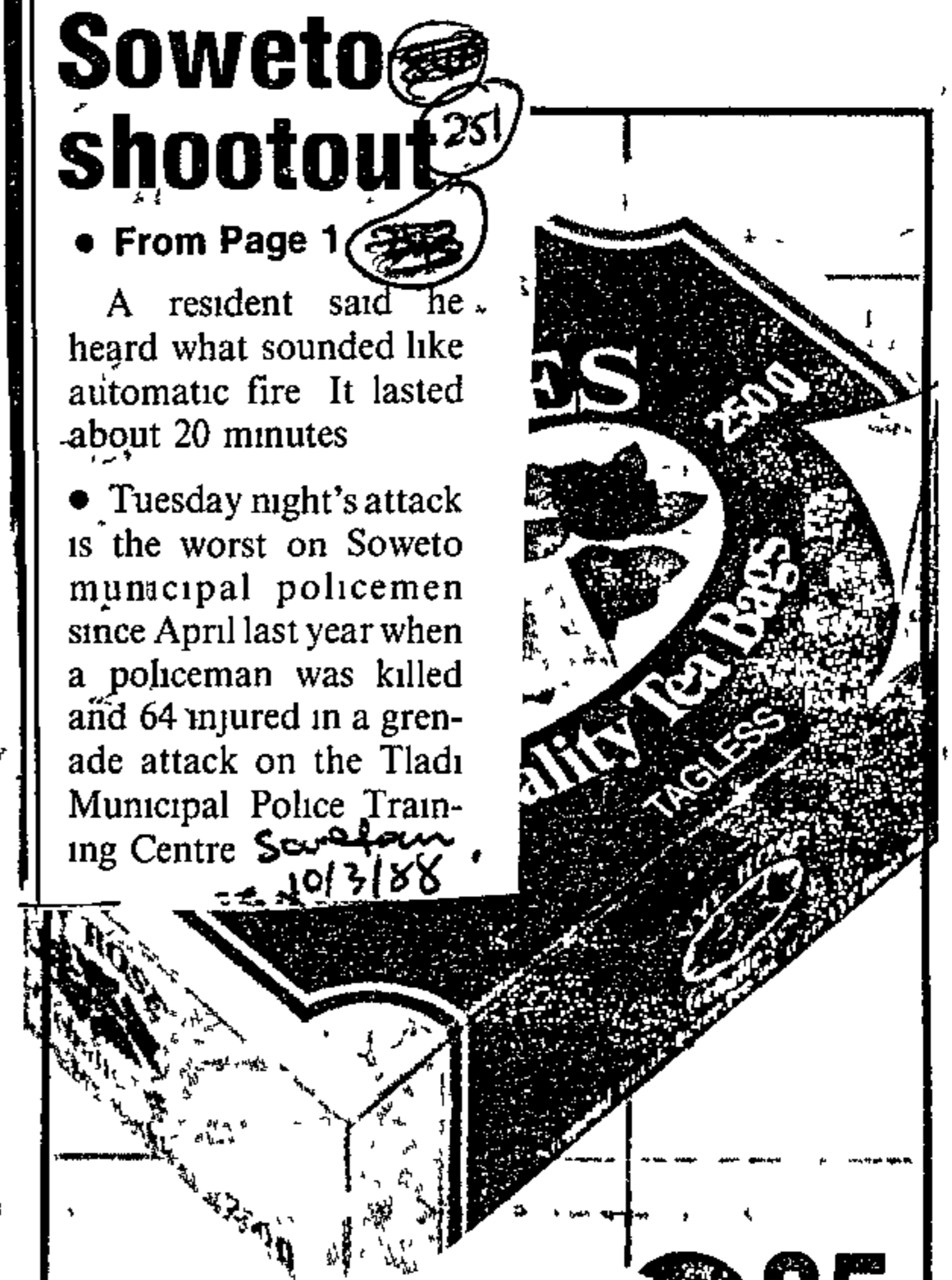
• To Page 4

Soweto shootout

• From Page 1

A resident said he heard what sounded like automatic fire. It lasted about 20 minutes.

• Tuesday night's attack is the worst on Soweto municipal policemen since April last year when a policeman was killed and 64 injured in a grenade attack on the Tladi Municipal Police Training Centre.



Five Roses

Tagless Teabags

285 100's

I shot three 'ANC' men, policeman tells court

ANC 45 no 13/88
251

He described how he and Captain le Grange went to the homes of Mr Ogle and Mr Molokoane and lured them out, and how Captain le Grange in both cases gave him the nod to go ahead and shoot the men

A week later Captain le Grange told Detective Sergeant van der Merwe he had received instructions to eliminate a security police informer

He went with him to a rendezvous point "We saw a white bakkie near the Klipdown off-ramp and I was told to flick my lights to attract the driver's attention The captain went to the bakkie and spoke to the driver who then followed us to a dirt road in Riverlea

Five shots

"I got the impression Captain le Grange knew the man,"

Detective Sergeant van der Merwe said that on being given the go-ahead he got into the man's car and fired five shots into his head

Brigadier Basie Smit, a senior officer in security in Pretoria, said headquarters could never have given instructions for ANC members to be eliminated. Any member of the force would have known instructions to that effect could not have come from headquarters, he said

The trial is continuing



THE ACCUSED: An artist's impression of Detective Sergeant Robert Edmundt van der Merwe, left, and Captain H (Jack) le Grange as they appear in court.

The Argus Correspondent

JOHANNESBURG. — A policeman confessed to shooting three men — killing two and wounding the other — because he believed he was eliminating African National Congress members in a clandestine police operation, a Rand Supreme Court judge heard yesterday.

The confession was made by Detective Sergeant Robert Edmundt van der Merwe, 30, of the Brixton Murder and Robbery Squad

In it he said Captain H (Jack) le Grange told him the ANC members had to be eliminated because they were smuggling drugs and supplying weapons to robbers

Money involved

"Had I known there was money involved I would not have done it," said Detective Sergeant van der Merwe in his confession

Captain le Grange is former head of the East Rand Murder and Robbery Squad and is his co-accused in the trial in which they are charged with murdering two men and attempting to murder another

The State alleges the policemen murdered Mr Bennie Alex Ogle, 39, an import/export agent of Isis Crescent, Ennerdale, outside his house on the



Mr Ernest Molokoane — survived shooting.

night of September 28 last year He was found dead on the pavement with 0 22 bullet wounds in the head, heart, chest and stomach

Mr Ernest Molokoane, a building contractor, was shot four times in the back outside his home in Mapeta, Soweto, three hours later, and survived

The accused also allegedly killed Mr Peter Godfrey Pillay, 30, a taxi-owner of Eldorado Park, found dead behind the steering wheel of his bakkie near Crown Mines by an Escom inspector on October 4. He had been shot five times in the head with a 0 32 revolver.

Both policemen have pleaded not guilty and are in custody

Detective Sergeant van der Merwe said he and Captain le Grange were good friends.

D/O 10/3/88

Accused denies taking axe on police patrol

Daily Dispatch
Correspondent

GRAHAMSTOWN

Warrant/Officer Leon de Villiers told the Supreme Court that he had meant sjamboks and batons when he instructed his section to take "slaangoed" and "moering tools" on patrol in a black township.

W/O De Villiers concluded his evidence and cross-examination yesterday afternoon.

W/O De Villiers, 36, and Constable David Patrick Goosen, 26, are being tried before the Supreme Court here on two charges of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents on Saturday, July 26, 1986, when a section of the unrest unit went to monitor a funeral in Cradock.

An assessor, Mr B. P. Loots, asked W/O De Vil-

liers about the "slaangoed" and "moering tools".

W/O De Villiers denied he carried the fireman's axe exhibited before court or that he saw Const Goosen with the diver's knife, Constable P Krans with a bayonet, Sergeant E W Lombard with a hunting knife or Constable M D Neveling with a butcher's knife.

He said had he seen these dangerous weapons, he would have ordered the men to leave them behind.

He agreed with the other assessor, Mr J van der Riet, that the unrest unit had to counter violence and improve the image of the police.

He agreed it was a sensitive task — balancing keeping order and respecting individuals' rights.

In answer to Mr Justice Zietsman he agreed

his unit comprised mainly young, inexperienced men.

He had relied on their common sense and the training they had received at police college to know what he meant by "slaangoed".

He did not inspect them before they left, as it was too dark to see what they were carrying when they disembarked in the township.

He excused the arrest and interrogation of people by saying the gathering of information was part of countering terrorism.

He did not know what would have happened if the expected terrorists had attacked while he was busy interrogating or while he was at the river, except that he would have returned to the township fast.

The trial will continue today.

251

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Court told of plan to eliminate police chief

JOHANNESBURG — A sergeant standing trial with the suspended head of the East Rand Murder, and Robbery branch, Captain Johannes La Grange, said in a statement that was told by his senior colleague they were to eliminate Brigadier Basie Smit.

Sergeant Robert van der Merwe's statement, made to a Magistrate on December 8, 1987, was submitted to the Rand Supreme Court yesterday. He said he was told of the plan to eliminate Brig Smit just weeks after shooting three men believed to be ANC drug smugglers.

He and Capt La Grange have pleaded not guilty to murdering two drug dealers, and the attempted murder of a third.

It is alleged they shot Mr Bennie Ogle at his Ennerdale home on September 28 last year, Mr Peter Godfrey Pillay at Crown Mines on October 4, and attempted to murder Mr Ernest Moloane on September 29 last year.

In his statement Sgt Van der Merwe said Capt La Grange told him he had been summoned to head office to eliminate two ANC members who were smuggling pills and supplying weapons to robbers.

Capt La Grange told him he was given the clandestine operation because he was now head of the branch, but he did not know people there well enough for them to help him.

Sgt Van der Merwe described how he and Capt La Grange drove to an Ennerdale house where they told an unknown coloured man they were from the vehicle branch.

He said while they were checking this man's car, Capt La Grange told him this was the right man and he (Sgt Van der Merwe) fired 5 shots at the man and they drove off.

Sgt Van der Merwe said about a week later Capt La Grange informed him it was now necessary to eliminate the informant and that the order had come from Brigadier Smit.

Sgt Van der Merwe said they met the man at Van Wyksrus and drove to Riverlea.

Sgt Van der Merwe described how Capt La Grange said "now" and he (Sgt Van der Merwe) shot the man five times.

He said he did not know money was involved, had never received money and thought he was acting on orders from head office.

Sgt Van der Merwe said about two weeks later Capt La Grange told him they were to eliminate Brig Smit.

He said he told Capt La Grange he wanted nothing more to do with it because he believed he could explain the previous incidents.

Sgt Van der Merwe said he and Capt La Grange had no further contact.

An application in the Supreme Court for transcriptions of tapes of conversations between Capt La Grange and Sgt Van der Merwe to be declared fraudulent and inadmissible as evidence, was rejected by Mr Justice Irving Steyn.

Mr Justice Steyn said he was not aware that bugged or tape recordings had been declared illegal or improper. The case continues — DDC

CAR Jim E (251)
10/3/88

Unit had 'moering tools' on patrol

Own Correspondent

GRAHAMSTOWN — Warrant Officer Leon de Villiers told the Supreme Court that he had meant sjamboks and batons when he instructed his section to take "slaangoed" and "moering tools" on patrol in a black township

WO De Villiers, 36, and Const David Patrick Goosen, 26, are being tried before the Supreme Court here on two charges of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents on Saturday, July 26 last year, when a section of the Unrest Unit was sent to Cradock to monitor a funeral

At the conclusion of cross-examination, Mr B P Loots, an assessor, asked WO De Villiers about the "slaangoed" and "moering tools" he instructed his section to take on patrol WO De Villiers said he meant that the men were to take sjamboks and batons

Common sense

He had relied on their common sense and training to know what he meant

He denied he carried the fireman's axe exhibited before court or that he saw Const Goosen with a diver's knife, Const P Krans with a bayonet, Sgt E W Lombard with a hunting knife or Const M D Neveling with a butcher's knife

He agreed with Mr J van der Riet, the other assessor, that the Unrest Unit had a two-fold task — to counter violence with violence and to improve the image of the police

vestigating.

CASE No 10/3/88 (251)
**Inquiry into
Kani death**

THE investigation into the shooting by police of a well-known New Cross-roads preacher and mechanic Mr Cameron Dalimthetho Kani during a crime patrol last month is almost ready for forwarding to the Attorney-General for a decision.

The investigating officer, Colonel "Polla" van der Merwe, of Athlone CID, said yesterday two reports were still outstanding.

A police spokesman said at the time of the killing that police had fired at a suspect in a garage after Lieutenant Eugene Bester was shot and wounded.

Relatives of Mr Kani said the preacher was working under his car bonnet in his garage when shot by police.

'Eliminate' top cop — evidence

CASE 719/85
10/13/88
ZSD

THE police sergeant standing trial with the suspended head of the East Rand Murder and Robbery Squad, Captain Johannes Hendrik La Grange, said in a statement submitted to the Rand Supreme Court yesterday he was told by his senior colleague they were to "eliminate" Brigadier Basie Smit.

Sergeant Robert van der Merwe's statement was made to a magistrate on December 8 last year.

He and Captain La Grange have pleaded not guilty to murdering two alleged drug dealers, Mr Bennie Ogle and Mr Peter Godfrey Pillay, and the attempted murder of a third, Mr Ernest Molokoane.

It is alleged they shot Mr Ogle at his Ennerdale home on September 28 last year and Mr Pillay at Crown Mines on October 4.

The state also alleges the pair attempted to murder Mr Molokoane on September 29 last year.

In his statement, Sergeant Van der Merwe said Captain La Grange told him he had been summoned to head

office to eliminate two ANC members who were smuggling drugs.

Sergeant Van der Merwe described in his statement how he and Captain La Grange drove to an Ennerdale house where they told an unknown man they were from the vehicle branch. Sergeant Van der Merwe said he fired five shots at the man.

He said they had also gone to a house in Soweto, where he shot a man five times.

About a week later the captain said it was necessary to eliminate an informant.

He also told Sergeant Van der Merwe the order had come from Brigadier Basie Smit. Sergeant Van der Merwe said they met the man at Van Wyksrus and drove to Riverlea.

Sergeant Van der Merwe described how Captain La Grange said "now" and he (Van der Merwe) shot the man five times.

Later Captain La Grange asked him if he knew of the dossiers from Brixton Murder and Robbery Squad sent to head office and told him they were to "eliminate" Brigadier Basie Smit

Residents win curbs on police

THE tiny Eastern Cape community of Hofmeyr has won a second victory in the courts in its attempt to stop members of the South African Police from "acting unlawfully" in their township.

A Grahamstown Supreme Court this week ordered senior officials, including the minister of law and order, to take all "reasonably necessary" steps to prevent members of the SAP from acting unlawfully towards residents of Hofmeyr's township.

The interdict also named the Commissioner of Police, the Divisional Commissioner of Police, South Western Districts, and the station

commander at Hofmeyr

At the end of last year, eight residents of the township successfully applied to the supreme court for an interdict restraining 14 *kitskonstabels* from intimidating, assaulting or threatening them.

The interdict was extended after the *kitskonstabels* were allegedly involved in further assaults

In affidavits before the court, residents said the *kitskonstabels* had "started a reign of unbearable terror and oppression." One was alleged to have shot at people attending a choir practise in a home — Ana

25
W/M
11/7/88

CAT TIPS 11/3/80 251

Kitskonstabels sacked for offences

MARITZBURG. — A number of special constables in townships here — including a member of the Inkatha youth brigade who is the subject of a Supreme Court interdict — have been discharged from the force, following allegations of their involvement in criminal offences.

Captain Pieter Kitching, police liaison officer for Maritzburg, confirmed that some of the special constables who had allegedly been involved in crimes before their recruitment — and whose criminal activities had been unknown to the police — had been discharged from the unit.

(251) STN 11/3/88

'Pillay wanted to get rid of Ogle'

La Grange trial told of cheated drug smuggler

By Joe Openshaw

Captain Jack la Grange, a senior member of the East Rand Murder and Robbery Squad, was approached in August last year to "get rid of" Mr Bennie Alex Ogle because he had cheated a drug smuggler out of Mandrax tablets valued at R550 000, the Rand Supreme Court was told yesterday.

Mr Ogle, an Ennerdale import-export agent, and Mr Peter Godfrey Pillay, an Eldorado Park taxi owner, were shot dead last year.

Captain la Grange (40), former head of the East Rand Murder and Robbery Squad, and Detective Sergeant Robert Edmundt van der Merwe (30), of the Brixton Murder and Robbery Squad, are charged with the two murders and the attempted murder of Mr Ernest Molokoane, a wealthy building contractor of Mapetla, Soweto.

Both have pleaded not guilty to all charges.

Mr Julius Davis, who was warned by the judge as a State witness and a co-conspirator, said he was a close friend of Mr Pillay and, in August last year, Mr Pillay said he wanted to "get rid of" Mr Ogle and "wipe Mr Molokoane off the map".

"Mr Pillay, who was a drug smuggler, told me he was heartsore over what Mr Ogle had done to him — cheated him out of R550 000 worth of Mandrax tablets.

"We went to Mr Ogle's house and wrote down his address. Mr Pillay said he was going to ask Captain la Grange

to get rid of Mr Ogle. I had met him when I was with Mr Pillay when he applied for a firearm licence at Brixton.

"Later, we went to Mapetla with Billy Brandt and Eugene Riley to the house of Mr Molokoane. I knew the place because I had delivered building material there. Mr Pillay said we should really make a plan to wipe Mr Molokoane off the map because he had attempted to shoot Mr Brandt."

Mr Davis said he and Mr Pillay drove with Captain la Grange to Soweto and pointed out Mr Molokoane's house. He also gave Captain la Grange Mr Ogle's address.

Days later Mr Pillay told Mr Davis that both Mr Ogle and Mr Molokoane had been shot.

Mr Davis said he last saw Mr Pillay alive on Sunday, October 4 last year. The following day he asked a lawyer to check whether Mr Pillay had been held by Brixton Murder and Robbery Squad.

'Got scared'

"Then I saw La Grange's car driving around Eldorado Park and I got scared," Mr Davis said.

He contacted police at John Vorster Square. They contacted Brigadier Basie Smit at police headquarters in Pretoria and Mr Davis had an interview with him.

He said a policeman, Mr Eugene Riley, gave him a bullet-proof vest.

When the court asked if the bullet-proof vest was in court, a person in the public gallery handed the vest, wrapped in a plastic bag, to Mr Davis. The hearing continues.

5 INSTANT COPS

251

FIVE kitskonstabels who were deployed in Maritzburg's black townships have been discharged from the South African Police force — because of alleged involvement in crimes.

One of the men discharged is Mr Weseni Awetha, son of an Imbali councillor and senior Inkatha member

Mr Awetha has been cited as the second respondent in a Supreme Court application for an interdict to prevent him, his father and two others from killing or assaulting Imbali residents

Captain Pieter Kitching, police public relations officer for Maritzburg, confirmed five special constables, whose criminal activities had been unknown to the police, had been discharged

Screened

Captain Kitching said every special constable was screened for previous criminal offences and that police did not question whether they belonged to any particular political groups — whether UDF or Inkatha

"The special constables work in groups under the command of four sergeants and no doubt their presence in the townships has helped in reducing unrest incidents

"I want to stress that the special constables are

MUST QUIT

POLICE FORCE

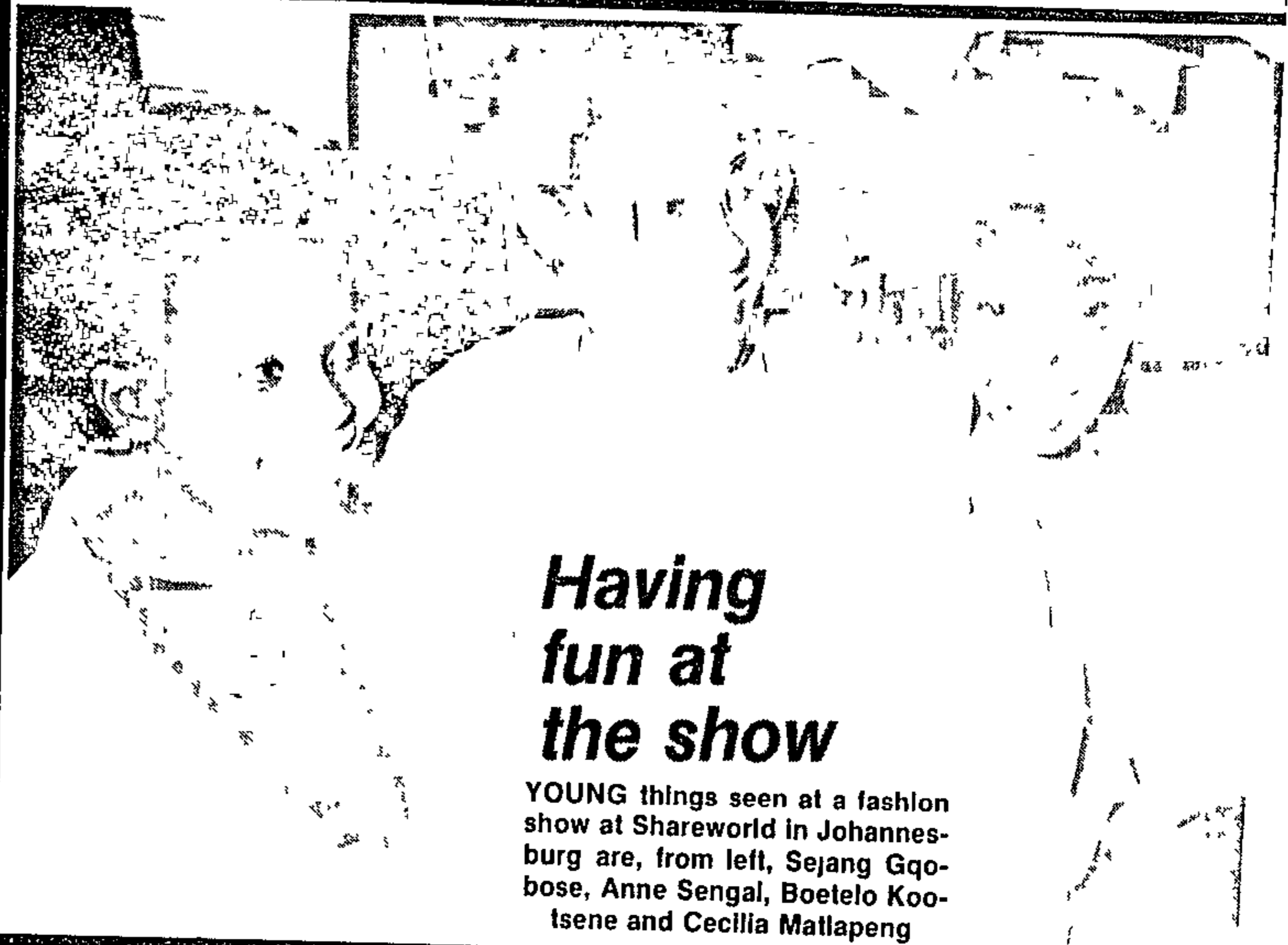
Sowetan 11/3/88

allowed to belong to any political party they wish but are not allowed to be

active members — whether UDF or Inkatha"

At present 288 special constables have been deployed in the town-

ships and no further enlistings would take place



Having fun at the show

YOUNG things seen at a fashion show at Shareworld in Johannesburg are, from left, Sejang Gqobose, Anne Sengal, Boetelo Koo-tsene and Cecilia Mallapeng

Brigadier denies ordering murders

DIP Daily Dispatch
 11/31/88 Correspondent
 JOHANNESBURG (251)

The head of the security branch in the northern Transvaal, Brigadier Basie Smit, yesterday declined to elaborate on submissions that he had ordered the "elimination" of two ANC members involved in drugs and firearms dealing.

Brig Smit was giving evidence in the Rand Supreme Court at the trial of the former head of the East Rand Murder and Robbery branch, Captain Johannes Hendrik la Grange, 40, and Sergeant Robert van der Merwe, 30.

Both have pleaded not guilty to murdering two drug dealers and to attempting to murder a third.

It is alleged that they

murdered Mr Bennie Ogle, 30, on September 28, "last year," and Mr Peter Godfrey Pillay, 39, on October 4, as well as attempting to murder Mr Ernest Molokoane on September 29.

Brig Smit's appearance followed disclosure contained in a confession by Sgt Van der Merwe which alleged that Brig Smit ordered the elimination of two ANC members Brig Smit yesterday denied that orders of this sort could emanate from his office.

He said he could only comment on the official interpretation and meaning of an order and on what his own interpretation would be. It was not possible to comment on how any other person — of lower rank,

for example — might interpret an order, he said.

A state witness and co-conspirator, Mr Julius Davis, told the court that he had shown Capt La Grange the house where Mr Molokoane lived in Soweto.

He said this had followed a discussion between Mr Pillay and a certain Boetie Brand when it had been agreed that Mr Molokoane should be "wiped off the map".

Mr Davis, who knew Mr Pillay was a sometime police informer, also travelled to Mr Ogle's house in Ehrendale near Benoni, during September, before Mr Ogle was fatally shot outside the house. He said Mr Pillay had

"told me he was heart-sore over what Mr Ogle had done to him — cheated him out of R550 000 worth of Mandrax tablets."

He also told the court that "Mr Pillay said he was going to ask Capt La Grange to get rid of Mr Ogle."

The Attorney-General of the Witwatersrand, Mr Klaus von Lieres SC, for the state, warned Mr Davis before any evidence was given yesterday that each person was responsible for the offence in which he had conspired, irrespective of whether he was present when the crime was actually committed.

He also pointed out that hearsay evidence by one of the conspirators was admissible. The trial continues.

Brig Basie Smit question on alleged 'elimination' orders



At yesterday's hearing were Mrs Vanessa Ogle, left, and Mrs V. Pillay, whose husbands the accused are charged with murdering.



D/D 4/3/88

Accused tells of nights of fear 251

GRAHAMSTOWN — Fear haunted his days and nightmares racked his sleep as a result of his experiences during the unrest, Constable David Goosen told the Supreme Court yesterday

Const Goosen, 27, and W/O Leon de Villiers, 36, appear on two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges stem from alleged incidents at Cradock when a section of the unrest unit was sent to monitor a funeral on July 26, 1986

Const Goosen told the court of a broken home and an unhappy childhood

He told of humiliations as a result of his dark complexion.

He said he tried to compensate by excelling at sport, and was prepared to do anything to keep his few friends

It was largely because

the members seemed to accept him that he applied to transfer to the unrest unit

But he chose a bad time — the 1984 upsurge of unrest and the start of necklace murders

The unit — much smaller then — was forced to work up to 20 hours a day and with little sleep go on duty again

"We were shot at, petrol-bombed and stoned daily," he said

It was also about then the necklace murders started, and they would find five or six victims a day

"I had never seen anything like a necklace I was revolted I could not handle it"

It taught him fear, fear that he would suffer a similar death This was brought home harder when Const Gouws was petrol-bombed

During February 1986, he was within arm's

length of Captain I du Plessis when he was gunned down by a terrorist with an AK47

Hours later he went in with Major R F Berg after a second terrorist

He described being trapped in a shack when both sides opened up with guns and grenades

He said it was this scene with bullets tearing through the wooden walls and his absolute certainty that he would die that haunted him

At one stage Const Goosen broke down and sobbed and the court adjourned for an hour

On the events in Cradock, he confirmed that the unit had been drinking heavily before they entered the township

He agreed with Mr Justice Zietsman that for a group of armed, drunk policeman to go into a township looking for terrorists at night was madness, but it had not occurred to him at the time — DDC

11/3/88 (35) B/day

BUSINESS DAY, I

Police accused are discharged

MARITZBURG — A number of special constables in Maritzburg's townships — including a member of the Inkatha youth brigade who is the subject of a Supreme Court interdict — have been discharged from the force, after allegations of their involvement in criminal offences.

Maritzburg police liaison officer Captain Pieter Kitching confirmed some of the special constables who had allegedly been involved in crimes before their recruitment — and whose criminal activities had been unknown to the police — had been discharged from the unit.

"We have come across some special constables who have allegedly been involved in criminal activities and we have discharged them and their matters are being investigated. I cannot give any more details as the matter is *sub judice* at the moment," Kitching said yesterday.

The disclosures were made at a briefing shortly before police took members of the media on a tour of the townships to observe the role played by the special constables.

"We want to make it quite clear that while every special constable is screened as far as their previous criminal records are concerned, we do not question their affiliation to any political organisation.

"If we enlist men into the police force we do not take into account whether they are members of Inkatha or the UDF but we make certain their membership does not interfere in their execution of their duties," Kitching said.

There were 288 special constables operating in Maritzburg's townships and no more enlisting would take place for special constables.

"The group of special constables that we have at the moment are the second lot and they replaced a group that were deployed in the area at the beginning of January this year," he said.

Maritzburg riot unit CO Brigadier Gerrit Viljoen said: "I have made it quite clear to the special constables that they are here to serve the community and that should they commit a criminal offence they will be discharged immediately."

Kitching also confirmed the death of special constable Wiseman Makoena in a shebeen in Imbali last week.

A police spokesman said two special constables, Makoena and Muntu Gasa, were involved in an argument in the shebeen. A brawl broke out between the two men and in the ensuing scuffle a shot went off, hitting Makoena in the the leg.

He died a few minutes later. No more details were given. — Sapa.

Chain of violence broken, Vlok tells symposium

CRP-TRIALS 11/3/88

251

Own Correspondent

PRETORIA — Security forces had broken the visible chain of violence in South Africa, the Minister of Law and Order, Mr Adriaan Vlok said here yesterday

Speaking at an international police symposium at Unisa, Mr Vlok said the underlying climate for revolution, however, remained unacceptably high

Common criminals, he said, had been quick to seize the opportunity to commit crimes under the cloak of political unrest

South Africa was suffering growing pains caused by far-reaching constitutional changes. They were causing stresses and strains, even among the whites, he said

It was remarkable the country had not been threatened with direct military intervention by foreign powers

The country had, however, been exposed to large-scale terrorism, civil disobedience and other forms of unrest.

The only international involvement in the so-called "war of liberation" was that terrorists were being supplied with funds by the World Council of Churches and arms by the Soviet Union, as well as support from Zimbabwe, Botswana, Mozambique and the United Nations, he said

● Police stood at the forefront of change and frequently had to bear the brunt of citizens' anger and hostility, Mr Richard Ward of Chicago University told the symposium

He said it took a long time for United States police departments to acknowledge many of their officers were racist and brutal

Brigadier denies giving order to kill

Capt Travis 11/13/88 251

Own Correspondent

JOHANNESBURG. — Brigadier Basie Smit, head of the security branch in the Northern Transvaal, yesterday declined to elaborate on submissions that he had ordered the "elimination" of two ANC members involved in drugs and firearms dealing.

Brig Smit was giving evidence in the Rand Supreme Court at the trial of former East Rand Murder and Robbery head Capt Johannes Hendrik la Grange and Sgt Robert van der Merwe.

Both have pleaded not guilty to murdering drug dealers Mr Bennie Ogle, 30, on September 28 last year and Mr Peter Godfrey Pillay, 39, on October 4, and the attempted murder of Mr Ernest Molokoane on September 29.

Brig Smit's appearance followed disclosures contained in a confession by Sgt Van der Merwe alleging that Brig Smit ordered the elimination of two ANC members. Brig Smit denied yesterday that orders of this sort could emanate from him.

A state witness and co-conspirator, Mr Julius Davis, told the court he pointed out to Capt La Grange the house where Mr Molokoane lived in Mapella, Soweto. This followed a discussion between Mr Pillay, now deceased, and a certain Mr Boetie Brand when it was agreed that Mr Molokoane should be "wiped off the map".

Mr Davis, who knew Mr Pillay was a sometime police informer, also travelled to Mr Ogle's house in Ennerdale near Benoni during September, before Mr Ogle was fatally shot outside the house. Mr Davis said he had been wearing a

bullet-proof vest for his own protection and produced the vest in court yesterday.

At the start of his evidence, he was warned he would be asked questions which might incriminate him in the crimes as co-conspirator. He was told that if he answered all questions to the court's satisfaction he would not be prosecuted.

Mr Davis said he was a friend of Mr Pillay's from 1965 and was married to Mr Pillay's cousin.

He first met Capt La Grange in 1984 when he went with Mr Pillay to the Brixton Murder and Robbery Squad to pick up a letter in connection with a firearm licence. He said Mr Pillay already knew Capt La Grange and the licence was granted. Mr Pillay ran a taxi business and had also smuggled mandrax tablets, he said.



WITNESS ... Brigadier Basie Smit who gave evidence in the trial of two top detectives yesterday.

Tapes of two conversations between Captain Jack la Grange and Sergeant Robert van der Merwe were played back in the Johannesburg Supreme Court this week — and on one Sergeant van der Merwe said the one place he didn't want to go was jail.

I'd rather go to gallows than jail, Van der Merwe tells La Grange in taped conversation

He would rather go to the gallows, he said.

In an apparent reference to a fellow-prisoner at the jail where he and Captain la Grange are being held in custody, Sergeant van der Merwe says, "This one stands there just the other day with a f spoon. It's as sharp as a b razor blade. He shows it to me. He says 'This is for you'."

The conversations were taped outside the Supreme Court on

January 20 and February 22. Captain la Grange and Sergeant van der Merwe are being tried on charges of murdering two alleged drug dealers and the attempted murder of a businessman.

Later in the same conversation, Sergeant van der Merwe adds, "But I tell you, captain, there's one thing they must know. I am looking for either a not guilty finding or the gallows, but I don't want to go to a f... jail. Because in the jail they will f kill me."

In the same conversation Van der Merwe: All they ask me is why the captain got money for the f. thing I know... about money. If I had known about money, now is the time I need it. If there was money I should have had it now so that I could pay for my defence.

And again Van der Merwe: Ja, I just want to get this s. behind my back. What do you say about the involvement in the incidents? La Grange: Nothing. I know nothing of the b. thing. It's a lot of s. What shocks me even more, is how that d. Basie Smit and that 'Suiker' Britz can be so much. He's a brigadier, man. I have lost all respect for the f. thing I would just like to bliksem him well. Why doesn't he first sweep in front of his own door?

La Grange: Look at this lot of s they are talking. I supposed-ly want to kill Basie Smit. Have you ever heard such s in your life? A lot of s, man. They have even involved Dirk Killian. He just about died of fright. I am supposed to have got Dirk to kill Basie Smit.

La Grange: They can investigate me from A to Z, they won't find a penny that I took from anyone. But this is because they lend their ears out for gossip and s. Anonymous letters from a Hottentot. They're worth more than an officer's word. It's all about one thing — people who want to get to the top and make a name for themselves.

January 29 conversation

La Grange: In God's name don't plead guilty. Then you are finished. We fight them all the f way.

Captain la Grange, talking about his future plans after the court case.

La Grange: I am prepared to sweep streets but there are many options here. Let's just get over this mountain, then I'll talk to you about the future. I have many plans, don't worry.

And a little later.

La Grange. What Pillay's wife and that Julius (Davis, a witness) are going to say, is also f... hearsay evidence. They are sitting with their fingers up their a. You mustn't worry. We'll get through this thing.

Policeman cracked after his murder confession

I've hanged myself

151 SA 12/3/88

“My God, lieutenant, I've just hanged myself three times.”

JOE OPENSHAW

That was the startling statement Detective-Sergeant Robert Edmundt van der Merwe made to his police escort after confessing to a magistrate that he had killed two drug smugglers and wounded another in what he believed was a clandestine police operation to eliminate members of the African National Congress.

This was given in evidence yesterday by the escort, Lieutenant H P Kotze, who said Detective-Sergeant van der Merwe grabbed him by the jacket collar as he made the outburst.

Equally dramatic was evidence by an alleged co-conspirator in the killings, who said that immediately after the shootings in Eldorado Park and Emmerdale, Johannesburg, all the known drug smugglers in these townships simply disappeared.

The raw drama of these incidents unfolded in the High Supreme Court this week. The case has attracted intense public interest. Every day there was standing room only.

Captain Jack la Grange (40), the former head of the East Rand Murder and Robbery Squad, and Detective-Sergeant van der Merwe (30), of the Brylton Murder and Robbery Squad, are charged with the murder of Mr Benne Alex Ogle, an import-export agent of Isis Crescent, Emmerdale, Mr Peter Godfrey Pillay, a taxi owner of Eldorado Park, and the attempted murder of Mr Ernst Molokoane of Soweto.

Both have pleaded not guilty. They are being held in custody.

Detective-Sergeant van der Merwe said in his confession Captain la Grange

Kidnap fears grip suburbs

Craig Kotze and Inga Melzen

Fear gripped the Johannesburg western coloured townships of Westbury, Newclare and Coronationville and headmasters warned pupils not to accept lifts from strangers after “ambulance abductors” were allegedly patrolling the streets.

Yesterday police vehicles patrolled the area and headmasters introduced special security measures for children leaving the school grounds.

Pupils who normally found their own way home were collected by parents waiting outside. Other scholars walked home in small groups as advised during special assemblies called to inform them about the rumoured abductions.

And Johannesburg police confirmed they were hunting the drivers of an ambulance and a hearse after an alleged attempt yesterday to kidnap a 14-year-old girl in Westbury.

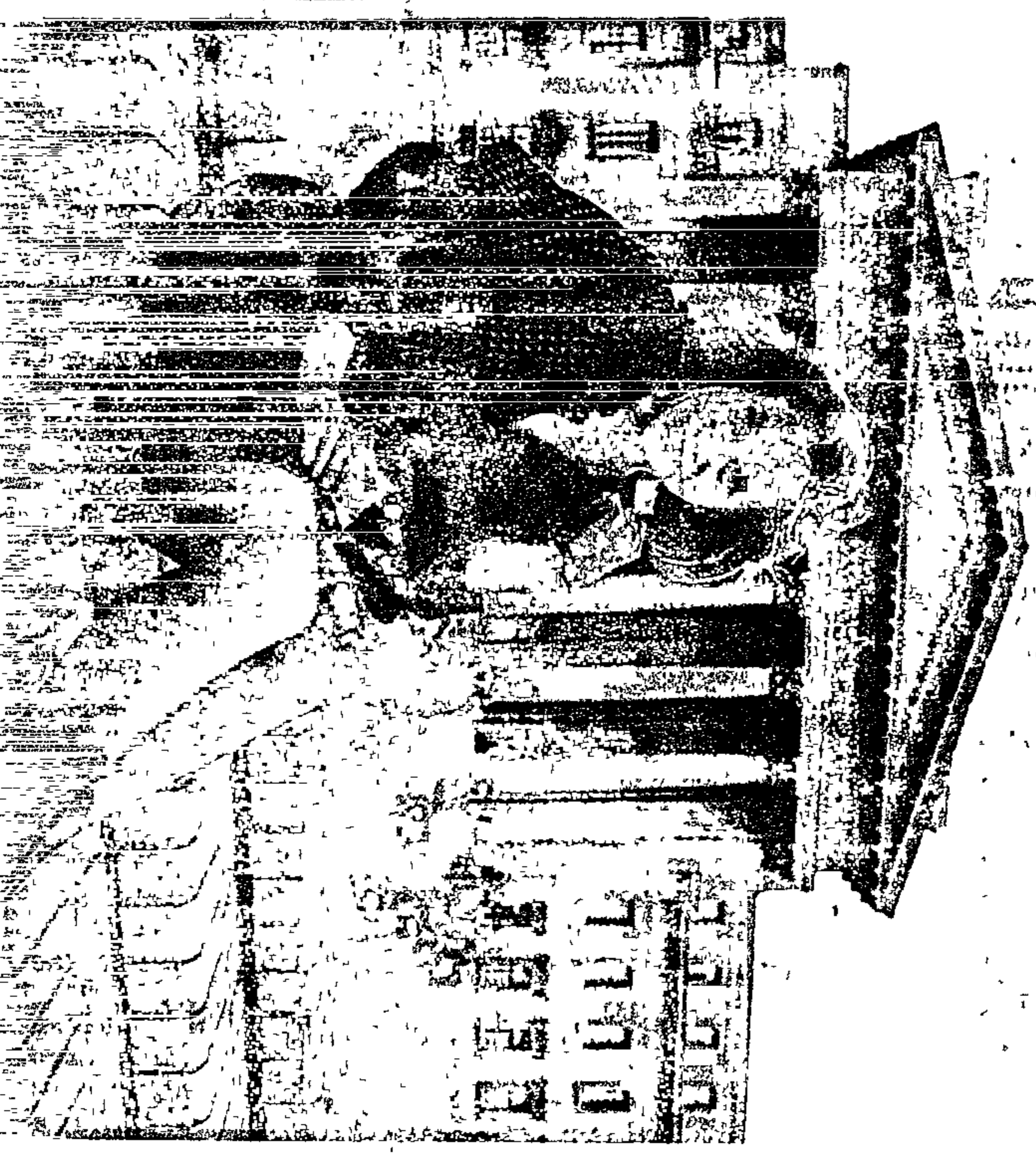
A police spokesman said an ambulance, minibus and a hearse, which apparently operated together, were allegedly used in the 10 am attempt in Dowling Street.

The ambulance, registration TBH46NG, stopped next to the girl, whose name has not been released, and an occupant asked her where the local cafe was. A hearse then stopped behind the girl and she was grabbed.

She started screaming and managed to escape when other children rushed to the scene. Both vehicles then raced off, police said.

● TO PAGE 2

66 When faced with a revolving door, I'm uncertain whether



JOE OPENSHAW

"My God, lieutenant, I've just hanged myself three times!"

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Both have pleaded not guilty. They are being held in custody.

Detective-Sergeant van der Merwe said in his confession Captain la Grange was a close friend of his and had persuaded him to shoot the three men, saying Mr Ogle and Mr Molokoane had to be eliminated because they were members of the ANC and smuggling Mandrax, and that Mr Pillay was also a drug smuggler, had ANC contacts and had become a threat to security police.

He claimed that he was told by Captain la Grange that the instruction to eliminate Mr Pillay had come from Brigadier Basle Smit at police headquarters.

There was dead silence in the court as magistrate Mr Cornelius Bezuidenhout read out Detective-Sergeant van der Merwe's confession, in which he told how on September 28 he shot Mr Ogle five times with a .22 revolver — given to him by Captain la Grange — after the captain shouted "Now."

He also told how, three hours later, outside the double-storey house of Mr Molokoane, he shot him

"When faced with the need to precede a lady, offer cigarettes, I..."



*** A gentleman who says that if the doorman rule. Turning to on an invitation to enter a fine expensive to**

TO PAGE 2. P.T.O.

Death at lonely spot

● FROM PAGE 1.

five times

And he said that Captain la Grange came to him a week later and said there was trouble — and instructions from head office were that Mr Pillay was also to be eliminated

On October 4, at a lonely spot on a dirt road near Riverlea, he shot Mr Pillay five times in the head at pointblank range with a .32 revolver — given to him by Captain la Grange.

"If I'd known there was money involved, I would not have done so," Detective-Sergeant van der Merwe told the magistrate.

Another witness, Mr Julius Davis, told the court that Mr Pillay wanted Captain la Grange, for whom he acted as an informer, to get rid of Mr Ogle because he had cheated him (Mr Pillay) out of R550 000 worth of Mandrax tablets, and he also wanted Mr Molo-koane "wiped off the map".

Mr Davis, who was warned as a co-conspirator by the judge, said Mr Pillay was a drug smuggler — and also his employer. He drove Mr Pillay around on drug dealing business and had seen sums of R200 000 and R500 000 in cash

"On the night Mr Pillay was killed he had R30 000 in cash on him," said Mr Davis

"After this the drug dealers vanished and I became frightened. I borrowed a bullet-proof jacket from another policeman, Mr Eugene Riley."

Cross-examined by Mr Eddie Bruwer, for Captain la Grange, Mr Davis explained why he was frightened

"I saw Captain la Grange in Eldorado Park once talking to Warrant-Officer Voegths, whom we knew as Oom Ollie, and once when I was driving in Eldorado Park and he followed me

"I was frightened because Captain la Grange had seen me in Benoni with Mr Pillay," he said

Brigadier Basie Smit told the court that neither he nor anyone at police headquarter had given instructions for the clandestine killing of ANC members.

The hearing continues on Monday

What the secret tape recordings revealed — Page 3.

Kitscop 'contempt' case 21

Own Correspondent

GRAHAMSTOWN. — A special constable from Thembalesizwe township at Aberdeen has till the end of the month to show why he should not be committed to jail for contempt of court.

Papers before the Grahamstown Supreme Court allege that Joseph Phindile Gomo, one of 12 special constables subjected to a court order in January this year, assaulted two Thembalesizwe residents about two weeks ago.

The residents, Mr Herbert Claassen and Miss Thelma Claassen, allege that the assaults are a flagrant breach of the court order and brought the urgent application this week.

In terms of the court order, Mr Gomo, 11 other special constables and two members of the regular police undertook not to assault unlawfully or act in any unlawful manner towards any inhabitants of Thembalesizwe township.

D(1243/88)

Witness says he borrowed bullet-proof vest in fear (251)

JOHANNESBURG — A witness told the Rand Supreme Court yesterday that after his employer, Mr Peter Godfrey Pillay, was murdered he became so afraid of police Captain Jack la Grange that he borrowed a bullet-proof vest for protection.

Mr Julius Davis told the court earlier that Mr Pillay had said he was going to approach Capt la Grange to "get rid of" Mr Bennie Alex Ogle, an import-export agent.

Mr Davis said Mr Pillay had told him that he had been cheated out of R55 000 worth of Mandrax tablets by Mr Ogle.

Mr Davis said, during cross-examination by Mr

Eddie Bruwer for Capt La Grange, that Mr Pillay was a man of many parts — a taxi owner, a drug smuggler and a security police informer.

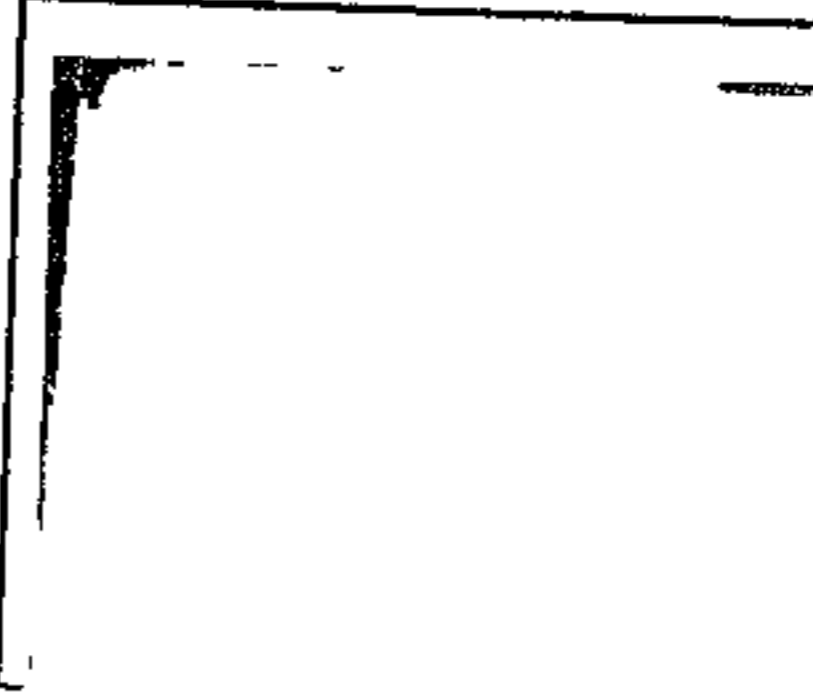
Mr Pillay relayed information to Capt La Grange and another policeman, a Mr Voegths who was also known as "O m Ollie," Mr Davis said.

Capt La Grange, 40, former head of the East Rand murder and robbery squad, and Det-Sgt Robert van der Merwe, 30, of the Brixton murder and robbery squad, are appearing before Mr Justice Irving Steyn and two assessors.

The policemen are

charged with murdering with Mr Ogle and Mr Pillay and attempting to murder a building contractor from Mapetla, Soweto, Mr Ernest Molo koane, in September and October last year.

Mr Davis told the court he drove a car and a taxi for Mr Pillay and was a confidant of the dead man but took no part in the planning or executing of his business.



D/D 12/3/88

Accused in grip of terror when shot fired

Daily Dispatch Correspondent

GRAHAMSTOWN — Constable David Patrick Goosen told the Supreme Court here yesterday he was in the grip of a blind, illogical fear when he fired the shot that killed Mr Mlungisi Stuurman on the banks of the Great Fish River

Const Goosen, 27, and Warrant Officer Leon de Villiers, 36, are facing two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges stem from alleged incidents at Cradock when ten members of the unrest unit were sent there to monitor a funeral

Const Goosen told the court earlier this week that he was subject to sudden spells of fear and also to nightmares as a result of experiences he had had serving with the Unrest Unit

He said it was a nameless fear

Asked by Mr Justice Zietsman how it affected him, he said he just became extremely afraid

He thought he was able to react logically to things around him while in its grip

He was quite definite that he would not have drawn his pistol

at the river had it not been for the bout of fear

He was also asked about the hate his experiences had engendered in him against the perpetrators of violence and necklaced murders in the townships. He said it was less of a hate than a desire to bring them to justice

Relating the events at the river, Const Goosen said he twice told Mr Stuurman on the way to the Great Fish River that he must wash the blood off his face and then he would be released

He said he was instructed by Warrant Officer De Villiers to accompany Mr Stuurman to make sure that he did wash

There was never any intention to kill him and this was never suggested

He said he drew his pistol, slipped the safety catch off and cocked the hammer. Mr Stuurman was about two or three metres ahead of him

His finger was on the trigger as they went down the river bank. He slipped or stumbled and he was also aware of a sudden movement by Mr Stuurman

A shot went off and Mr Stuurman fell face down in the river

In answer to Mr Justice Zietsman, he said it was possible that the shot was intentional. He could remember lifting the gun

He could not remember asking the others to help or throwing Mr Stuurman into the river. It was possible that he did

He was sure he did not laugh or tell the others that they were also accomplices

He said when the shot went off, he was still in the grip of the fear. He did realise he had shot a man. He was shocked and panicky

He remembered seeing Const Fourie and Const Booyens behind him, but did not remember the trip back to the bus

He said W/O De Villiers had never instructed him to shoot Mr Stuurman. He would not have obeyed such an order

He certainly would not have used his own pistol if he wanted to shoot a man or leave the spent shell and the victim lying in the open

He would have used a shotgun which was not ballistically identifiable

The trial will continue on Monday

D/D 12/3/88

SAP roughed up TV man 251 claim

JOHANNESBURG — An employee of a foreign television news organisation has lodged an affidavit with the South African Police following incidents at a demonstration here on Tuesday

In his affidavit, a sound recordist with World-wide Television News (WTN), Mr Prince Msutu, outlines details of alleged assault and manhandling by police officers who refused to give their names, according to a WTN statement yesterday

Mr Msutu was covering a gathering of about 80 members of the Federation of Transvaal Women at the Chamber of Mines building, when he and members of several other television crew-men were grabbed by police and taken to police vans.

Mr Msutu said he had his arm twisted behind his back, was prodded with a baton and punched several times in the chest

A police statement on Tuesday evening said no journalists had been arrested or detained, but Mr Msutu's affidavit says he and the journalists were held against their will and without charge for two hours in police vans and at John Vorster Square.

● The public relations officer of the South African Police in Pretoria, Captain Reg Crewe, said that as far as he knew no complaints had been filed regarding the alleged assault of Mr Msutu

The duty officer at John Vorster Square, Lieutenant Pierre Louw, said he had not heard of the affidavit or complaint

"It is within his rights to file a complaint," said Lieut Louw. "If he does so, it will be properly investigated. Should he be found to be correct, we will take the necessary steps"— Sapa

Watchman in toilet during Ogle shooting

CAP TOME 12/3/88

(251)

250

JOHANNESBURG. — Captain Jack la Grange mentioned in papers filed in an urgent application in December last year that a nightwatchman was in a toilet during the shooting of Mr Bernie Ogle, but the dossier on the shooting did not mention this and the night watchman was only traced in January

This was in the evidence led in the Rand Supreme Court yesterday during the trial of Sergeant Robert Edmundt van der Merwe, 30, of Klip River, and Captain Hendrik Jacobus (Jack) la Grange, 40, of Alberton.

Sgt Van der Merwe was stationed at the Brixton Murder and Robbery Squad and Capt La Grange was the commanding officer of the East Rand Murder and Robbery Squad when they allegedly murdered Mr Ogle, 30, outside his Ennerdale home on September 28 last year, allegedly attempted to murder Mr Ernest Molokoane in Soweto on September 29 and allegedly murdered Mr Peter Pillay, 39, in his bakkie on a dirt road near Crown Mines on October 4.

Missing nightwatchman

The two policemen were arrested early in December and have been in custody since.

Captain Neville Thoms, commanding officer of the West Rand Murder and Robbery Squad, found the missing nightwatchman, Mr Baloni Nkoe, on January 6.

When Mr Nkoe testified last Friday, he said that on September 28 last year he was guarding Mr and Mrs Ogle's house

Amid much tittering from the public gallery, Mr Nkoe testified that when he heard two shots fired he tried to leave the toilet in which he was at the time but could not do so because "I was answering the call of nature".

Captain Thoms testified yesterday that he was introduced to Sgt Van der Merwe on December 9 when they went to various places for Sgt Van der Merwe to "do a pointing out". He said Sgt Van der

Sgt Van der Merwe directed Capt Thoms and a photographer to Mr Ernest Molokoane's double-storey house in Mapetla, Soweto. Sgt Van der Merwe said he had fired shots at Mr Molokoane.

Then Sgt Van der Merwe directed them to a dirt road under some powerlines where Mr Peter Pillay's body was found by an Eskom employee.

Sgt Van der Merwe said his estimation could be out by about three metres, but it was approximately the place where he shot Mr Pillay in the head five times.

Then they drove to Ennerdale where Mr Bernie Ogle's body was discovered on the pavement outside his home. It had four gunshot wounds.

Sgt Van der Merwe said he had pulled the trigger on each occasion and that Capt La Grange was with him each time.

The hearing continues.

'Blind fear' of murder case cop

Cour. Times 12/3/88

251

Own Correspondent

GRAHAMSTOWN — Constable David Patrick Goosen told the Supreme Court here yesterday that he was in the grip of a blind, illogical fear when he fired the shot that killed Mr Mlungisi Stuurman on the banks of the Great Fish River

Const Goosen, 27, and Warrant Officer Leon de Villiers, 36, are facing two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges stem from alleged incidents at Cradock when 10 members of the unrest unit were sent there to monitor a funeral

Const Goosen told the court earlier this week that he was subject to sudden spells of fear and nightmares as a result of certain experiences with the Unrest Unit.

Cross-examined yesterday, he said it was a nameless fear that manifested itself at odd inter-

vals He did not know what triggered it, or how long it would last

He was quite definite he would not have drawn his pistol had it not been for the fear But he agreed it was quite illogical

Const Goosen said he twice told Mr Stuurman on the way to the Great Fish River to wash the blood off his face and then he would be released

There was never any intention to kill him, he said

On the other side of the canal, on the way to the river, Const Goosen was gripped by an inexplicable, unreasonable fear

He said he drew his pistol, slipped the safety catch off and cocked the hammer

His finger was on the trigger as they went down the river bank He slipped or stumbled and was aware of a sudden movement by Mr Stuurman

A shot went off and Mr Stuurman fell face down in the river

"I cannot remember if I intended to fire," he said

In answer to Mr Justice Zietsman, he said it was possible that the shot was intentional He could remember lifting the gun

While he could not remember asking for help or throwing Mr Stuurman into the river, it was possible

He said that when the shot went off, he was still gripped by fear

He did not remember holstering his pistol, but he did realize he had shot a man He was shocked and panicky

WO De Villiers had not instructed him to shoot Mr Stuurman and he would not have obeyed such an order

If he wanted to shoot a man he would not have used his own pistol or leave the spent shell and the victim lying in the open

He would have used a shotgun which was not ballistically identifiable

The trial will continue on Monday

MURDER TRIAL TOLD VICTIMS ALL SHOT FIVE TIMES

BRIXTON Murder and Robbery Squad policeman Detective Sergeant Edmundt Robert van der Merwe shot and killed drug dealer Mr Benne Alex Ogle and three hours later wounded Mr Ernest Malokoane of Soweto

Seven days later he gunned down another drug dealer, Mr Peter Godfrey Pillay of Eldorado Park. In all the shootings he used guns given to him by his instructor, Captain Jack la Grange, former head of the East Rand Murder and Robbery Squad.

Sgt van der Merwe believed he was acting on instructions in a clandestine police operation to eliminate ANC members who smuggled mandrax tablets.

This was contained in his alleged confession given in evidence by magistrate, Mr Cornelius Bezuidenhout in the Rand Supreme Court on Friday.

After his confession to the magistrate, the court heard, Sgt van der Merwe dropped his head into his hands as he sat in a car and said "Oh Lord, Lieutenant, tonight I've hanged myself three times."

The two policemen, Sgt van der Merwe (30) and Captain la Grange (40) are appearing before Mr Justice Irving Steyn and two assessors on charges of having murdered Mr Ogle, an import-export agent outside his Ennerdale home on September 29 last year, the attempted murder of Mr Malokoane outside his double-storey house in Soweto, and the murder of Mr Pillay near Crown Mines on October 4 of that year.

They have both pleaded not guilty to all the charges.

The public gallery has been packed to capacity by both black and white spectators since the trial

Alleged killing of 'mandrax dealers'
Report by **MANDLA NDLAZI**

started a week ago

In his confession, Sgt van der Merwe said Captain la Grange was a close friend of his and had persuaded him to shoot the three men, saying Mr Malokoane and Mr Ogle had to be eliminated because they were members of the ANC and smuggled mandrax tablets and that Mr Pillay was also a drug smuggler, had connections with the ANC and was a threat to the security police.

He claimed in his confession that he was told by Captain la Grange that instructions to eliminate Mr Pillay had come from Brigadier Basie Smit at police headquarters in Pretoria.

There was silence in court when magistrate Mr Bezuidenhout read Sergeant van der Merwe's confession in which he told how on September 29 he shot Mr Ogle five times with a 22 revolver, given to him by Captain la Grange, after the captain had shouted "now".

He also told how, three hours later, he shot Mr Malokoane five times outside his double-storey

house. He said Captain la Grange came to him a week later and said there was trouble, and that instructions from head office were that Mr Pillay was also to be eliminated. On October 4, at a lonely spot on a dirt road near Riverlex, he shot Mr

Pillay five times in the head with a 32 revolver, given to him by Captain la Grange.

Sgt van der Merwe said "If I had known there was money involved, I would not have done so."

Earlier, a witness, Mr Julius Davies, who was

warned by the judge as a co-conspirator said his boss, Mr Pillay had R30 000 in cash on him the night he was killed. After this, drug dealers in places like Eldorado Park and Ennerdale went underground and he became scared.

He said he borrowed a

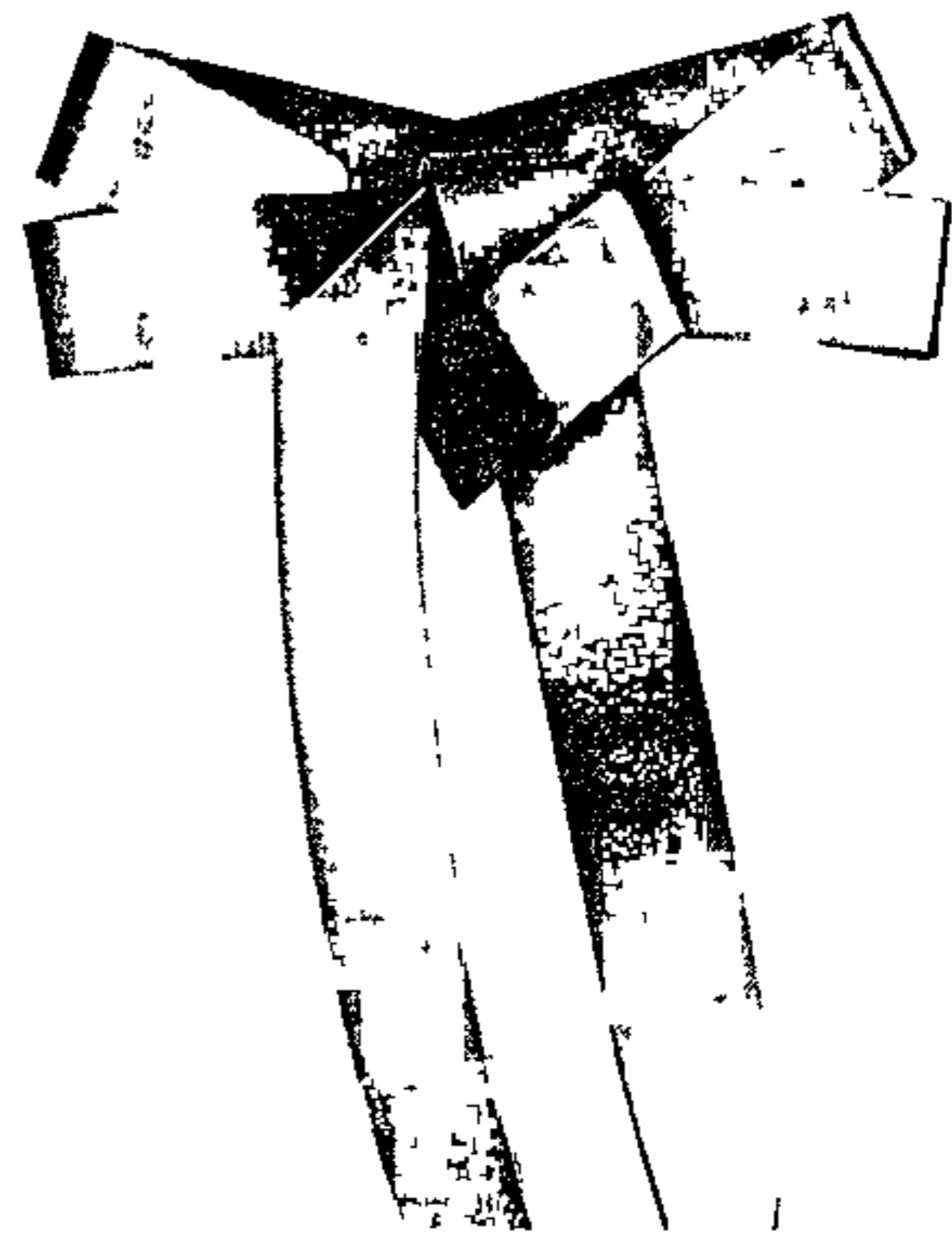
bullet proof jacket from another policeman because he feared for his life. He had become afraid when he saw Captain la Grange driving in Eldorado Park. The captain had seen him in Benoni with Mr Pillay, he said.

(Proceeding)

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14/3/88 Sowetan

250 Black Belts comp for this coveted troop Ronny Webber won



Bugging comes under fire in La Grange trial

By Joe Openshaw

The police were accused in the Rand Supreme Court yesterday of using "underhand and fraudulent methods" by secretly bugging conversations between Captain Jack la Grange, the former head of the East Rand Murder and Robbery Squad, and Detective Sergeant Robert van der Merwe, during investigations into murder allegations against them.

Mr Eddie Bruwer, Captain la Grange's defence counsel, put this to Lieutenant Colonel Karel Britz, head of Pretoria Murder and Robbery Squad and head of the team investigating the alleged murder by the two policemen of Mr Bennie Alex Ogle and Mr Peter Godfrey Pillay, and the attempted murder of Mr Ernest Molokoane

Mr Ogle, an import/export agent, was found dead on the pavement outside his house in Iris Crescent, Ennerdale, on September 28 last year with a fatal bullet wound in the brain Mr Ernest Molokoane, a building contractor, was shot four times outside his home in Mapetla, Soweto, three hours later Mr Pillay was shot five times in the head and found dead near Crown Mines behind the steering wheel of his bakkie.

In a confession read to the court by a Soweto magistrate, Mr Cornelius Bezuidenhout, Sergeant van der Merwe said he shot Mr Ogle and Mr Molokoane because Captain la Grange said he had instructions to eliminate them because they were ANC members and drug smugglers

A week later he was also asked to eliminate Mr Pillay because he had ANC contacts and was going to talk about the other killings

Both men have pleaded not guilty before Mr Justice Irving Steyn and two assessors to two counts of attempted murder and one of attempted murder. Both are in custody.

During cross examination Mr Bruwer also suggested police bugged Captain la Grange's home telephone and taped conversations his wife had with his legal team after his arrest on December 9.

Dark-haired Mrs la Grange, wife of the accused policeman, sat in the press benches behind him listening intently during Mr Bruwer's questioning

Colonel Britz denied the police had bugged Captain la Grange's telephone or that they intruded on client-attorney privacy by taping a consultation between Captain la Grange and his legal team

Lieutenant Colonel Karel (Suiker) Britz.

'NORMAL INVESTIGATION METHODS'

Colonel Britz, however, freely admitted to the subterfuge of planting tapes in cars in which Captain la Grange and Sergeant van der Merwe were sitting to record what they had to say to each other

"I gave no instructions to have personal telephone calls from the la Grange home bugged

"I viewed the secret taping of the conversations between Captain la Grange and and Sergeant van der Merwe, and a conversation he had with Brigadier Basie Smit at Wierda, as normal investigation methods I've used this method on other cases"

Mr Justice Irving — "Not you alone, others have used this method a lot?" — "Yes"

Earlier evidence yesterday was that Captain la Grange told Colonel Britz they shot Mr Pillay because they had no choice, as he was going to be questioned by the Brixton detectives

This was after Sergeant van der Merwe had made his confession and Colonel Britz sent three members of the squad by air to Margate to arrest Captain la Grange Colonel Britz said to him when he arrived in Pretoria "Your mistake was you shot him on that Sunday, (October 4) You should have waited a week or two"

Colonel Britz said in evidence-in-chief that Sergeant van der Merwe groaned and said, "I have hanged myself", after he was brought to him in Pretoria and made a statement to him telling "the whole story"

Later Sergeant van der Merwe agreed to making a statement to a magistrate and when his attorney arrived at the Wierda Bridge police station he asked whether it was possible that Sergeant van der Merwe would become a State witness

The hearing continues

Policeman challenged in court

GRAHAMSTOWN — The State yesterday challenged the truth of the incident Constable David Patrick Goosen said gave rise to his bouts of "nameless fear"

Constable Goosen (27) and Warrant Officer Leon de Villiers (36) were appearing in the Supreme Court in Grahamstown on two charges of murder, two of assault and one of attempting to defeat the ends of justice. The charges arise out of alleged incidents at Cra-dock on July 26 1986

Mr W Kingsley, after cross-examining Constable Goosen on the two terrorist incidents during February 1986, which Constable Goosen said caused his problem, put it to him that he was never directly involved in the incidents.

Constable Goosen could not describe how he felt after the incidents. When the scenes re-occurred to him, they were sometimes in sequel, sometimes fragmentary.

He said the bouts of fear had occurred many times without any apparent pattern.

The trial continues today — Sapa

SMK
15/3/88

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Police accused of 'underhand' investigation

JOHANNESBURG. — The police have been accused in the Rand Supreme Court of using "underhand and fraudulent methods" by secretly bugging conversations between two policemen during investigations into murder allegations against them.

This was put yesterday to Lieutenant-Colonel Karel "Suiker" Britz, head of the investigating team into the alleged murders by Captain Jack la Grange, the former head of the East Rand murder and robbery squad, and Detective Sergeant Robert van der Merwe, of Mr Bennie Alex Ogle, Mr Peter Godfey Pillay, and the attempted murder of Mr Ernest Molokoane, in September and October last year.

In a confession read to the court, Sergeant van der Merwe said he shot Mr Ogle and Mr Molokoane because Captain la Grange said he had instructions to eliminate them because they

were ANC members and drug smugglers

A week later he was also asked to eliminate Mr Pillay because he had ANC contacts and was going to talk about the other killings.

Both men have pleaded not guilty before Mr Justice Irving Steyn and two assessors to two counts of murder and one of attempted murder and are in custody.

During cross-examination, Mr Eddie Bruwer, Captain la Grange's defence counsel, suggested police bugged Captain la Grange's home telephone and taped conversations his wife had with his legal team after his arrest on December 9 in an effort to incriminate him

Colonel Britz denied these allegations, but freely admitted to the subterfuge of bugging cars to record conversations between Captain la Grange and Sergeant van der Merwe.— Sapa

P/D 15/3/88

State contests incidents 251 accused says caused fear

Daily Dispatch
Correspondent

GRAHAMSTOWN — The state yesterday challenged the truth of the incident Constable David Patrick Goosen said gave rise to his bouts of "nameless fear"

Const Goosen, 27, and Warrant/Officer Leon de Villiers, 36, were appearing in the Supreme Court here on two charges of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents at Cradock on July 26, 1986

Mr W Kingsley, after cross-examining Const Goosen minutely on the two terrorist incidents during February, 1986, which Const Goosen said

caused his problem, put it to him that he was never directly involved in the incidents

He said Const Goosen had grasped at the incidents as a convenient basis for his fear

Const Goosen could not describe how he felt after the incidents. He said the bouts of fear had occurred many times without any apparent pattern or any warning signs beforehand

He was unable to say how long the original incident lasted. When Mr Kingsley pressed him for an estimate, Mr Justice Zietsman said that to a man under fire, seconds could feel like hours

In the second day of

his cross-examination, Const Goosen was being questioned closely about some peripheral aspect when Mr Justice Zietsman asked "Are we going into every tiny detail for days and days? Can't we get to the important things?"

Later, Const Goosen was being pressed as to why Const R Fourie was not fetched from his parents' home for the excursion into the black township

Mr Justice Zietsman asked Mr W Kingsley, for the state "Can the man say more than he has? Is it important that Const Fourie was not fetched, and we know he was not? Does it help to go over it again and again?"

The trial will continue today.

MURDER CHARGE COPS ACQUITTED

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Sowetan 15/3/88

THE trial of 10 Lebowa policemen on a charge of culpable homicide arising from the death in detention of journalist Lucky Makompo Kutumela (24) came to an abrupt end when all of them were found not guilty and discharged.

The surprise acquittal came after the prosecutor said there were no witnesses who were with Mr Kutumela when he died.

This was despite the presence of two witnesses, Mr Jeffrey Mohale and Mr Paledi Selolo, who were waiting outside the Potgietersrus Regional Court to be called to testify. The two were arrested with Mr Kutumela before he died. The magistrate, Mr A G H Boucher, in acquitting the 10 policemen cited as one of the reasons the fact that there was

Northern Transvaal Bureau

nobody with Mr Kutumela when he died.

Mr Kutumela died a few hours after he was detained by Lebowa police at Mahwelereng, near Potgietersrus in 1986.

At a subsequent inquest into his death, the 10 policemen were blamed by inquest magistrate, Mr M B Mabuza, as being responsible for his death.

The policemen who pleaded not guilty yesterday and were freed are Lieutenant Jacob Malongoana (53), Sergeant Solomon Machete (56), Constables Amos Rampedi (28), David Senaoanana (25), Samuel Mphahlele (27), Joseph Lebisi (31), Jan Ledwaba (27), Leslie Mabuka-Chaba (25), Joseph Modiba (31) and Moses Seete (25).

When the policemen were acquitted, the two witnesses approached the prosecutor, Mr M Pogrand, inquiring why they were not called to testify. He referred them to the investigating officer.

Maritzburg: More police make a ^{ARGUS} 15/3/88 difference

The Argus
Correspondent

DURBAN. — During the past few months nearly 300 "kitsconstablers" have patrolled the dirt roads of Edendale valley, Maritzburg.

Wearing blue overalls, shotguns under arm, they march through the troubled townships in 22-strong columns, watched and sometimes accompanied by curious residents.

In the past few weeks the special constables have been the target of much controversy, with widespread allegations that they are not adequately trained to cope with township conflict and that many are supporters of Inkatha.

AFFILIATIONS

Police have denied the accusations, saying the men are always accompanied by experienced policemen and that their political affiliations were not important as long as they did not interfere with their duties.

A "meet the constables press tour" of Edendale revealed that the police have substantially stepped up their presence in the 59 areas surrounding the city.

Apart from the 280 special constables, four bases and 10 "strongpoints" have been established in the worse-affected areas.

"CALMED DOWN"

"The violence has calmed down considerably this month," said press liaison officer Captain Peter Kitchin.

"We believe it is because of the rain and our increased policing of the townships.

"The strongpoints have been particularly effective, with many people reporting crime and unrest.

"In some cases quick reporting has enabled the police to prevent attacks on homes and people."

There had been no attacks on special constables or strongpoints, which consist of police vehicles manned by two policemen and equipped with "office" equipment and radios.

Special constable Zibuse Mazeka, 25, said he had aspirations of becoming a permanent force policeman.

Mr Mazeka said he did not feel nervous patrolling the townships.

"I know the police can maintain law and order," he said.

406 Times (27/3/87) 25L

Court rejects condemned man's appeal

PRETORIA. — An 11th-hour bid by an Oudtshoorn man for a stay of execution failed in the Supreme Court here yesterday, and Michael Lucas was due to be hanged at 7am today.

A spokesman for attorneys acting for Lucas said the court rejected the application because it could find no grounds to hear an appeal against the death sentence.

Six British Labour MPs, led by Mr Richard Caborne, appealed to the South African authorities to commute the death sentence.

The MPs yesterday put down a motion on the Commons Order Paper in which they deplored the execution of Tsepo Letsoara in South Africa on March 18 and the impending execution of Lucas today.

Lucas was found guilty of shooting a black bus driver during a riot in Bongoletu township at Oudtshoorn in April, 1986.

He told the court a gun he had in his hand had gone off.

Lucas has been on death row in Pretoria since his conviction for murder in May, 1987 and he will be the second person to hang for a crime arising out of the 1984-1986 black uprisings that claimed more than 2 500 lives.

He is also believed to be one of at least 44 people on death row for crimes linked to the unrest that began in 1984. — Staff Reporter and Sapa-Reuter

'I've hanged myself' policeman

251
Cpt. Tim's
15/3/88

JOHANNESBURG — Double-murder accused Captain Jack la Grange told the head of the investigation team into the death of a taxi owner that they had no choice but to shoot Mr Peter Godfrey Pillay because he was going to be questioned by Brixton detectives

This was said by Lieutenant Colonel Karel (Suiker) Britz, head of the Pretoria Murder and Robbery Squad, in the Rand Supreme Court at the trial of Captain La Grange, 40, former head of the East Rand Murder and Robbery Squad, and Detective Sergeant Robert Edmundt van der Merwe, 30, who are accused of murdering Mr Pillay, an Eldorado taxi owner, on October 4 last year, Mr Bennie Alex Ogle, an import-export agent of Ennerdale, on September 28, and the attempted murder of Mr Ernest Molokoane, a building contract of Mapetla, Soweto, three hours later

Both men have pleaded not guilty.

Shot in brain

Mr Ogle died from a bullet in the brain, Mr Pillay was shot five times in the head and Mr Molokoane five times in the back.

Col Britz told the court Cpt La Grange was arrested in Margate on December 9 last year after Detective Sergeant Van der Merwe made a statement to him about the death of the two men and the shooting of the other.

"Sergeant Van der Merwe said he would tell me the whole story and I took a written statement. I also taped our conversation

"After the statement was finished,

Sergeant Van der Merwe said with a groan 'I have hanged myself'. On several occasions, he said 'I am going to hang'," said Col Britz

Bravado

The day after making a statement with his advocate's consent, Sgt Van der Merwe pointed out where he and Cpt La Grange had shot the men

After his arrest, when he was interviewed by Col Britz in Pretoria, Captain Cpt La Grange said he knew what the allegations were.

"He asked to be let out on bail as soon as possible. I said I was going to apply to the Attorney-General for bail to be refused

"Captain La Grange was bitterly unhappy about this

"The next day, Captain La Grange was brought to my office to be taken for an identification parade and I saw he had shaved his moustache off I asked him why he had done this

"He said the moustache had been bothering him in the cells.

"When he returned from the identification parade in Lenasia that afternoon, he said he had not been pointed out.

"He was full of bravado and said he would sue me if the case fell through," said Col Britz

Col Britz said neither Cpt La Grange nor Sgt Van der Merwe had made entries in their pocket books on the days of the shootings, nor had they mentioned meeting Mr Pillay on September 22 and 23 and October 4 Neither man had been on duty on those days.

The hearing continues — Sapa

Wednesday March 16 1988

Final evidence in double murder trial

Sgt 'was afraid of Capt la Grange'

By Joe Openshaw

Detective Sergeant Robert van der Merwe asked not to be kept in the same cell or prison as Captain Jack la Grange because he was afraid of him, the Rand Supreme Court heard yesterday.

Giving evidence at the trial in which the two men are appearing on a double murder charge, Lieutenant Colonel Karel Britz, head of the investigation team in the case, said Detective Sergeant van der Merwe was also afraid to appear in the same court or on the same identification parade as Captain la Grange.

The two men have pleaded not guilty to the murders of Mr Bennie Alex Ogle, an import-export agent of Isis Crescent, Ennerdale, and Mr Peter Godfrey Pillay, a taxi owner of Eldorado Park, and of the attempted murder of Mr Ernst Molokoane, a building contractor of Mapetla, Soweto.

Yesterday, the eighth day of the trial, Mr Klaus von Lieres closed the State case after calling 36 witnesses.

SHOWED ANONYMOUS LETTER

Colonel Britz, head of the investigation team in the case, had been cross-examined for two days by Mr Eddie Bruwer, for Captain la Grange, and told the court his sympathies were with Sergeant van der Merwe, but he denied he had co-operated with the sergeant in an attempt to incriminate Captain la Grange.

He denied there had been an attempt by the investigation team to fabricate evidence against the captain.

Colonel Britz, who is head of the Pretoria Murder and Robbery Squad, said he had not tried to influence Sergeant van der Merwe by showing him an anonymous letter he had received in which certain allegations were made and Captain la Grange named.

"By that time I had enough evidence against Captain la Grange," said Colonel Britz.

RUMOURS ON SQUAD DENIED

Rumours that the whole of the Brixton Murder and Robbery Squad was to be disbanded because of the investigations into the case were unfounded.

"I did not know Detective Sergeant van der Merwe and cannot say what sort of policeman he was. Captain la Grange I knew well and from what I saw of his work, he was an outstandingly good investigation officer."

During re-examination by Mr von Lieres, Colonel Britz admitted he had gone back on his undertaking on December 8 not to oppose bail of R1 000 for Sergeant van der Merwe.

"My decision to break my undertaking regarding bail was taken after I had a conversation with Detective Sergeant van der Merwe on December 9 in which I asked him if he had considered suicide."

The court heard of Sergeant van der Merwe's confessions to two killings.

The trial continues today.

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SMA 16/3/88

A SENIOR police officer reneged on an undertaking to obtain R1 000 bail for murder accused Sergeant Robert van der Merwe, who told him he feared co-accused Captain Jack la Grange's friends and colleagues in the police force, the Rand Supreme Court heard yesterday.

La Grange, who was head of the East Rand Murder and Robbery unit until his suspension last year, and Van der Merwe have both pleaded not guilty to the murder of two alleged drug dealers and the attempted murder of a third.

It is alleged they murdered Benny Ogle at his Ennerdale home on September 28 last year, and attempted to murder Ernest Malakoane in Soweto the next day. It is also alleged they murdered Peter Pillay on October 4 last year.

Lieutenant-Colonel K J "Suiker" Britz said during last December Van der Merwe asked him not to keep him together with La Grange.

Britz said Van der Merwe also informed him he was afraid of La Grange's private friends as well as his loyal police friends.

Britz said as a result of this he thought in the circumstances it would not be

Court hears of sergeant's fear

SUE RUSSELL

advisable to give Van der Merwe bail. Earlier under cross-examination by counsel for La Grange, Britz denied he ordered prison personnel to remove notes from La Grange's cell which the accused man had made for his legal representatives.

He said he asked them only to look for a bottle of self-tanning lotion.

Britz later told the court that according to information he had this lotion had been used by La Grange to darken the area where his moustache had been.

According to evidence, La Grange shaved off his moustache before attending an identification parade.

In reply to questions put to him by one of the two assessors hearing the trial with Mr Justice Irving Steyn, Britz said before the case he had seen La Grange's work and had thought him to be an outstanding investigating officer.

(S) Blam
16/3/88



STAATSKOERANT

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Vol. 273

KAAPSTAD, 16 MAART 1988
CAPE TOWN, 16 MARCH 1988

No. 11185

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 467.

16 Maart 1988

No. 467.

16 March 1988

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word —

It is hereby notified that the State President has assented to the following Act which is hereby published for general information —

No. 8 van 1988: Polisiewysigingswet, 1988.

No 8 of 1988: Police Amendment Act, 1988

POLICE AMENDMENT ACT, 1988

Act No. 8, 1988

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments
- _____ Words underlined with solid line indicate insertions in existing enactments

ACT

To amend the Police Act, 1958, so as to effect a textual improvement; to increase certain fines; to further regulate the position of commissioned officers found guilty of misconduct; and to provide for the summary discharge of commissioned officers in certain cases; to extend the powers of the Minister to make regulations; and to provide for incidental matters.

(English text signed by the State President)
(Assented to 4 March 1988)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment of section 3 of Act 7 of 1958, as amended by section 2 of Act 64 of 1964, section 2 of Act 74 of 1967, section 2 of Act 94 of 1972 and section 29 of Act 97 of 1986

- 5 1. Section 3 of the Police Act, 1958, is hereby amended by the insertion in subsection (1B), before the word "officer", of the word "commissioned"

Amendment of section 9 of Act 7 of 1958, as amended by section 1 of Act 43 of 1958, section 4 of Act 53 of 1961, section 7 of Act 64 of 1964, section 3 of Act 94 of 1972, section 4 of Act 34 of 1973, section 1 of Act 90 of 1977, section 4 of Act 64 of 1979
10 and section 3 of Act 68 of 1984

2. Section 9 of the Police Act, 1958, is hereby amended—
 (a) by the substitution in subsection (1) for the expression "two hundred rand" of the expression "R300", and
 (b) by the substitution in subsection (2) for the expression "R50" of the
 15 expression "R100"

Amendment of section 10 of Act 7 of 1958, as amended by section 8 of Act 64 of 1964, section 4 of Act 74 of 1967, section 5 of Act 64 of 1979, section 4 of Act 68 of 1984 and section 30 of Act 97 of 1986

3. Section 10 of the Police Act, 1958, is hereby amended—
 20 (a) by the substitution for subsection (6) of the following subsection
 "(6) After considering the evidence adduced at the enquiry and affording the commissioned officer charged or his legal adviser an opportunity of addressing the board of enquiry, the board shall find the said officer guilty or not guilty of the misconduct with which he has been charged and inform
 25 him of its finding. Provided that, if the officer charged admits [pursuant to a request under subsection (1) or to the board] that he is guilty of the

POLICE AMENDMENT ACT, 1988

Act No. 8, 1988

misconduct in question, he may, if the Commissioner **[approves]** has prior to the commencement of the enquiry by the board granted permission thereto, be found guilty without any evidence having been adduced ”,

(b) by the substitution for subsection (6A) of the following subsection

“(6A) A commissioned officer found guilty of misconduct may, within such period and in such manner as may be prescribed by regulation, appeal to the Minister against the finding of the board of enquiry and make representations in writing to the Minister in regard to **[the imposition of punishment]** any recommendation made by the board or the Commissioner under subsection (6B) ”,

(c) by the substitution for subsection (6B) of the following subsection.

“(6B) **[The board of enquiry shall and the Commissioner may]** After a board of enquiry has found a commissioned officer guilty of misconduct—

(a) the board shall make recommendations to the Minister in regard to any punishment which may be imposed upon **[a]** the commissioned officer **[found guilty]** under subsection (6C); and

(b) the Commissioner may make recommendations to the Minister in regard to any finding or recommendation of the board

Provided that the commissioned officer concerned shall, for the purposes of his representations referred to in subsection (6A), be notified of

[(a)] the **[recommendation]** recommendations of the board and

[(b)] the **recommendations of]** the Commissioner ”, and

(d) by the substitution for subsection (6C) of the following subsection:

“(6C) The Minister may, after considering the record of the proceedings before the board of enquiry, the recommendations of the board and the Commissioner, **[and]** the grounds of appeal of and any representations made by the commissioned officer charged, and the reply of the board and the Commissioner thereto—

(a) if he is of the opinion that for any reason there was a failure of justice, set aside the finding of the board, or

(b) direct that no further action be taken in connection with the matter, or

(c) direct that the matter be re-submitted to him for disposal in terms of this section after the expiry of such period, not exceeding 12 months, as he may specify, or

(d) direct that the commissioned officer concerned be cautioned or reprimanded, or

(e) **[impose]** direct that a fine not exceeding **[R200]** R300 be imposed upon the commissioned officer concerned, which may be recovered by way of **[stoppages]** deductions from the salary or allowances of the commissioned officer concerned, or

(f) direct that the salary of the commissioned officer concerned be reduced to a lower notch on the scale applicable to his rank; or

(g) take any of the steps referred to in section 3 (1B) (b) or refer the matter to the State President, who may thereupon order the Minister under that section to take any of the said steps; or

(h) make such other order as to him seems just ”

Amendment of section 17 of Act 7 of 1958, as amended by section 6 of Act 53 of 1961, section 10 of Act 64 of 1964 and section 8 of Act 64 of 1979

4. Section 17 of the Police Act, 1958, is hereby amended by the substitution for paragraph (b) of subsection (1A) of the following paragraph:

“(b) within a period of 12 months after the member’s enrolment as a member of the Force, if it appears to the Commissioner that, on account of unfitness for his duties or incapacity to carry them out efficiently or on account of any conduct which is prejudicial to the good order, efficient administration, control or discipline of the Force, the member is unfit to remain in the Force ”

Insertion of section 17A in Act 7 of 1958

5. The following section is hereby inserted in the Police Act, 1958, after section 17:

“**Summary discharge of commissioned officers**

17A. Notwithstanding the provisions of section 10, the Minister may

POLICE AMENDMENT ACT, 1988

Act No. 8, 1988

summarily discharge any commissioned officer from the Force if that officer is serving a sentence of imprisonment without the option of a fine in respect of any offence”.

Amendment of section 33 of Act 7 of 1958, as amended by section 8 of Act 53 of 1961, section 19 of Act 64 of 1964, section 1 of Act 80 of 1970, section 5 of Act 94 of 1972 and section 1 of Act 47 of 1981

6. Section 33 of the Police Act, 1958, is hereby amended by the substitution for paragraph (j) of subsection (1) of the following paragraph

10 “(j) appeals, and representations in regard to recommendations in terms of this Act,”

Short title

7. This Act shall be called the Police Amendment Act, 1988

Teacher's struggle with cop is relived

Sowetan 16/3/88 (251)

A SOSHANGUVE inquest magistrate was yesterday told that a Garankuwa teacher bled and started "talking in a confused manner" after he was involved in a struggle with a policeman.

This was said by Detective Sergeant W O'Reilly before Mr A C G Stander. He was testifying at an inquest into the death of Mr Johannes Mogotsi (24) just over a year ago.

Mr Mogotsi died a day after he and two other men were allegedly assaulted by a group of white men in Sinoville, Pretoria.

The dead man was with Mr S D Phalatse and Mr Reuben Phora at the time of the alleged assault.

Counsel for Detective Sgt O'Reilly and others, Mr E G Leeuvner, told

By ALINAH DUBE

the court that he was appearing for "the people who confronted the deceased at the time of his arrest."

The others are Mr R J Engelbrecht, Sgt S Roeland, Detective Sgt O J van Greunen, Sgt J H P Hanekom, Sgt T H Naude, Mr L E Jones, Mr D J Meyer and Mr D M T Erasmus.

Dance

The court heard that Detective Sgt O'Reilly and Sgt van Greunen were on their way to meet a friend at a dance in the city when they came across black men driving in a car on December 13, 1986.

The other people who were with him at his Sinoville home followed behind in another car. None of them had had drinks that night, he said.

He became suspicious when he saw a car occupied by black men going through a red light. He decided to follow

them.

"All of us were in civilian clothes and nothing could have made the black men realise that we were policemen. I followed the other car as its driver was changing lanes.

"I saw no reason why he had to drive through red traffic lights. I decided to confront him," the policeman said.

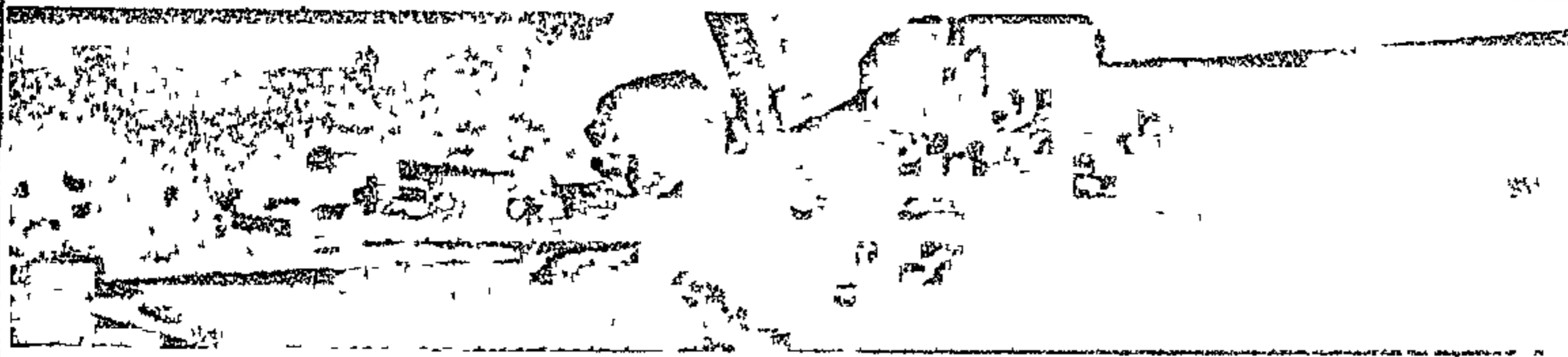
The court heard that the two cars stopped and the white policeman confronted the driver of the other car at the scene.

"The black man became aggressive. There was a struggle between us as he tried to escape.

"I identified myself as a policeman and told him he was under arrest. Both of us fell as the struggle continued," the policeman said.

The witness said Mr Mogotsi started bleeding from his nose and was half confused (*half deumekaai*). His clothes were torn, he said.

(Proceeding)



Trojan claim shock

By AYESHA ISMAIL

THE families of two boys killed in the Trojan Horse incident in Athlone in October 1985 will be making a civil claim only for funeral costs — which may be less than R1 000 in each case.

Lawyers are preparing the claims after an inquest court in Wynberg found last week that police had been negligent and consequently responsible for the death of Shaun Magmoed, 16, Michael Miranda, 11, and

Jonathan Claasens, 21.

The three died after police hidden on the back of an unmarked truck opened fire on a group on the corner of Thornton Road and St Simon Street.

No action has yet been taken against Lt Douw Vermeulen or the eight men who were under his command at the time of the incident.

Lt Attie Laubscher, the Western Cape police liaison officer, said the matter had been referred to the At-

torney-General.

"We cannot comment on whether the policemen would be charged with murder or culpable homicide," Laubscher said.

A lawyer acting for the families of Michael Miranda and Shaun Magmoed said they could claim for funeral costs only because the two were minors.

No claim was being prepared for Claasens because his family was not represented at the inquest.

~~2008~~ 251 Santa

D/D 16/3/88 (251) (251)

Murder accused tells of fear

Daily Dispatch
Correspondent

GRAHAMSTOWN —
Counsel for the State,
Mr W Kingsley, put it to
Constable David Goosen
yesterday that he knew
exactly what happened
at the Great Fish River
— he had deliberately
shot Mr Mlungisi Stuur-
man on Warrant/Officer
De Villiers' instructions

Const Goosen denied
it

W/O Leon de Villiers,
36, and Const David
Patrick Goosen, 27, are
being tried in the Su-
preme Court here on
two counts of murder,
two of assault and one of
attempting to defeat the
ends of justice, arising

out of alleged incidents
at Cradock on July 26,
1986

Asked why Constable
R Fourie and Constable
M P A Booyens would
lie to implicate him in a
murder charge, Const
Goosen said he had
heard stories of them
being threatened to give
certain evidence

Const Goosen had tes-
tified that near the river
he had been gripped by
a "great nameless fear"
and had drawn and
cocked his pistol

He agreed that he was
alert and poised, ready
for anything He did not
know what he feared,
but he felt threatened

Mr Justice Zietsman
"Could you think com-

pletely clearly at the
time?"

"I think I could," said
Const Goosen

The judge continued
to inquire about the
fear, but Const Goosen
could not explain it He
was sure, however, that
Mr Stuurman had posed
no threat to him

He did not tell Const
Fourie of his anxiety or
ask the others to take Mr
Stuurman to wash so
that he could leave

He could not remem-
ber what he had done
with his gun after the
shot

He conceded he was a
good shot and scored 85
per cent to 90 per cent at
target practice He

could have hit Mr Stuur-
man in the neck at the
range of two or three
metres if he tried

He was questioned
about his slipping or
stumbling before the
shot went off and said he
could not remember
which happened

He was more con-
vinced that a "sudden
move" by Mr Stuurman
had made him shoot

He could not say
whether he was claim-
ing an accidental shot
from a slip or whether
he fired as a result of Mr
Stuurman's sudden
move

"I don't know I think
about it so often and I
cannot say with cer-

tainty what happened,"
he said

He said he reported to
W/O De Villiers that he
had slipped and acci-
dentally shot Mr Stuur-
man because it was the
only way he could de-
scribe it at the time

If the witnesses said
he had taken a firm
stance before the shot,
he could not dispute it
because he could not re-
member

He said he had never
suffered from amnesia
before that he was
aware of, but he could
not remember what hap-
pened after the shot un-
til he reached the riot
van

The trial will continue
today

977 Time 251
16/3/88

Goosen shot on purpose — claim

Own Correspondent

GRAHAMSTOWN — Counsel for the state, Mr W Kingsley, put it to Constable David Patrick Goosen yesterday that he knew exactly what happened at the Great Fish River — he had deliberately shot Mr Mlungisi Stuurman on W/O Leon de Villiers's instructions

Const Goosen denied it.

W/O De Villiers, 36, and Const Goosen, 27, are being tried in the Supreme Court here on two counts of murder, two of assault and one of attempting to defeat the ends of justice, arising out of alleged incidents at Cradock on July 26, 1986

Const Goosen could not remember what he had done with his gun after the shot. He could not dispute the evidence that he had "made it safe" and holstered it.

He conceded he was a good shot and scored 85% to 90% at target practice. He could have hit Mr Stuurman in the neck at the range of two or three metres if he tried

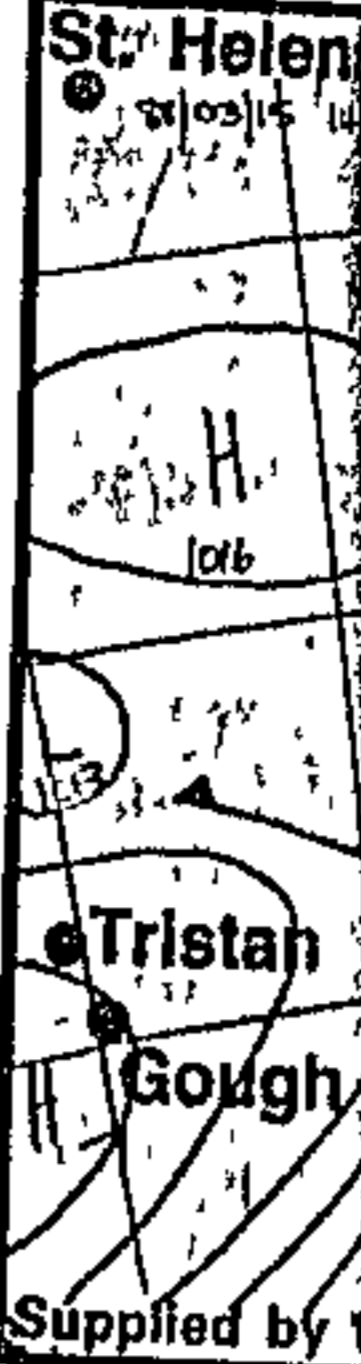
Questioned about his slipping or stumbling before the shot went off, he said he could not remember which happened

He was more convinced that a "sudden move" by Mr Stuurman had made him shoot

He said he reported to W/O De Villiers that he had slipped and accidentally shot Mr Stuurman because it was the only way he could describe it at the time.

If the witnesses said he had taken a firm stance before the shot, he could not dispute it because he could not remember

The trial will continue today



Clou

CAPE PENINSULA and Western Belt. Partly cloudy with rain at places partially in the night. Wind fresh north-west. minimum and temperature will 14 and 23 deg

Coastal belt Cape Inf

berg Bay. Partly cloudy

Coastal belt Plettenb

Alfred. Cloudy and

partially later

Coastal belt Port Alfred

ward. Cloudy and

ed showers

Namaqualand and the

ern Cape. Interior

and cool becoming

Pretoria. Witwaters

Eastern Highveld

and warm with

Transvaal. Partly cloudy

with isolated thunder

Free State. Fine and

ing cooler

Natal. Partly cloudy and

isolated thundershow

Namibia. Fine to part

warm

YESTERDAY'S RE

Barometer 10

Humidity

Temperature

max 25.4 min

(At D F Malan 24 hou

Hours of sunshine 11,

Wind (D F Malan) 8 p

knots

* Progra

6 00-8 00 Good

3.30: Use or A

3 45: Logo in t

4.00: Lady Low

4 15: Tolesix.

4.25: Hand in l

4.30: Santa Bar

5 00: The Cava

5 30: The Little

6 00: News

6 15: No Jacket

7.00: Inspector

Death, Whi

Det-Sgt feared police co-accused — claim



Gave evidence in court — Captain Neville Thoms, Commanding Officer of the West Rand Murder and Robbery Squad, with Major Oosthuizen

JOHANNESBURG — Detective-Sergeant Robert Edmund van der Merwe asked not to be kept in the same cell or prison as Captain Jack la Grange, his co-accused, because he was afraid of him, it was said yesterday in the Rand Supreme Court trial in which the two men are appearing on a double murder charge.

Det-Sgt Van der Merwe was also afraid to appear in the same court or on the same identification parade as Capt La Grange.

Both men pleaded not guilty to murdering Mr Bennie Alexander, an Emmerdale import-export agent, on September 28, and Mr Peter Godfrey Pillay, an Eldorado Park taxi owner, on October 4, and the attempted murder of Soweto building contractor Mr Ernst Molokoane on September 29.

In a confession made on December 8 to Soweto magistrate Mr Cornelius Bezuidenhout, Det-Sgt Van der Merwe said he was given a 22 revolver by Capt La Grange and asked to shoot Mr Ogle and Mr Molokoane because they were members of the African National Congress and drug smugglers, and headquarters in Pretoria had instructed they be eliminated.

A week later Capt La Grange gave him a 32 revolver and he shot Mr Pillay five times in the head because his co-accused told him Mr Pillay had ANC contacts, was a drug smuggler and was going to be questioned by Brixton police about the earlier shootings.

Yesterday, on the eighth day of the trial, Mr Klaus von Lieres, the Attorney-General of the Witwatersrand, closed the state case after calling 36 witnesses.

Col Britz in cross-examination by Mr Eddie Bruwer, for Capt La Grange, told the court his sympathies were with another witness, a Det-Sgt Van der Berg, but denied he had cooperated with the Det-Sgt Van der Berg in an attempt to incriminate Capt La Grange.

He also denied there had been an attempt by the investigation team to fabricate evidence against Capt La Grange.

Col Britz, who is also head of the Pretoria Murder and Robbery Squad, said he had not tried to influence Det-Sgt Van der Merwe by showing him an anonymous letter he had received in which certain allegations were made and Capt La Grange was named.

Rumours that the whole of the Brixton Murder and Robbery Squad was to be disbanded because of the investigations into the case were unfounded.

"I did not know Det-Sgt Van der Merwe and cannot say what sort of policeman he was, Capt La Grange. I knew well, and from what I saw of his work he was an outstandingly good investigation officer."

The case continues — Sapa



The widow of Mr Peter Godfrey Pillay who was allegedly shot as an alleged ANC member and drug smuggler

in brief . . .

CPM 7/10/88 16/3/88
Kitskonstabels: R13 a day *(251)*

SPECIAL constables — kitskonstabels — are paid R13 a day which was described as a "scandalous wage" yesterday by Mr Roger Burrows, the Natal PFP leader. "It can also be asked how the SAP hopes to attract the best possible candidates for what can be an extremely dangerous and sensitive job at this salary," he said.

Excerpted from ...

I feel open hatred, says murder accused

The Argus Correspondent

JOHANNESBURG. — Murder accused Detective Sergeant Robert Edmundt van der Merwe told the Rand Supreme Court that when he shot two men he believed what he was doing was correct and "in the interests of my country"

He said he was told that police headquarters wanted the two men "eliminated" because they were ANC members and drug dealers

His attitude since he had seen policemen killed and mutilated by the car bomb at the Johannesburg Magistrate's Court was one of "open hatred", he told Mr Justice Irving Steyn and two assessors

Sergeant van der Merwe, 30, was giving evidence at his trial for the murder of Mr Benmie Alex Ogle, an import/export agent of Ennerdale; Mr Peter Godfrey Pillay, a taxi owner of Eldorado Park, and the attempted murder of Mr Ernest Molokoane, a building contractor of Mapetla, Soweto

Head office

Appearing with him on similar charges is Captain Jack la Grange, 40, former head of the Brixton murder and robbery squad, who, he said, had asked him to shoot the men because head office wanted them eliminated

It was the ninth day of the hearing in which 36 witnesses have been called by the State.

Sergeant van der Merwe said "I changed my mind about my actions on November 23 Captain la Grange came to my home and said there was trouble regarding the shootings and we should 'get in there now and eliminate Brigadier Smit'.

"When I said I was not interested, he told me. 'If you talk about the incidents I will never see my wife and children again and I will arrange that your wife and children never see you again and you never see your wife and children again'"

It was then that Sergeant van der Merwe decided to explain to his commanding officer, Colonel Staal Burger, what he had admitted in a statement to a Soweto magistrate about the shooting

On December 8 he was taken to Pretoria and Lieutenant-Colonel Karel "Suiker" Britz, head of the investigation team, "showed" him that R35 000 was paid to Captain la Grange.

State witness

"He (Colonel Britz) said that if I co-operated with the police I would never see the inside of a cell

"Colonel Britz said he'd fought until 'his arms were stumps' to arrange for me to be a State witness and that nominal bail of R50 or R100 was discussed, but it was decided this low figure would look bad in the press and a figure of R1 000 was suggested

"After this I gave the police all the co-operation I possibly could," said Sergeant van der Merwe

In the cells before he appeared before a magistrate to be charged "the chances of my being a State witness still seemed to exist but when I appeared they evaporated"

The hearing continues today

S/D 17/3/88

Killing vital to SA thought witness (251)

JOHANNESBURG —
"My Lord, Van der
Merwe, can't you see
that man misused you"

Sergeant Robert van
der Merwe told the
Rand Supreme Court
yesterday this was the
response of his com-
manding officer, Colonel
Staal Burger, when he
explained his involve-
ment with the sus-
pended head of the East
Rand Murder and Rob-
bery branch, Captain
Jack la Grange, in the
shooting of three men he
believed to be ANC drug
dealers

Capt La Grange and
Sgt Van der Merwe have
both pleaded not guilty
to the murder of two al-
leged drug dealers and
the attempted murder of
a third

It is alleged they shot
Mr Bennie Ogle on Sep-
tember 28 last year, at-
tempted to murder, Mr
Ernest Malakaone the
next day, and murdered
Mr Peter Pillay on Oc-
tober 4 last year

In a statement to a
magistrate, the contents
of which were admitted
by Sgt Van der Merwe

yesterday, he said Capt
La Grange informed him
that they were to shoot
two ANC members who
were dealing in drugs,
and the third person
they eliminated had
ANC connections

He said yesterday that
at the time he believed
what he did was of nat-
ional importance and on
the orders of an officer

On November 22 last
year Capt La Grange
came to his house and
said there were difficul-
ties over the three
shootings and they had
to get in the car and go
and eliminate Brigadier
Basie Smit

He said he told Capt
La Grange he was not in-
terested in what he was
saying

He added that Colonel
Burger said he would
take the necessary steps

Sgt Van der Merwe
said he had had no
doubts that the orders to
"eliminate" what he be-
lieved to be ANC mem-
bers had come from
head office — DDC

The trial continues today

VAN DER MERWE'S STORY

SERGEANT Edmundt Robert van der Merwe, the Brixton Murder and Robbery Squad policeman facing two charges of murder, yesterday told the Rand Supreme Court he shot three men because he believed they were members of

By MANDLA NDLAZI
the African National Congress. He also told the court that his co-accused, Captain Jack la Grange, told him he would never see his wife and children again if he talked about the shootings. Two

alleged drug dealers were killed and a Soweto businessman was injured in the attacks. Sgt van der Merwe (30), and Captain la Grange (40), former head of the East Rand Robbery Squad, are appearing before Mr Justice Irving Steyn and

two assessors on charges of murder and attempted murder. The State alleges they murdered Mr Bennie Alex Ogle, an import-export agent outside his Ennerdale home on September 29 last year.

● To Page 4

death threats and unchristian slander and

COP SAYS HE SHOT ANC MEN

From Page 1
and three hours later wounded Mr Ernest Molokoane, a Soweto businessman outside his double-storey house in Mafeta township, and murdered Mr Peter Godfrey Pillay, an Eldorado Park taxi owner at a dirt road near Riverlea on October 4 of that year.

The two policemen have pleaded not guilty. The court's public gallery was packed to capacity and some people stood in the corridors to listen to the evidence.

In his evidence Sgt van der Merwe admitted that he pulled the trigger and shot the three alleged drug dealers. He said he acted on Captain la Grange's instructions and believed that the three men he shot were ANC members.

Sgt van der Merwe said he had believed what he did was correct as he was instructed by Captain la Grange. He changed his opinion on the correctness of his actions when Captain la Grange came to him and told him there was trouble about the shootings.

Colonel Burger told him they should get into the car and rush to eliminate Brigadier Basie Smit. He said he told Captain la Grange that he was not interested.

He said he then realised that there was a problem. It troubled his mind so much that he passed one and failed three of the subjects of an examination. After this he went to see Lieutenant Colonel Burger and spoke to him privately in his office. He said he told Colonel Burger his story in the same manner as it appeared in his confession on how he got involved in the shootings. Sgt van der Merwe said Colonel Burger's reply was "My God, Van der Merwe, can't you see he was musing you?"

On December 8 Colonel Britz and Warrant Officer Oosthuizen met him in Colonel Burger's office. They later drove out with him to Pretoria. On the way, he said, Warrant Officer Oosthuizen said the only thing to help him out of this was to tell the truth.

Sgt van der Merwe said he denied any knowledge of the shootings because what he said to Colonel Burger was in confidence and did not know how much Colonel Britz knew about this. He said he asked if Brigadier Smit might have ordered the killings and Colonel Britz laughed. Colonel Britz told him that he was going to prove that R35000 was paid to him (Van der Merwe) and Captain la Grange. Sgt van der Merwe said on hearing this he realised he had to tell the truth and cooperate.

Soweto 17/3/88 251

NEW allegations around activist's death

A POLICEMAN threatened to "make an example" of Sicelo Dhlomo only weeks before he was found murdered, according to an ex-detainee and colleague of the activist and volunteer human rights worker

"When the policeman said he wanted to make an example of Sicelo, I understood that he wanted to kill Sicelo," Cecil Mabiletsa wrote in a sworn affidavit.

On January 25 — six weeks after this alleged conversation — Dhlomo, a member of the Soweto Students Congress and a volunteer worker for the now restricted Detainees' Parents Support Committee, was found shot in the head.

The police division of public relations yesterday said this allegation was false, adding that "it is obvious efforts are being made to discredit the police".

Dhlomo last year appeared in the CBS documentary "Children of Apartheid", as well as on the BBC and a Dutch television station. He alleged he had been tortured while in Emergency detention.

Mabiletsa, a former general secretary of the Soweto Students Congress, was held in Emergency detention between June and November 1986. He and Dhlomo had previously been co-accused in an attempted murder trial. These charges, later dropped, were "trumped up", he said in his affidavit.

He describes how he received a note from the security branch at Protea Police Station on December 20, 1987 — only five days after being released from detention.

"I went to the Protea security branch on 27 December 1987 ... I was interrogated by three policemen.

"Amongst them was Van Reenen, who was the investigating officer in my attempted murder trial. I was shown a gun and literature and photographs and my school books. The interrogators alleged that they found the gun and the illegal literature at my place.

"When Van Reenen walked into the office he commented that I was the friend of Sicelo Dhlomo who had appeared in propaganda TV. Van Reenen further said that he will simply make an example of Sicelo Dhlomo.

"He also threatened that he will round us all up. I was not assaulted on that day. When the policemen said he wanted to make an example of Sicelo, I understood that he wanted to

A policeman threatened to 'make an example' of activist Sicelo Dhlomo six weeks before his death, says an ex-detainee. By VUSI GUNENE

kill Sicelo," he said. Mabiletsa is still being sought by police, who are visiting his home up to three times a day

"Towards the end of January 1988, I received a note from the police who said that I should report on February 3 1988 at the Protea Murder and Robbery Unit, and I should see Detective Warrant Officer Ndlovu. I did not go.

"On February 4, 1988 at approximately 5am, Steenkamp and several other security police arrived at home and I was arrested and taken to Protea Police Station. I was interrogated regarding my political views and my activities .. relating to local campaigns, rent boycotts, people's education, people's power etc.

"He also asked me who killed Sicelo and I said that I do not know. One of the last questions that he asked me was my views on MK (the ANC's military wing). I declined to comment on that as I had explained to him that it was an unlawful organisation.

"Thereafter he tried to recruit me as an informer. I advised that I will have to consult with senior members of the family and relatives, friends and then advise him accordingly.

"He also told me that he will come to my place to get my answer. I did not go back to him and these days on occasions he comes home three times a day looking for me but he is unable to find me," he said in the affidavit.

In a statement released this week, the South African Council of Churches blamed the "blanket censorship of army and police action reporting" for the fact that a number of "incidents have gone unnoticed".

SACC general secretary, Reverend Frank Chikane, wrote to the minister of defence early last month enquiring about alleged assaults and harassment of six people by members of the security forces

The six were allegedly assaulted during hours of darkness, "hampering the identification of the soldiers who assaulted the individuals".

He condemned the actions and requested the minister to initiate "an immediate enquiry" to bring the "perpetrators" of such injustices to order

Mabiletsa was among the six people allegedly assaulted on December 10.

In reply, the minister promised to look into the alleged assaults: "The matter is receiving attention and further correspondence will be directed to you (the general secretary) in due course"

Asked to comment yesterday, the SAP public relations division said "As regards the alleged assault on Cecil Mabiletsa and five others by members of the SADF, you say yourselves that the matter was referred to the Minister of Defence and that he replied to the general secretary of the SACC. Consequently, we have nothing to add

"If those persons who allege they were assaulted have not yet reported the matter to the police, they may do so at any time. They should furnish the SAP with written affidavits through any of the recognised channels and we will investigate the matter."

18-24/3/88



25

W/mail

Sister Ncube plans to sue Minister

By Bruce Anderson
and Winnie Graham

Sister Bernard Ncube and 14 others are to sue the Minister of Law and Order for a total of R5,5 million for alleged unlawful arrest, says Miss P Jana, their attorney.

Sedition and subversion charges against Sister Ncube, president of the Federation of Transvaal Women, and her 13 co-accused were quashed by a Johannesburg magistrate yesterday.

They appeared in court

with a man, Mr Bizos Katane, who had been detained with them, but not charged.

Ten people, Mr Christopher Sithole, Mr Morgan Montoedi, Mr George Xolehwe, Mr Moses Kelebone, Mr Isaac Genu, Miss Joana Mokowe, Sister Bernard Ncube, Mr Jerry Kgopela, Mr Laurence Ntlokoa and Mr Bizos Katane were suing for R365 000 each.

Mr Steyen Montingoe was suing for R366 417, Miss Phana Molefe for R380 600, Mr Mathews

Kope for R371 500, Mr Joe Makgotlo for R410 240 and Mr Abel Mokonyane for R369 200.

It was submitted that the State had not complied with an order by Mr J J B Esterhuizen on February 2 which required it to furnish further particulars.

Opposing the application yesterday, Mr H van Eeden denied that the State had not supplied the accused with further particulars and maintained the accused knew exactly what the charges were.

He submitted that the accused had been supplied with sufficient particulars to prepare their defence.

The State had alleged that the group were involved in creating local authorities in the Kagiso and Munsieville townships near Krugersdorp. It was also alleged that the 14 people established courts where people received corporal punishment, campaigned against the police and councillors in the area and started a boycott.

COP WANTED TO DO RIGHT THING

SERGEANT Robert Edmundt van der Merwe yesterday told the Rand Supreme Court that he was only interested in what was right and just in the country when he got involved in the shooting of the three men he was told were members of the ANC.

He said he later realised that he was misused by Captain Jack la Grange. He would not have done this if he knew money was involved.

This was his second day in the witness box and was being cross-

By **MANDLA
NDLAZI**

examined by Mr Eddie Breuwer, counsel for Captain la Grange.

The two policemen, Sgt van der Merwe (30) of the Brixton Murder and Robbery Squad, and Captain Jack la Grange (40) former head of the East Rand Murder and Robbery Squad, are appearing before Mr Justice Irving Steyn and two assessors on charges of murder and attempted murder.

The State alleges that they murdered Mr Bennie Alex Ogle, an

import-export agent outside his home in Ennerdale on September 29 last year and three hours later wounded Mr Ernest Mokokoane, a Soweto businessman outside his double storey house in Mapetla, and murdered Mr Peter Godfrey Pillay, an Eldorado Park taxi owner on a dirt road near Riverlea on October 4 of that year.

They have pleaded not guilty.

Under cross-examination, Sgt van der Merwe said at one stage he was told he would be a State witness and would never see the inside of a cell if he co-operated. But when he saw a certificate that refused him bail he realised that his chances of becoming a witness were gone.

Sgt van der Merwe said in a statement before court Captain la Grange told him the men they were to kill were drug dealers and ANC members responsible for supplying arms to robbers. After Mr Ogle and Mr Molokoane were shot, Captain la Grange told him headquarters had ordered the elimination of Mr Pillay because he was an informer and posed a threat to the previous operation.

(Proceeding)

Sowetan
18/3/88

251

D/D 18/3/88.

Constable says he was told major threatened witnesses

251

Daily Dispatch
Correspondent

GRAHAMSTOWN — Constable David Patrick Goosen told the Supreme Court here yesterday he had been informed that Major G Goosen had threatened state witnesses that if they did not testify the way he wanted them to he had ministerial permission to lock them up until they did

Const Goosen, 27, and Warrant Officer Leon de Villiers, 36, are being tried on two counts of murder, two of assault and one of attempting to defeat the ends of justice arising from alleged incidents in Cradock on July 26, 1986

Toward the end of his

1. Clerk Q.P. 3 years.

fourth day of cross-examination Const Goosen was asked again why his colleagues would testify falsely against him

Mr W Kingsley, for the state, was referring specifically to the testimony that Const Goosen had stabbed "the man in the white shirt", also referred to as "suspect number one" who was probably Mr Michael Qhina.

Const Goosen said a witness told him he had informed Major Goosen that he had seen a person bending over the victim and thrusting with his arm, possibly delivering a blow with the fist

Major Goosen told the witness he must say that

person was Const Goosen and what he saw was a stab with a diving knife

If he did not testify to that effect he, Major Goosen, had permission from the Minister to lock him up until he did

Mr Justice Zietsman asked whether it was one of the state witnesses who had given him this information and Const Goosen said it was

When Mr Kingsley suggested Const Goosen had "sucked the story out of his thumb", Mr C Jansen, SC, asked how Mr Kingsley could make such a submission knowing that the witnesses had been made available to the defence

Mr Justice Zietsman pointed out that there had indeed been an opportunity for Const Goosen to have heard the story

Closing his cross-examination, Mr Kingsley submitted that Const Goosen had grossly exaggerated the traumatic experiences that led to his alleged "fear complex"

He submitted that the blood brother ceremony had in fact been an important part of the "weekend's fun", designed to secure the new members' silence

He suggested the night expedition into the black township was not only unofficial but was specifically aimed at assaulting black people to "blood" the new members

He said that W/O De Villiers and Const Goosen knew that people would be injured and possibly killed, and approved of it

On the following morning when Mr Mlungisi Stuurman was caught, his youth and obviously political T-shirt were like a red rag to a bull

W/O De Villiers and Const Goosen decided to question and assault him mercilessly. When they realised he was badly injured they decided to take him out

All this Const Goosen denied

The trial will continue today.

D/P 15/3/88

Officer says he told accused he was not involved in case

251

Daily Dispatch Reporter

EAST LONDON — A sergeant in South African Police told the regional court yesterday he had told a terrorism trial accused that he was not involved in the accused's case when he acted as an interpreter for him

Detective-Sergeant Mzwandile Dinwayo was testifying in a trial within the trial of Mr Mzwabantu Errol Dapula and Mr Fikile Owen Gwadana, who are alleged to have prepared and planted an explosive device in the Fred Pettit Centre in Queenstown on June 28, 1986

They have pleaded not guilty

The trial-within-a-trial is to test the admissibility of the contents of a "pointing out document", which included a statement given by Mr Gwadana to Lieutenant William Charles Landman of the SAP, who, because of his rank, had acted as a justice of the peace

Sgt Dinwayo who had acted as interpreter

when Lieut Landman had warned Mr Gwadana of his rights and again when they went to "the scene" where Mr Gwadana could "point things out"

The defence counsel Advocate Justice Poswa said Mr Gwadana had told him that neither Sgt Dinwayo nor Lieut Landman had mentioned that they were not investigating the case

Sgt Dinwayo replied that although it had not been written down in the pointing out document, their non-involvement in the case had been raised

Mr Poswa replied "The accused said no I specially raised the point with him"

He said Mr Gwadana had told him that neither Lieut Landman nor Sgt Dinwayo had asked Mr Gwadana how the "investigating team" was treating him

Mr Poswa asked the sergeant if he could remember interpreting for Lieut Landman and Mr

Gwadana after they left the office

"I don't remember He started talking English," Sgt Dinwayo said

He said that there could have been parts that he did interpret

Sgt Dinwayo said that he had no recollection of what happened at "the scene" except "some pictures were taken"

Mr Poswa asked the sergeant if an "accused might act violently at a pointing out"

Sgt Dinwayo said he had never been to a pointing out before

Mr Poswa said "The accused said that you did not say that Lieut Landman was a justice of the peace or a peace officer"

He said that Mr Gwadana had told him that Sgt Dinwayo had introduced Lieut Landman, in Xhosa, by saying "He is a policeman, a lieutenant in the South African Police"

Sgt Dinwayo said he remembered saying

something like that, but not with that wording

"I tried to explain that he was an officer of a high rank," he said

Mr Poswa said that Mr Gwadana had not been told that Sgt Dinwayo and Lieut Landman came from East London

"The accused said that you did not say that you weren't from the security police," Mr Poswa added

Sgt Dinwayo replied that he could not remember "exactly if he did not know"

"I thought that since he was from the Queenstown area, he would know who the policemen were," he said

The case was postponed until Monday Both accused were remanded

Advocate Poswa was instructed by Mr T M Ntsaluba of the Sangoni Partnership

R5,5m sought by 14 freed detainees

FOURTEEN members of the Kagiso Residents' Organisation, who have been on charges of subversion and sedition since August last year, are to sue the Minister of Law and Order, for R5,5m for pain and suffering and loss of earnings.

All charges against the 14 accused, including Sister Bernard Ncube, of St Mary's Convent in Kagiso, were dropped in the Johannesburg Regional Court yesterday.

A 15th member of the organisation who was not charged, Bizo Laurence Katane, is also suing the Minister. — Sapa.

251 b/day
18/3/88

251

Death of police brigadier who defied Minister

Staff Reporter

BRIGADIER Ignatius Petrus Stephanus Terblanche, the man who defied a Minister of Police and saved Cape Town from a bloodbath nine days after the Sharpeville shootings in 1960, has died. He was 84.

His refusal to use force against thousands of blacks in the city centre cost him dearly — he was not promoted to the rank of brigadier in 1961.

Suggestions at the time were that his promotion was deliberately withheld by the then Minister of Police, Mr Frans Erasmus, because he refused to obey orders.

PROMOTED

Colonel Terblanche was only promoted last year to the rank of brigadier.

Minister of Law and Order Mr Adriaan Vlok, who announced the promotion, said it was not righting the wrongs of the past.

Brigadier Terblanche was honoured because of his work following his retirement from the police in 1961, Mr Vlok said.

In an interview after his promotion, Brigadier Terblanche said: "I was blamed for not using force. I was an outcast, even among my colleagues."

"But if I had used force, it would have been a massacre."

"My elevation in rank was obviously withheld because of what happened."

On March 30, 1960, 30 000 people marched to Cape Town, led by Pan Africanist Congress regional secretary, Mr Philip Kgosana, to demand the release of prisoners.

Mr Erasmus telephoned the then Colonel Terblanche from Parliament with instructions which he failed to carry out.

Brigadier Terblanche

Instead, he negotiated with Mr Kgosana, persuading him to order the marchers to disperse.

In return, he would arrange for him to have an afternoon meeting with the Minister.

Mr Kgosana agreed.

A police escort accompanied the marchers to their homes to continue the countrywide strike already crippling some industries.

Mr Kgosana was arrested when he returned to Cape Town for his meeting with Mr Erasmus. He spent nine months in detention before he was freed. He later fled the country.

"HURT"

His arrest deeply disturbed Brigadier Terblanche. "I was hurt because it stamped me as breaking my promise," he said.

Brigadier Terblanche was blinded in the right eye during police action in the Witzieshoek Reserve in 1940.

After his retirement, Brigadier Terblanche was chairman of the Simon van der Stel Foundation and director of Kirstenbosch Jubilee.

Arduous journey lies ahead in shadow of noose

The Six live to fight on

PATRICK LAURENCE

THE winning of a stay of execution for the Sharpeville Six is but a first small step in the quest by their lawyers to save them from the gallows. A long and arduous journey still lies ahead.

Led by Mr. Denis Kuny, SC, they now have a bare month — until April 18 — to prepare an application to the Supreme Court for the trial to be re-opened.

If the application fails, the Six — five men and a woman — will die on the gallows. If it succeeds, it merely clears the way to another formidable and daunting challenge, persuading the new trial court that the six are not guilty of murdering the Deputy Mayor of Sharpeville, Mr. Khuzwayo Dlamini.

The Appeal Court has already ruled that the Six "shared a common purpose to kill the deceased with the mob as a whole" thus, in the event of a new trial, it will almost certainly not be enough for their lawyers to prove none of the Six contributed directly to Mr. Dlamini's death at the hands of an enraged crowd on September 3 1964.

First steps to save the Six came during four days of intense drama, as lawyers, watched by people throughout the world, raced against time to stave off them from the hangman's noose.

On Monday March 14, Mr. Prakash Dhar, the instructing attorney in the four-month trial of the Six in 1965 and later in the appeal against their conviction to the Appellate Division of the Supreme Court, heard via the grapevine that his clients — Duma Khumalo, Francis Mokoena, Reid Mokoena, Oupa Dunsu, Theresa Ramathamola and Mojalela Selatso — were to be hanged on Friday March 18.

Frantic calls

After frantic telephone calls to the Department of Justice and to the Prisons Department he knew that the petition for clemency which had been sent to President Botha had failed and that "an order for the executions had been issued for Friday". Over the next 24 hours the quietly spoken lawyer faced two critical problems in his bid to stop the executions.

First, Mr. Acting Justice Paul Human, who presided over the original trial, was unable to hear an urgent application for a stay of execution until Wednesday. The advocate who represented the Six in that 1965 trial, Mr. Jack Unterhaller, was only free to argue the application on Tuesday. Mr. Prakash had to find an alternative senior counsel to argue the application.

Mr. Kuny, at that stage still unfamiliar with the details of the case, was approached. He agreed to represent the Six. The first problem was solved.

But the second remained. It was to locate a State witness, Mr. Joseph Manete, and persuade him to agree to allow a statement he had made in May 1965 to be placed before Mr. Justice Human in support of the application for a stay

March 30 still haunted policeman

SATURDAY STAR CORRESPONDENT

CAPE TOWN — Brigadier Ignatius Petrus Stephanus Terblanche the man who defied a Minister of Police and saved Cape Town from a bloodbath nine days after the Sharpeville shootings in 1960, died this week. He was 84.

His refusal to use force against thousands of blacks in the city centre cost him dearly — he was not promoted to the rank of brigadier in 1961.

Suggestions at the time were that his promotion was deliberately withheld by the then Minister of Police, Mr. Frans Erasmus, because he refused to obey orders.

Colonel Terblanche was only promoted to the rank of Brigadier last year.

Minister of Law and Order Mr. Adriaan Vlok who announced the promotion, said the gesture was not righting the wrongs of the past. Brigadier Terblanche was honoured, he said, because of his work following his retirement from the police in 1961.

In an interview after his promotion, Brigadier Terblanche said "I was blamed for not using force. I was an outcast, even among my colleagues."



BRIGADIER TERBLANCHE

"If I had used force it would have been a massacre. My elevation in rank was obviously withheld because of what happened."

On March 30 1960, 30 000 people marched to Cape Town, led by Pan Africanist Congress regional secretary

of execution

Mr. Manete, a student at the time of the surge of violence in the Vyal Triangle which led to the murder of Mr. Dlamini, was detained by the police during their investigations into the killing.

In May 1965, he consulted an attorney with Ismail Ayob and Associates, charging that he should be forced by the police to make a statement implicating two of the Six — Khumalo and Mokoena — in the murder of Mr. Dlamini. He feared that he might be subpoenaed to give evidence for State.

Mr. Manete was in fact subpoenaed and testified anonymously as X2, his evidence helping the State to secure convictions against Khumalo and Mokoena. During the trial of the Six, defence counsel who knew of the May 11 statement sought permission to cross-examine Mr. Manete on it. Permission was refused by Mr. Justice Human, who ruled that the confidentiality between a client and his attorney was a fundamental principle of law. The Appeal Court took the same view.

Mr. Philip Kgosana, to demand release of prisoners.

Mr. Erasmus telephoned the then Colonel Terblanche from Parliament with instructions which he failed to carry out. Instead, he negotiated with Mr. Kgosana, persuading him to order the marchers to disperse. In return, he would arrange for him a meeting with the Minister.

A police escort accompanied the marchers to their homes to continue a crippling countryside strike.

Mr. Kgosana was arrested when he returned to Cape Town for his meeting with Mr. Erasmus. He spent nine months in detention. He later fled the country.

His arrest deeply disturbed Brigadier Terblanche. "I was hurt because it stamped me as breaking my promise," Brigadier Terblanche was blinded in his right eye during police action in the Witwatersrand Reserve in 1940.

After his retirement, Brigadier Terblanche was chairman of the Simon van der Stal Foundation and Director of Kurstenbosch Jubilee. See Page 8

urgent application to Mr Justice Human

less than 48 hours before their deaths were due to be executed. Mr Justice Human adjourned the hearing to Thursday indicating that he wanted to know why Mr Manete had taken so long to waive his rights.

Supplementary affidavits were obtained from Mr. Dhar and Mr. Bham and the scene was set for hearing on Thursday at the Palace of Justice in Pretoria.

At an earlier press briefing at which it was noted that pleas for mercy had come from readers for whom the South African Government has the greatest respect — presumably reference to President Reagan, Prime Minister Margaret Thatcher and Chancellor Helmut Kohl.

Mr. David Steward of the Bureau for Information, said "Under these circumstances there was no doubt a great temptation to indulge for humanitarian and political purposes in the due process of law and accede to these requests. The Government's responsibility, however transcends such considerations."

The fate of the Six hinged on the plea for a stay of execution, due to be heard only 44 hours later. News of the terror bomb in Krugersdorp which claimed the lives of three men added to the drama.

Cries of joy

The hearing opened in a small courtroom packed with journalists and friends and relatives of the accused. Perspiring from the heat and tension, they heard Mr. Kuny tell the judge that the request for a stay of execution was to allow justice to pursue its ultimate course.

But before Mr. Kuny could complete his sentence, the judge interrupted him. "It is a matter of life and death," he said.

It was a signal that the white-haired judge who had been perceived as a tough-minded conservative — might grant a stay of execution. When the court adjourned for lunch, there the excited exchanges between the spectators as they left the building.

They had to endure a few anxious moments after lunch, however, when counsel for the State, Mr. Jan Hugo, argued that there was no point in granting a stay of execution. Even if, he contended, Mr. Manete's evidence was scrupulously from the record entirely the case against the Six was overwhelming.

Mr. Justice Human, however, cited a section from the Appeal Court judgment of Mr. Manete's evidence was rejected there would have been a re-appraisal of the whole trial. His concluding sentence drew cries of joy from the public gallery. "I am of the view that there is sufficient material before me to order a stay of execution."

If the Six were reprieved the man who shared death row with them, and with whom they were scheduled to be hanged, was not, Teso Letsosara convicted for "necklacing" a black woman from Port Elizabeth, Mrs. Nozipho Mweye in 1965 was hanged early yesterday. He was the 22nd person hanged since January 1

Policeman says he shot man until gun empty

D/D 19/3/88

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JOHANNESBURG — "Why didn't you give the donder (blighter) another shot while he was down?" Captain Jack la Grange asked Detective-Sergeant Robert van der Merwe after he (the sergeant) had shot Mr Ernest Molokoane five times on September 29 last year

This was given in evidence by Sergeant Van der Merwe in the Supreme Court here yesterday, who said his reply to Captain La Grange was that he had run out of ammunition

Sergeant Van der Merwe also said he thought he had killed Mr Molokoane — when he saw him alive later at the Brixton Police Station, he got a fright

He told Captain La Grange he had seen the man that they were supposed to have elimi-

nated and Captain La Grange said "We will have to make a plan"

Sergeant Robert Edmundt van der Merwe, 30, of the Brixton Murder and Robbery Squad, and Captain Jack la Grange, 40, former head of the East Rand Murder and Robbery Squad, are appearing on charges of murdering Mr Bennie Alex Ogle and Mr Peter Godfrey Pillay, and the attempted murder of Mr Molokoane

They have pleaded not guilty to the charges. At the resumption of yesterday's proceedings, the Attorney-General of the Witwatersrand, Mr Klaus von Lieres, SC, asked Sergeant van der Merwe what he felt after killing Mr Ogle

Sergeant Van der Merwe replied. "Captain La Grange said 'My God Van, I didn't know you could do it,' and I

felt flattered"

They then went to Mr Molokoane's home in to eliminate him

A man had arrived later "We asked him if we could have a look at his Porsche He said the car was at the panel-beaters Captain La Grange asked to see the registration papers

"The man came with us to the police car Captain La Grange nodded at me — the signal to indicate the man was Mr Molokoane and I should shoot him

"Mr Molokoane saw me draw the pistol, turned around and ran

"I fired at him until the weapon was empty and he fell I ran to the car and we drove off"

Sergeant Van der Merwe said his justification for shooting Mr Molokoane was that he was a member of the ANC

and instructions had come from head office to eliminate him

Mr Van Lieres asked "You must have seen gruesome murders before in the course of your duties", to which he replied "I have seen gruesome murders involving child killings and gang killings"

Mr Van Lieres "Had you not thought of shooting down those responsible for those killings?" — "No I brought them to the dock"

Mr Pillay, one of his informers, presented a danger to head office in connection with the first two shootings and there were instructions to eliminate him

"I asked Captain La Grange where the instruction came from and he said from Brigadier Basie Smit at head office"— Sapa

'I was flattered after shooting'

"When I saw Mr Molokoane, the man I thought I'd shot dead, at Brixton I got such a fright that I ran upstairs and locked myself in my office," Detective Sergeant Robert Edmundt van der Merwe said in the Rand Supreme Court yesterday.

Sergeant van der Merwe told the judge that he then shaved off his moustache because he feared detection.

These were just some of the incidents brought to light in the story the 30-year-old Sergeant van der Merwe of the Brixton Murder and Robbery Squad told in the three days that he gave evidence. He described how he went about killing two men and wounding another after, he said, being told by Captain Jack la Grange (40), former head of the East Rand Murder and Robbery Squad, to eliminate them on "instructions" from police head office because they were active in the ANC and drug smugglers.

The story he told tallied with a confession he made, which was read to the court by a Soweto magistrate, Mr Cornelius Bezuidenhout, of the cold-blooded way he went about shooting the men, killing Mr Benjie Alex Ogle of Ennerdale on September 28, Mr Peter Godfrey Pillay of Eldorado Park on October 4, and wounding Mr Ernst Molokoane of Mapetla, Soweto, on September 29.

Sergeant van der Merwe and Captain Jack la Grange are appearing on charges of murdering Mr Ogle and Mr Pillay and for the attempted murder of Mr Molokoane. They have pleaded not guilty to the charges.

Mr Eddie Bruwer, for Captain la Grange, indicat-

ed during his day-long cross-examination of Sergeant van der Merwe, that the defence would try to prove that the investigating team, under Lieutenant Colonel Karel Britz, had tried to influence Sergeant van der Merwe to incriminate his client by promising him, if he co-operated and made a confession, he would be called as a State witness.

At the end of yesterday's proceedings, Mr Bruwer said Captain la Grange would deny any involvement in the crimes.

At the end of cross-examination by Mr Klaus von Lieres, SC, the Attorney-General of the Witwatersrand, Sergeant van der Merwe said Captain la Grange had on several occasions offered to pay for his defence if he would agree they fight the case together.

"I told him I was not interested," Sergeant van der Merwe said.

The sergeant said repeatedly he was convinced at the time, and still believed, that the men they eliminated were members of the ANC and that they had to be removed in the interests of the country.

"Captain la Grange and I did it. I still respect and admire him even though he misused me," he said.

Yesterday, Mr von Lieres asked Sergeant van der Merwe how he felt after he killed Mr Ogle. Sergeant van der Merwe replied "Captain la Grange said 'My God Van, I didn't know you could do it,' and I was flattered."

The hearing continues on Monday.

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JOE OPENSHAW

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Man could have died from blow says professor

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Daily Dispatch Correspondent

GRAHAMSTOWN — There was a possibility that one of the victims in the Cradock murder trial had not died of an abdominal stab wound as the state alleged, a specialist witness told the Supreme Court here yesterday

Before the court were Warrant/Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, charged on two counts of murder, two of assault and one of attempting to defeat the ends of justice arising from alleged incidents in Cradock on July 26, 1986

Professor J. D. Loubser, a specialist professor from Pretoria, who was called by the defence to testify about the death of Mr Andile Plaatje, said another possibility was that Mr Plaatje died of subdural bleeding after being felled by a blow from one of the state witnesses

The post-mortem report submitted to court was significant for its cryptic wording

He could not understand from the information contained in it how the doctor performing the post-mortem could have reached the conclusion he did as to the cause of death

He said it was also significant that the skull was not opened as required by the regulations governing post-mortems.

If it had been subdural bleeding, if present, would have been immediately apparent.

He canvassed the various ways the stab/wound of the abdomen could have caused the death

But the lack of observed symptoms, the absence of clinical pathological correlation and the time factor involved, made them no more than possibilities

The trial will continue on Monday.

KITS (KONSTABEL) KASKEWADDES

W/LE ARGUS 19/3/88

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A T a passing out parade of special constables (Kitskonstabels) at Goodwood recently, the Deputy Minister of Law and Order Mr Roelf Meyer said the controversial force was owed a debt of gratitude for its active role in curbing violence during recent unrest.

Debt of gratitude or not, in their short history the force was founded in mid-1986 — kitskonstabels have aroused much controversy and even involved in numerous Supreme Court actions.

But Mr Meyer said this was largely because they had been the victims of a "vicious and callous intimidation campaign" although there had been a few "not so loyal" who had resorted to actions that could never be condoned. They had been rapidly identified and had to face the consequences.

Armed with shotguns and stamboks, the "in-lant" policemen (kitskonstabels) had hardly begun their duties before they were hitting the headlines.

"Kitskonstabel goes beserk"; "Kitskonstabels did after four die in shooting"; "Kitskonstabels lead not guilty to murder charge"; "Grave concern over kitscops" were just some of these headlines.

By October 1987, guns issued to kitskonstabels had been used in 95 crimes, including 12

murders, 27 attempted murders seven armed robberies, according to official statistics. Special constables had been disciplined 632 times for overstepping their authority or neglecting their duty.

The Supreme Court has ordered police on at least three occasions to stop them harassing assaulting and intimidating communities.

The kitskonstabel controversy can perhaps best be seen in microcosm in the sprawling black township of Bongolethu in Oudtshoorn where their actions have been the subject of a Supreme Court application.

The residents of Bongolethu have fought two court battles in an attempt to curb the "reign of unchallengeable terror" by 15 special constables.

It has been made a final order of the Supreme Court that the special constables will not unlawfully detain, harass, assault or intimidate residents.

THE ALLEGATIONS

IN papers before the Supreme Court a wide range of Bongolethu residents, from comrades to housewives to businessmen accused the kitskonstabels of assaults, harassment, abuse of power, drunkenness and waging personal vendettas.

Among the allegations

● MRS Ethol Blom, mother of five, said she was hit by a white policeman and a special constable at the mobile police station in Bongolethu. The special constable also hit her with a stick on the head and throttled her. She was seven months pregnant.

● ANGELINE Lumkwana said she was stabbed in her arm by a special constable after refusing to give him a cigarette. He said he was "only playing". Police refused to take a statement.

● MR Wilson Magudu claimed he was hit on the cheek with a shotgun butt in the street by a special constable. When he went to lay a complaint, his girlfriend was assaulted by a special constable and he was threatened.



IN their short history — the force was founded in mid-1986 — kitskonstabels have aroused much controversy and been involved in numerous Supreme Court actions. Are they the victims of a "vicious and callous intimidation campaign", or are they the perpetrators of unrest situations they are endeavouring to quell? VERNON BRENT, of Weekend Argus, reports . . .

They were drawn from the ranks of the unemployed, scarcely trained and sent into the townships without adequate control. It was a "toss-up" whether it would be better to have the them or no police force at all in the townships.

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● A JOURNALIST, Mr Patrick Nyuka of Saamstaan newspaper, said three kitskonstabels tried to confiscate his notebook and camera.

They beat him with their shotgun butts, pointed the gun at his head. When he tried to run away he was cornered, and shot in the arm and back. Two other residents shot at the time testified the kitskonstabels were drunk.

HANDED in as evidence to the Supreme Court was the logbook from the Bhongolethu police station is full of reports of drunkenness, lateness, shooting incidents and unruly behaviour by special constables.

EXTRACTS:

● 16/5/87 The brother of (SC) Seditic Salmaan, a section leader, reports Salmaan fired at him with his shotgun, while apparently drunk

● 23/5/87 SC A Lavi reports for duty drunk and is sent home.

● 16/6/87 Constable Barnard reports SC L Zicuna shot at him with shotgun. Zicuna says an unidentified person charged him and it looked as if the person had a firearm

● 1/7/87 SC Koltana reports his brother shot himself with his (Koltana's) shotgun

● 7/8/87 SC Mdamba reports he was fiddling with CS grenade pin and it went off by accident in his hand.

● 8/8/87 Scuffe at watertap SC Zcina taken to hospital after hit with shotgun by SC Mdamba

● 24/8/87 SC Mdewu has three holes in head after being hit by his wife with a bottle. According to SC George he wanted to shoot her.

ONLY two percent of Bhongolethu Residents felt the special constables treated them well, a survey by University of Cape Town criminologists in October last year found

Eighty percent of the random 498 residents interviewed said they were dissatisfied and were "treated badly"



Other findings

● 77 percent reported seeing special constables drunk more than once a month.

● 70 percent reported aggressive behaviour, (pushing, grabbing, choking), while 65 percent had seen someone being beaten

● 48 percent reported seeing special constables pointing a weapon at residents more than once a month

● And 64 percent reported feeling less safe about crime since their introduction

WHAT THE POLITICIANS SAY

SPECIAL constables have been responsible for a campaign of harassment and terror across the country, say opposition MPs

Mr Jan van Eck, Independent, Claremont, said police should be under no illusion the constables were welcome and called for their immediate removal

"They are terrifying residents, and have openly chosen political sides against the democratic movement

"To use the most poorly trained police in an environment so politically volatile is lunacy

Mrs Helen Suzman, PFP, said "I have heard only complaints

"To send special constables into areas with lethal weapons to harass and terrorise residents is a very short-sighted policy, and once again gives the impression the police are the oppressors and not the protectors

Mr Trian van der Merwe PFP, Greenpoint said special constables had substituted law and order with a "tyranny of threats and violence"

THE POLICE VIEW

MAJOR George Marx, commander of the Riot Squad, Oudtshoorn, denied allegations of unlawful activities and said radical elements, who were prevented by the special constables from instigating unrest, were out to discredit them

He had received no complaints about their behaviour and had been congratulated by the community, who were happy because there was now peace in Bhongolethu

Because of threats on their lives, they were allowed to keep their weapons when off duty. Out of 15 shooting incidents not one involved the unauthorised use of a firearm, he said.

They were often ordered to speak to residents and tell them they were their friends whose aim was to "serve and protect"

Constables had been subjected to attacks both on their property and person by stone throwers and arsonists

He had never had any complaints that constables were drunk while in uniform or had reported for duty while drunk

● Days after the Supreme Court in Grahamstown granted an application by Aberdeen's Thembalesizwe residents to prevent harassment and assault by kitskonstabels, Ms Iheima Claassen alleged in papers before the Supreme Court said that she was thrown onto the ground and punched by the kitskonstabel Joseph Phindile Gomo.

The same policeman later threatened to shoot another resident and swore at him after kicking the front door of his house, it was alleged.

The two residents applied to the Grahamstown Supreme Court to have the kitskonstabel jailed for contempt of court

The judge issued a rule nisi ordering the defendant to show cause why he should not be jailed on the charge. The kitskonstabel has until March 31 to comply.

Murder trial: 'Eliminated' man

JOHANNESBURG. — "Why didn't you give the 'donner' another shot while he was down?" Captain Jack La Grange asked Detective Sergeant Robert van der Merwe after he (the sergeant) had shot Mr Ernest Molokoane five times on September 29 last year.

This was evidence by Sergeant Van der Merwe in the Supreme Court yesterday. He said his reply to Captain La Grange was that he had run out of ammunition.

Sergeant Van der Merwe also said he thought he had killed Mr Molokoane and when he saw him alive some time later at the Brixton police station, he got such a fright he ran upstairs and locked himself in his office.

He telephoned Captain La Grange and told him he had seen the man that they were supposed to have eliminated and Captain La Grange told him: "We will have to make a plan about it later."

Sergeant Robert Edmund van der Merwe, 30, of the Brixton Murder and Robbery Squad, and Captain Jack La Grange, 40, former head of the East Rand Murder and Robbery Squad, are appearing on charges of murdering Mr Bennie Alex Ogle, of Ennerdale, and Mr Peter Godfrey Pillay, of Eldorado Park, and the attempted murder of Mr Molokoane.

They have pleaded not guilty to the charges. During the 11th day of the trial, Mr Klaus von Lieres, SC, Attorney-General of the Witwatersrand, asked Sergeant Van der Merwe what he felt after killing Mr Ogle on September 28.

Sergeant Van der Merwe replied: "Captain La Grange said 'My God Van, I didn't know you could do it', and I felt flattered."

They then went to Mr Molokoane's double-storey house in Soweto to eliminate him. "I did not have second thoughts about killing a second man because

I had promised to shoot him.

"We rang the bell and identified ourselves as being from the Vehicle Squad and a woman came out of the house and said her husband was expected home later. We parked the police car away from the house.

"Later, a vehicle drove up and a man got out and went into the house. We rang the bell again and when the man came out we asked him if we could have a look at his Porsche. He said the car was at the panel-beaters because of an accident and Captain La Grange asked to see the registration papers.

"The man came with us to the police car so we could check the papers and Captain La Grange, who sat in the car, nodded at me — the signal to indicate the man was Mr Molokoane and I should shoot him. "Mr Molokoane saw me draw the pistol, stepped back, turned around and ran.

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came back from dead

"I fired at him until the weapon was empty and he fell.

"I ran to the car and we drove off."

Sergeant Van der Merwe said his motivation and justification for shooting Mr Molokoane was that he was a member of the ANC and instructions had come from head office to "eliminate" him. It was in the interests of the country.

Mr Von Lieres: "You must have seen gruesome murders before in the course of your duties."

Sergeant Van der Merwe: "I have seen gruesome murders involving child killings and gang killings." Mr Von Lieres: "Had you not thought of shooting down those responsible for those killings in cold blood?"

Sergeant Van der Merwe: "No. I brought them to the dock."

Of the shootings, he said: "I was acting in the

interests of my country and preventing further innocent people from being killed."

He said he firmly believed he and Captain La Grange would not be traced.

Mr Von Lieres: "What did you think when you saw Mr Molokoane alive at the Brixton police station later?"

Sergeant Van der Merwe: "I got a fright and ran upstairs and locked myself in my office."

Later, Captain La Grange telephoned him and told him there was a problem.

Mr Pillay, one of his informers, now presented a danger to head office in connection with the first two shootings and there were instructions to eliminate him.

"I asked Captain La Grange where the instruction came from and he said from Brigadier Basie Smit at head office." — Sapa

Ncube group to sue for R5,5-million

SISTER Bernard Ncube, president of the Federation of Transvaal women and thirteen others are suing the Minister of Law and Order for a total of R5,5 million for unlawful arrest, their lawyer Mrs Priscilla Jana said in an interview

The group comprises Sister Bernard Ncube

(51), Mr Joshua Dikene Mokgotlho (46), Mr Lawrence Jonas Ntlokoa (30), Mr Mosuthu Isaac Genu (34), Mr Phana Zacharia Molefe (52), Mr Jerry Kgafela (60), Mr Morgan Ephraim Morwa Montoedi (5), Mr George Xolelizwe (25) (all from Kagiso), Mr Abel Mokonyane (27), Mr

Steven Oupa Motingoe (24), Miss Johanna Mokowe (41), Mr Moses Kelebene (18), Mr Christopher Manini Sithole (23) and Mr Matthews Rapula Kope (28) (all from Munsterville)

and or supporters of the Krugersdorp Residents Organisation

They were also accused of committing the offences between June, 1985 and June, 1986 at or near Kagiso, Krugersdorp, Munsterville or other places

unknown to the State when they campaigned against the police and councillors in the area and establishing "Peoples' Courts" and that they started a boycott of white-owned shops and the Greyhound buses

After the defence reiterated that the state had failed to give a reasonable degree of clarity on what the case was about, the case was quashed

Quashed

Their action follows the quashing of their case by a Johannesburg Regional Magistrate last Thursday.

The thirteen Krugersdorp residents were arrested on August 20 last year and were charged with sedition, alternatively subversion

According to the indictment, the accused were officers, office-bearers and members

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Vlok faced 171 lawsuits in 1987

Political Staff

THE Minister of Law and Order, Mr Adriaan Vlok, said on Thursday that 171 lawsuits, 145 of which were settled out of court, were brought against him by members of the public last year.

Replying to a question tabled in Parliament by Mr Tian van der Merwe (PFP, Green Point), Mr Vlok said two cases were decided in favour of the claimants with costs, three cases were abandoned and 21 cases were withdrawn.

Most of the suits — 102 — were because of damage to vehicles as a result of collisions, while three were due to damage to property as a result of collisions and one because of damage to property as a result of police action.

A further 26 lawsuits were be-

cause of unlawful arrest and detention, seven due to injuries as a result of vehicle collisions, 12 due to assaults, nine from injuries from shooting incidents, one from damage to property from shooting incidents, four because of being bitten by a police dog, two because of loss of maintenance, one because of unlawful searching, two because of confiscation of property one because of disposal of property.

Cost-effective

Mr Vlok said R380 had been paid out in successful lawsuits against him and R351 032,47 in out-of-court settlements, R240 887,50 of which was paid because of damage which resulted from vehicle collisions.

"Instances settled out of court are mostly those in respect of vehicle collisions where it is obvious that the members of the

force concerned are the guilty parties," Mr Vlok said.

"Such settlements before court proceedings are instituted, are cost-effective.

"The increase in lawsuits can among other things be ascribed to the fact that legal representatives of claimants prefer to issue summonses in order to expedite claims," he said.

In reply to another question by Mr Van der Merwe, Mr Vlok said 4 281 people joined the police reserve force last and 5 735 people retired.

The retirements were mainly attributed to reservists who reached the prescribed age limit or became inactive.

However, several police stations were transferred to the KwaZulu government and the services of reservists who performed duty at these stations were also terminated, Mr Vlok said.

Policeman badly injured by mob

PRETORIA — An off-duty policeman was attacked by a mob and seriously injured on Saturday in Botshabelo, Bloemfontein, police said yesterday.

The unidentified constable suffered three stab wounds and was admitted to hospital in a serious condition, the police unrest report said.

The attack follows the killing of three policemen in Atteridgeville, near Pretoria, on Friday when gunmen opened fire on a group of people in the yard of a home.

There have been no arrests in connection with the attack, in which three people were also injured.

AK47 cartridge cases were found on

the scene.

(SI) B/day 21/3/88.
The unrest report also said three homes — two in Botshabelo and one in Kwa-Denjizi, Durban — were damaged in petrol bomb attacks.

No deaths or injuries were reported in the incidents.

A police spokesman said yesterday no further details on the policemen were available as their next-of-kin had not yet been informed.

He also said there were no further leads on Heinrich Grosskopf, the man who is wanted in connection with Thursday's car-bomb attack in Krugersdorp in which three people died and 20 were injured.

no c

3 cops killed as they sit drinking

SHEBEEN

Sowetan
21/3/88
251

SHOOTOUT

THREE policemen were shot dead in Atteridgeville, Pretoria at the weekend and a fourth was attacked by a mob in Botshabelo township, Bloemfontein.

The Police Directorate of Public Relations in Pretoria said in an unrest report released yesterday

that three policemen died on Friday when gunmen using AK 47 rifles opened fire on a group of people in Atteridgeville. Two people were injured in the attack.

It also said that an off-duty policeman was attacked by a mob and seriously injured on Saturday at Botshabelo. The unidentified constable suffered three stab wounds and was admitted to hospital in a serious condition.

The Atteridgeville shebeen where the shooting took place was deserted yesterday.

After the surprise attack on Friday many people were reluctant to talk openly about the incident although it was widely reported in Sunday newspapers.

People in the area say that the house is a popular watering hole for policemen.

The owner of the shebeen refused to speak to the *Sowetan*. Yet neighbours gave a graphic picture of Friday night's events — albeit reluctantly.

The shooting took place about 9 pm when men wearing blue overalls opened fire on a group of policemen who were sitting in the garden sipping beer. It lasted less than a minute.

The assailants fled as the policemen returned the fire.

The names of the dead policemen have not yet been released by the police. Two of the injured people are Mrs Catherine Maleka, the shebeen owner and Mr Ananias Nkoana. Their condition was yesterday said to be improving.

A neighbour who refused to be identified said he was about 15 paces from the house when the shooting started.

"They started shooting without uttering a word. The policemen they killed were sipping beer in the garden. Their colleague had just gone to the toilet. It happened so fast that when I ran into a house for cover the men had already left," he said.

A spokesman for the police directorate in Pretoria confirmed the shooting and said a man and a woman were injured in the attack.

No arrests have been made yet, he added.

By ALINAH DUBE
Pretoria Bureau



YOUTHS chant at yesterday's meeting

Drama at service

THE deaths of 69 people during the 1960 Sharpeville shootings were a watershed in the black liberation struggle, a March 21 commemoration meeting was told in Soweto yesterday.

The meeting at Regina Mundi Church was held under surveillance by police who threatened to stop the gathering unless it was conducted "in a dignified, Christian way".

By LEN MASEKO

The police objected to "the chanting and whistling" inside the packed church.

There was drama when a police officer walked into the church and ordered that "chanting noise and whistling should stop — because this is supposed to be a religious service".

He said the police were conducting the surveillance "to assess whether aims of banned organisations were being promoted or not".

Mr Joe Thlooe, who chaired the meeting, asked the police to "define what they mean when they say the people attending the meeting should".

• To Page 2

FOSTERS

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AVAILABLE
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FOSTERS THE TAXI PEOPLE

- 1 The best
- 2 Great disc
- 3 The cheap
- 4 Low insta
- 5 The best &
6. Any color
7. Minimum

FOSTERS THE TAXI PEOPLE

CIRCLE ROAD
PO BOX 19, MARA
"WE FOSTER GOOD"
Do
Conta
945

FOSTERS THE TAXI PEOPLE

FOSTERS



Sharpeville residents cleaned graves and mourned those killed in the 1960 shootings.

● Picture by Karen Sandison

SAP, SADF out in force in Sharpeville

By Montshiwa Moroke

Sharpeville, the scene of the March 21 1960 shootings, yesterday teemed with police and members of the Defence Force as the world focused on this township where 69 people died that day

Police in uniform and in plainclothes stood outside the gates of the Methodist Church as more than 800 people gathered there to commemorate the 28th anniversary of Sharpeville Day

After the four-hour long service, police in hippos, vans and private cars moved slowly alongside the crowds as people dispersed and returned to their homes

Police with video cameras filmed the crowd leaving the church

One policeman in plainclothes, who had earlier been sitting in a vehicle with tinted windows, demanded pamphlets from young people as they left the service

Earlier, a large contingent of police and members of the Defence Force patrolled the streets as tens of thousands of people and schoolchildren stayed home

Police in plainclothes stood

at the church door and filmed the proceedings while enthusiastic crowds chanted worker and freedom songs

The service was organised by the National Council of Trade Unions (Nactu)

A speaker made an impassioned plea to all organisations to come together "at this hour of need" and forget their political differences.

"Our enemy is one It is the white capitalist regime and socialism is our goal Black solidarity is a key to our survival. We must close our ranks and not allow outside forces to come between us"

Earlier, families of the 1960 shootings and residents gathered at the local cemetery where they cleaned the graves and held a service. Among those who came to the cemetery was Mrs Leah Tutu, the wife of Bishop Desmond Tutu.

In another section of the township, crowds welcomed Mrs Winnie Mandela and members of the Federation of Transvaal Women who arrived in a bus

Residents sang and chanted while several carloads of security police looked on Members of the local and international press were present

VERTICAL REFERENCE LINE 11

VERTICAL REFERENCE LINE 10

HORIZONTAL REFER

HORIZONTAL REFER

18 25 30

18 25 30

EDGE

LEAD

ONLY

2/13/8

251

'I was victim of a conspiracy' La Grange denies any involvement in two murders and shooting

By Joe Openshaw

Captain Jack la Grange denied in the Rand Supreme Court yesterday that he had been involved in two murders and a shooting, and claimed he was the victim of a conspiracy

Captain la Grange, former head of the East Rand Murder and Robbery Squad, said evidence linking him to the murders of alleged drug dealers Mr Bennie Alex Ogle and Mr Peter Godfrey Pillay, as well as to the shooting of Mr Ernest Molokoane, was a conspiracy against him by co-accused, Sergeant Robert Edmundt van der Merwe, State witness Mr Julius Davis and police

"They were after my blood They wanted the big fish

"He (Sergeant van der Merwe) had the nickname 'Wonderwereld' (Fantasy World) and at times lived in his own little world," Captain la Grange said

He said he was off duty on September 28 last year — the night Mr Ogle was murdered and Mr Molokoane shot — and had not made a note in his pocket book of what he had done that night

"In all probability I had supper, watched TV and went to sleep," he said

Denial of alleged meeting

Referring to the alleged meeting between himself and Mr Pillay on October 3, he said he was away on a farm in the eastern Transvaal on that day

Captain la Grange (40) was giving evidence at the trial — now in its third week — at which he and Sergeant van der Merwe (30) are charged with the murder of Mr Ogle, of Ennerdale, and Mr Pillay, of Eldorado Park, and the attempted murder of Mr Molokoane, of Mapetla, Soweto

Both men have pleaded not guilty

Sergeant van der Merwe confessed to murdering Mr Ogle and Mr Pillay and shooting Mr Molokoane He said Captain la Grange asked him to shoot the men because he (Captain la Grange)

had instructions from head office to eliminate them as they were ANC men and drug smugglers and were supplying arms to robbers

Captain la Grange said "I cannot speculate why Detective-Sergeant van der Merwe wished to falsely implicate me in the shootings

"I have come across instances in the past where people have falsely implicated people because they did not wish to face the consequences of their actions alone"

Referring to the secret tapes made of conversations between himself and Sergeant van der Merwe in which he urged the sergeant to plead not guilty and for them to fight the case together, he said he became aware after a transcript of the second tape was read in court that Sergeant van der Merwe knew about the tape recorder and was trying to trap him with questions

Fitted description

He said Lieutenant-Colonel "Suiker" Britz, the investigating officer, had told him he fitted the description Mr Molokoane had given of the man who was with Sergeant van der Merwe when he was shot, and had said Mr Molokoane would point him out at an identification parade

Captain la Grange decided to shave his moustache off because he believed Mr Molokoane should be able to identify him with or without his moustache

"I did not trust Colonel Britz because he was sly If I shaved off my moustache, the colonel would not have been able to tell Mr Molokoane to point out the man with the moustache If Colonel Britz's approach had been bona fide, I would not have shaved my moustache off," he said

Captain la Grange said he was unhappy about the way the investigations had been carried out

"The police eavesdropped on consultations between myself and my legal team at Wierda Bridge police station

The hearing continues today

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Psychiatrist: accused has stress syndrome

D/D 22/3/88

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GRAHAMSTOWN — A psychiatric expert told the Supreme Court in Grahamstown yesterday he had no doubt that Constable David Patrick Goosen suffered from a post-traumatic stress disorder also known as the Vietnam Syndrome

Dr Anton Potgieter, former head of the psychiatric department at 1 Military Hospital in Pretoria, was testifying at the trial of W/O Leon de Villiers, 36, and Const Goosen, 27, on two charges of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents at Cradock on July 26, 1986

Dr Potgieter, whose thesis was on the pathological aspects resulting from operational stress reaction during the Angola war, told the court of the requirements for making such a finding, and said he was satisfied they existed in Const Goosen's case

He conceded that they could be fabricated but only by an extremely well-informed person giving a particularly good simulation

Dealing with Const Goosen's personality before the trauma which caused his condition — a terrorist incident in February 1986 — he said he was struck by Goosen's inability to evaluate his own emotions.

Goosen was indecisive, looking to an authority figure for guidance. He was a sport fanatic who sublimated his own conflicts by action, rather than by analysing his emotions

Dr Potgieter said he was surprised by the calmness with which Const Goosen faced a murder trial

He appeared to have rationalised the seriousness of his situation by convincing himself that the stabbing was merely a reflex self-defence action without serious consequences

The shooting he dismissed as an accident

Asked about Constable Goosen's attitude toward the victim, Mr Mlungisi Stuurman, Dr Potgieter said Goosen was not sympathetic towards him, but

pitied him

He regarded the prior assault on Mr Stuurman as unnecessary and associated himself with Mr Stuurman's helplessness.

"He was helpless, as helpless as I was in the shack," Const Goosen had said, referring to an incident when he was caught in crossfire between the police and a terrorist

Asked why Const Goosen had never spoken about his attacks of nameless fears and nightmares before, Dr Potgieter said Goosen would have felt it useless to try to explain to a person who had not experienced a similar incident.

To have discussed it with his colleagues would have been considered unmanly

Dr Potgieter said in his opinion many of Goosen's colleagues would have had similar problems, but it was his experience that such people just did not discuss it

He said people suffering from post-traumatic stress disorders became hyper-alert and irritable. They could react explosively to anything that startled them

It was an involuntary reaction by reflex and, once launched, could often not be aborted even if they realised they were not in danger

He agreed with Mr Justice Zietsman that such a person with a loaded gun in his hand was extremely dangerous and unpredictable

He said it was very difficult for the layman to understand, because often the person acted without logic and without there being any obvious precipitation factor.

He felt the cardinal factor in the shooting of Mr Stuurman had been a sudden, unexpected movement by Mr Stuurman while Goosen had a gun in his hand

He said the other aspect that had to be considered was the causality between Goosen's condition and the alleged offence.

The trial continues. — Sapa

Own Correspondent
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Dealing with Constable Goosen's personality prior to the trauma which caused his condition — a shooting incident in February 1986 — he said he was struck by Const Goosen's inability to evaluate his own emotions.

Cop accused has *Dr Potgieter, 22/3/88* *25/* Vietnam stress, says psychiatrist

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He appeared to have rationalized the seriousness of his situation by convincing himself that the stabbing was merely a reflex self-defence action without serious consequences.

The shooting he dismissed as an accident.

Asked about Const Goosen's attitude towards the victim, Mr Mlungisi Stuurman, Dr Potgieter said Const Goosen was not sympathetic towards him, but pitied him.

"He was helpless, as helpless as I was in the shack," Const Goosen had said, referring to an incident when he was caught in a cross-fire between the police and a guerilla.

Asked why Constable Goosen had never spoken about his attacks of nameless fears and nightmares before, Dr Potgieter said Const Goosen would consider it "unmanly" to discuss it with colleagues who had experienced a similar incident.

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GRAHAMSTOWN —
 Somebody traumatised
 by a landmine explosion
 might not be affected at
 all by the sight of a land-
 mine, but the smell of
 burning meat could pre-
 cipitate a conditioned
 reflex, the Supreme
 Court heard yesterday.

Courts had a great
 deal of trouble with the
 post-traumatic stress
 disorder, or Vietnam
 Syndrome, because law-
 yers tried to simplify it,
 an expert told the court.

The former head of
 the psychiatric depart-
 ment of One Military

Psychiatrist tells of conditioned reflex at policemen's trial

Hospital, Pretoria, Dr
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 testifying at the trial of
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The charges arise out

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 Cradock on July 26, 1986.

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 specialised in pathology
 arising out of operatio-
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 war in Angola, said the
 syndrome was extremely
 complex.

Lawyers would like it
 simple and say for in-
 stance that it must be

"triggered".

In fact, "reliving" a
 traumatic experience
 could occur sponta-
 neously, unintentionally
 and unexpectedly.

Even where it was
 triggered, the condit-
 ioned reflex could arise
 in an unexpected way.

He said that noises ap-
 peared to be a problem
 for Const Goosen. The
 mere fact that he could
 continue his work in the
 unrest unit at all, bes-
 poke an "iron self-disci-
 pline". The case con-
 tinues today.—DDC

COP: They were after my blood

JOHANNESBURG. — "The investigating team were after my blood. They wanted the big fish," Captain Jack la Grange, former head of the East Rand Murder and Robbery Squad, said in the Supreme Court today.

Capt La Grange said he gained the impression Lieutenant-Colonel Karel Britz, head of the investigating team into the murders of Mr Bennie Alex Ogle, Mr Dennis Godfrey Pillay and the attempted murder of Mr Ernest Molokoane, was being sly in his approach to the case.

"I was suspicious of the police. A technician had established they were tapping my home telephone as well as my legal representative's telephone. I also suspected they had eavesdropped on a consultation I had with my legal team after my arrest.

"That is why I decided to shave my moustache off before attending an identification parade."

Capt La Grange, 40, and Detective Sergeant Robert Edmundt van der Merwe, 30,

of the Brixton Murder and Robbery Squad, are appearing on charges of murdering Mr Ogle, an import-export agent of Ennerdale, and Mr Peter Godfrey Pillay, a taxi owner of Eldorado Park, as well as the attempted murder of Mr Ernest Molokoane, a building contractor of Soweto.

They have both pleaded not guilty. Earlier in the trial, Sergeant Van der Merwe, who confessed to the killing of the two men and shooting of Mr Molokoane, said Captain La Grange asked him to eliminate them in a clandestine operation because they were ANC men, drug dealers and supplied arms to robbers.

Captain La Grange had told him the instructions were from head office. He had shot the men because he believed it was in the interests of the country.

Captain La Grange said he was arrested while on holiday in Margate on December 9 in connection with the attempted murder of Mr Molokoane.

Early in November, he received an

anonymous telephone call in Benoni in which somebody who claimed to be a policeman told him to be careful because his telephone at home was being bugged.

"Major Oosthuizen of Soweto listens to the telephone tapes of your conversations daily."

"Head office are investigating allegations that you were involved in the murder of Mr Ogle and Mr Pillay and the shooting of Mr Molokoane."

"Colonel Engelbrecht, your former commanding officer, and Brigadier Basie Smit of head office are handling the matter, the anonymous caller told him.

"I telephoned Colonel Engelbrecht and told him my phone was tapped and about stories going around that police were investigating my involvement with Mr Pillay.

"Colonel Engelbrecht appeared taken aback but said he knew nothing about this.

"Nothing further happened until I was arrested while on holiday in Margate."

Sapa

Le Grange angry over bail refusal, poor conditions in jail

D/D 23/7/88

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Daily Dispatch
Correspondent

JOHANNESBURG — The suspended head of the East Rand murder and robbery unit, Captain Jack la Grange, yesterday denied that he felt bitter toward the police for his arrest on two murder charges, but said he was angry because he had been refused bail and had been kept in a cell "the size of a toilet" for two months.

Capt La Grange and Sergeant Robert van der Merwe have both pleaded not guilty in the Rand Supreme Court to charges of murdering two alleged drug dealers and attempting to murder a third.

It is alleged that they murdered Mr Bennie Ogle at Ennerdale on September 28, last year, and attempted to kill Mr Ernest Malakoane the following day.

They are also alleged to have murdered Mr Peter Pillay on October 4, last year.

During evidence, Sergeant Van der Merwe said he shot the three men at Capt La Grange's request "believing he

and his superior were on a clandestine operation to eliminate ANC contacts who were dealing in drugs.

Capt La Grange has denied any involvement in the killings and has alleged during his evidence that the case against him is fabricated.

He has also alleged that Sgt Van der Merwe was improperly influenced to make a confession which implicated him (La Grange).

Under cross-examination by the Attorney-General for the Witwatersrand, Mr Klaus von Lieres, SC, for the state, Capt La Grange denied that he had been prepared to fabricate false evidence in order to destroy Sgt Van der Merwe's confession.

Mr Von Lieres was cross-examining Capt La Grange on the contents of a transcript of a taped conversation.

The conversation, between Capt La Grange and Sgt Van der Merwe, was taped in a "wired" police car in which they had been left alone.

Capt La Grange said he had felt he could prove that the investigating officer, Colonel "Suiker" Britz, was a liar.

Later he told the court that he was not angry about his arrest but over the way in which he had been treated.

Capt La Grange said he had spent two months in a cell the size of a toilet where he had had to sleep on the floor.

The captain said this was the only place in which the police could accommodate him, for his own protection.

He said he had also been angry about the issuing of the certificate which precluded bail.

Capt La Grange told the court he had used certain language in the taped conversation when referring to Brigadier Basie Smit because he had thought the brigadier was responsible for the certificate.

The trial continues today before Mr Justice Irving Steyn and two assessors.

New home for SAP unit

25
An R11,3 million new building to house the SA Police Counter Counter Insurgency Unit (COIN) in Pretoria North will be started this year.

A total of R6 million has been set aside in the 1988/1989 budget to build new dormitories and ablution blocks for the building.

23/3/89
Details were given in the Department of Public Works building programme for 1988/1989.

Other large expenditures on public buildings in Pretoria in 1988/1989 include a further R29,53 million on the R73,35 million new building to house the Commission for Administration.

A further R5,24 million will be spent on the R58 million building for the National Intelligence Service (NIS). This was approved last year.

Restoration including repairs and renovations to the Union Buildings, will absorb R4,42 million of State funds.

The project will eventually cost R7,5 million.

NR645 23/3/88

951 ~~SEP~~ ~~CP~~

SA apologises for search of German envoy's home

MINISTER of Foreign Affairs Mr Puk Botha has formally apologised to West Germany for police action in which German diplomat Mr Erhard Loeser's Johannesburg home was subjected to a search for car-bomb suspect Heinrich Grosskopf.

In a statement last night, Mr Botha also criticised his West German counterpart, Dr Hans-Dietrich Genscher, for implying that the proper legal action had not been taken in respect of the Sharpeville Six.

The officer in charge of the police unit involved in the diplomatic incident concerning Mr Loeser, West Germany's acting consul-general, had been instructed to convey personal apologies to the West German officials, Mr Botha said.

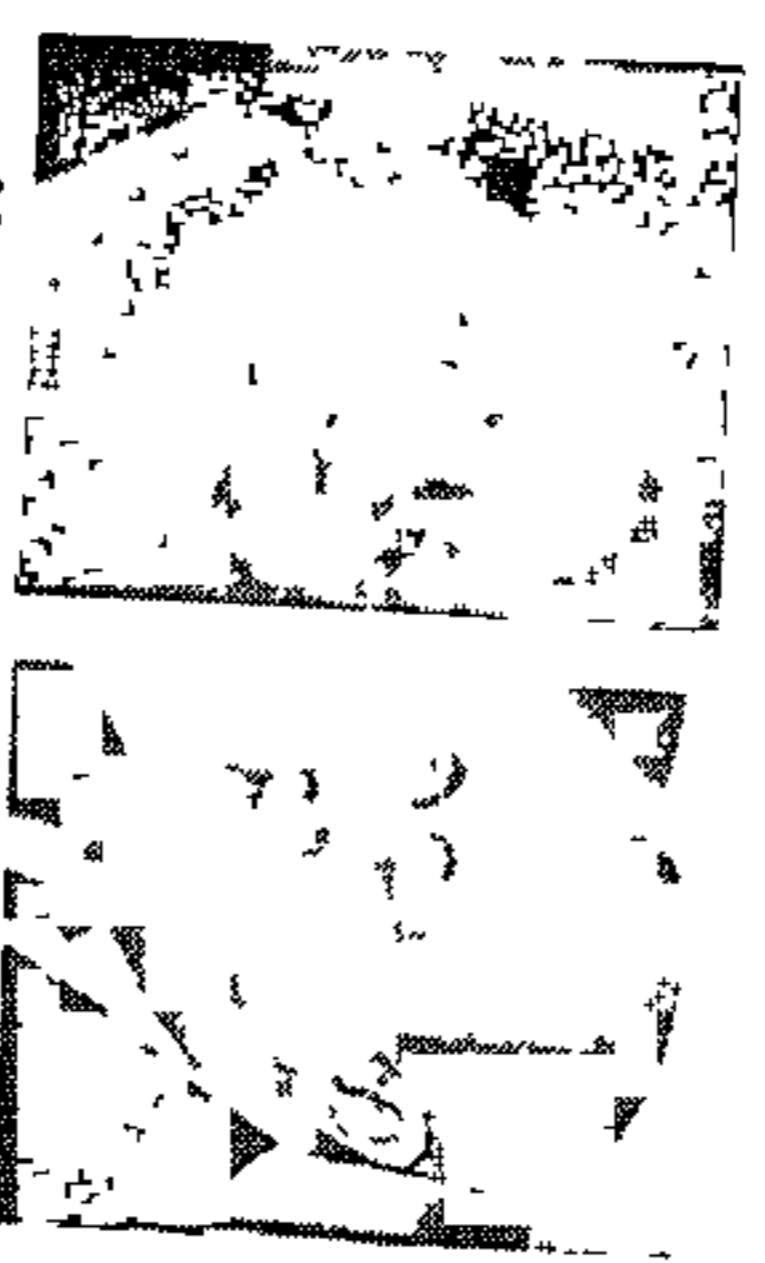
Although the local police station was aware that the residence was that of Mr Loeser, the unit did not and had acted in immediate response to information received.

"Serious infringement"

Mr Botha said steps had been taken against the officials and he conveyed his formal apologies to the West German government and reaffirmed, "South Africa's adherence to international legal principles applicable to diplomatic and consular officials."

Mr Genscher had said in Brussels that the police search was "a serious infringement" of diplomatic immunity and was detrimental to relations between the two countries.

Mr Genscher briefed his fellow European Community Foreign Ministers on the incident and said afterwards



Mr Botha

Mr Genscher

they had unanimously condemned the action by South African Police.

EC Foreign Ministers also generally expressed relief at the temporary stay of execution accorded the Sharpeville Six and hoped the South African Supreme Court would give the condemned men and woman "a new chance", Mr Genscher said.

He added, however, that Pretoria's reaction to EC protests against the proposed clampdown on foreign funding of anti-apartheid activities had not been positive.

Mr Botha said Dr Genscher's comments regarding the Sharpeville Six displayed a lack of knowledge of the facts and the application of the principles of law which were of the highest judicial standards in South Africa.

The fact that the trial court postponed the death sentences to reopen the trial on the basis of new evidence undermined the inherent fairness and integrity of the South African legal system.

Mr Botha said the South African ambassador in Bonn, Mr Willem Rudolf Retief, had been instructed to convey his comments to the office of Dr Genscher — Sapa-Reuter

251 (20) 276

23/3/88
Cape Times, Wednesday, M.

Magnus Malan visits riot-torn city

MARITZBURG — A top-level delegation of cabinet ministers and SADF and police officials from the national Joint Management Centre (JMC) visited Maritzburg this week.

According to a Department of Defence spokesman, the Minister of Defence, General Magnus Malan, and his Deputy, Mr W N Breytenbach, the Minister of Law and Order, Mr Adriaan Vlok, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, and a number of senior officials of

the national JMC met at Natalia, the provincial headquarters

It is understood they later toured the region's townships

Two people died and seven were injured in incidents of unrest across the country, police said yesterday in their daily unrest report

Most of the incidents apparently stemmed from people marking the 28th anniversary of the Sharpeville uprising, the report said

Both the deaths occurred in the strife-torn

Maritzburg region

At Mpumalanga, Hammarsdale, a 16-year-old youth was attacked and stabbed to death by two unidentified assailants

and a 46-year-old man was stabbed to death by a mob in Imbali, near Maritzburg. No further information on the deaths was released

At Sakhile, near Standerton, a man was shot and wounded by police and arrested along with 15 others after several incidents in which stones and petrol bombs were hurled at vehicles

and dwellings

At Tembisa, near Kempton Park, a man was slightly injured in a stone-throwing incident

At Fredville in Inchanga, Natal, a man was seriously injured and a private vehicle badly damaged when a group hurled a petrol bomb at the vehicle

Most of the incidents involved the stoning or petrol-bombing of buses and houses. Police had to fire teargas, birdshot and rubber bullets on a number of occasions, the report said — Sapa

Kept in cell 'the size of a toilet'

Capt La Grange 23/3/88 251



Capt La Grange

Own Correspondent

JOHANNESBURG. — The suspended head of the East Rand murder and robbery unit, Captain Jack la Grange, yesterday denied he felt bitter towards the police for his arrest on two murder charges, but said he was angry because he had been refused bail and kept in a cell "the size of a toilet" for two months.

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They are also alleged to have murdered Mr Peter Pillay on October 4 last year.

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Capt La Grange has denied any involvement in the killings and has alleged during his evidence that the case against him had been fabricated.

He has also alleged that Sgt van der Merwe was improperly influenced to make a confession which implicated him.

Under cross-examination by the Attorney-General of the Witwatersrand, Mr Klaus von Lieres SC, for the state, Capt La Grange denied he had been prepared to fabricate false evidence to destroy Sgt Van der Merwe's confession.

Capt La Grange said he had felt he could prove that the investigating officer, Col "Suiker" Britz, was a liar.

He told the court he was not angry about his arrest but the way in which he had been treated.

He said he had spent two months in a cell the size of a toilet and had had to sleep on the floor.

The captain said this was the only place the police could accommodate him for his own protection.

The two policemen lunched at the SABC the day the first crime was allegedly committed, the court was told.

Capt La Grange and Sgt Van der Merwe discussed business with TV news reporter Chris Olckers between 12 15 and 2 30pm. At 9pm Mr Bernie Ogle was fatally shot.

Sgt Van der Merwe was unhappy at the Brixton Murder and Robbery Squad and the possibility of his working in a business Mr Olckers was about to start was discussed.

It was put to Capt La Grange that he had misled the court, saying he could not remember when he took Sgt Van der Merwe to meet Mr Olckers, because during a lunch adjournment last Friday he had checked the date with Mr Olckers.

Mr Von Lieres said Capt La Grange had asked Mr Olckers how he was so sure they had met on September 28 last year and Mr Olckers replied that he had checked in an SABC register.

Capt La Grange said he had been careful about using the date while under oath as he did not remember it himself.

The trial continues before Mr Justice Irving Steyn and two assessors today.

'War stress' is complex, court told

Own Correspondent

GRAHAMSTOWN. — A person traumatized by a landmine explosion might not be affected at all by the sight of a landmine, but the smell of burning meat could precipitate a conditioned reflex, the Supreme Court heard yesterday.

Courts had a great deal of trouble with the syndrome when lawyers tried to simplify it, an expert told the court.

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two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents in Cradock on July 26, 1986

Dr Potgieter, who has specialized in pathology arising out of operational stress during the war in Angola, said the post-traumatic stress disorder, or Vietnam Syndrome, was extremely complex

Lawyers would like to treat it as simple and say for instance that it must be "triggered"

"Reliving" a traumatic experience could occur spontaneously, unintentionally and unexpectedly

Proceeding.

Bonn claims SAP raided diplomat

Blom 23/3/88
BONN — West Germany alleged yesterday SA police had searched the Johannesburg home of one of its diplomats and said it had lodged a strong protest.

Bonn said acting consul-general Erhard Loeser's home was raided by SA police on Monday while he was absent. It said SA ambassador Willem Rudolf Retief was summoned yesterday and told the alleged search "was a violation of diplomatic status and a serious strain on relations".

Foreign Ministry state secretary Juergen Sudhoff demanded an explanation from Retief and a promise that such an incident would not recur. It would not comment on reasons for the alleged raid or say whether anything had been taken.

A SA embassy spokesman declined to comment

In Brussels, West German Foreign Minister Hans-Dietrich Genscher said he had reported the incident to EC

● To Page 2 →

German anger at search of diplomat's house

foreign ministers and they had condemned the action.

Blom 23/3/88
Sapa reports from Cape Town that Foreign Affairs Minister Pik Botha has formally apologised to the West German government for police action involving the German diplomat in the search operation while looking for car bomb

← ● From Page 1

suspect Heinrich Grosskopf Botha said the officer in charge of the police unit involved in the diplomatic incident concerning Loeser had been instructed to convey personal apologies to the West German officials this morning.

Diplomatic

row over

search for

Grosskopf

Political Staff

A DIPLOMATIC row has broken over the police raid on the acting West German consul-general's Johannesburg residence by an anti-terrorist unit searching for alleged ANC bomber Mr Heinrich Johannes Grosskopf.

The German Foreign Ministry called in the South African Ambassador in Bonn, Mr Willem Rudolf Retief, to demand an explanation.

The ministry said Mr Erhard Lopser's residence was raided by police on Monday while he was absent. They told the ambassador it "was a serious violation of diplomatic status and a serious strain on relations between the two countries".

The German spokesman said the police arrived without warning, made their way past servants and searched the house.

Last night the Minister of Foreign Affairs, Mr Pik Botha, apologized to West Germany.

He said the officer in charge of the police unit had been instructed to personally apologize to the West German officials.

Sapa-Reuter reports from Brussels that the West German Foreign Minister, Mr Hans-Dietrich Genscher, reported the incident to a meeting of the European Community foreign ministers and they had unanimously condemned the police action.

● Mr Botha also criticized Mr Genscher for being "callously irresponsible" in remarks apparently endorsing a consumer boycott of South African products and for implying that the proper legal action had not been taken in respect of the Sharpeville Six.

According to a UPI report last night Mr Genscher said the EEC ministers welcomed the stay of execution granted the "Sharpeville six", but that they "remain concerned about the further development of this case."

(251) 24/3/88

Murder trial told of 'coincidences'

By Joe Openshaw

Captain Jack la Grange was yesterday asked in the Rand Supreme Court to explain the "overwhelming coincidences" in a statement he made about what happened on October 4 — the night Mr Peter Godfrey Pillay was murdered — and the evidence of his co-accused, Detective-Sergeant Robert Edmundt van der Merwe.

Captain la Grange, former head of the East Rand Murder and Robbery Squad, was being cross-examined by Mr Klaus von Lieres, SC, Attorney-General of the Witwatersrand, about a statement he made at the request of the initial investigating officer, Warrant-Officer L A Mare, on the events on October 4, the last time Captain la Grange saw Mr Pillay.

Captain la Grange (40) and Sergeant van der Merwe (30), of the Brixton Murder and Robbery Squad, are appearing before Mr Justice Irving Steyn on charges of murdering Mr Pillay and Mr Bennie Alex Ogle on September 28, and the attempted murder of Mr Ernest Molokoane of Mapetla, Soweto three hours later. They have pleaded not guilty.

Mr von Lieres put what he sometimes referred to as "overwhelming coincidences" to Captain la

Grange

Mr von Lieres "Sergeant van der Merwe said you made an appointment to meet Mr Pillay on October 4. You say you arranged to meet him that night?"

Captain la Grange "Yes But I am not sure of the time"

Mr von Lieres: "On Sunday, October 4, you met Mr Pillay next to the main highway near Eldorado Park. Sergeant van der Merwe pointed out the same spot to the investigators."

Captain la Grange "Yes."

Mr von Lieres "Sergeant van der Merwe said Mr Pillay was driving a light-coloured bakkie. You said he had driven a light-coloured bakkie?"

Captain la Grange "Yes"

Mr von Lieres "Sergeant van der Merwe said you got out of the car, got into Mr Pillay's bakkie and spoke to him. You say you got into the bakkie and spoke to Mr Pillay?"

Captain la Grange "Yes"

Mr von Lieres "Sergeant van der Merwe spoke of a traffic jam of taxis on the way there. You confirmed there was a traffic jam?"

Captain la Grange "Yes"

Mr von Lieres "These tremendous coincidences pose the question of whether or not you were the other person Sergeant van der Merwe spoke of as being with him on the night of the shooting."

Captain la Grange: "I can only give possible reasons for the coincidences. Anyone who was travelling along the road that night would have noticed there was a traffic jam."

Captain la Grange replied that Sergeant van der Merwe could have had access to his sworn statement.

Earlier Colonel Britz had given evidence that he had told Captain la Grange he should have waited two weeks before shooting Mr Pillay.

Captain la Grange had replied that he had had no choice because the Brixton Murder and Robbery Squad would have questioned Mr Pillay.

Captain la Grange denied having said that.

Policeman tells court he was following orders

D/D 24/3/88

251

Daily Dispatch Reporter

EAST LONDON — A detective-sergeant from Queenstown told the regional court here yesterday that the head of the security police in the town, Major F. J. Venter, had told him to go to Elliot to fetch a Mr Gwadana in a terrorism case on August 1, 1986.

Det/Sgt Joseph Baleni was testifying in a trial within the trial of Mr Mzwabantu Errol Dapula and Mr Fikile Owen Gwadana, who are alleged to have prepared and planted an explosive device in the Fred Pettit Centre in Queenstown on June 28, 1986.

They have pleaded not guilty.

The trial-within-a-trial is to test the admissibility of the contents of a "pointing out document", which included a statement by Mr Gwadana to Lieutenant William Charles Landman of the South African Police (SAP), who, because of his rank, had acted as a justice of the peace.

Det/Sgt Baleni testified that he and Sergeant Ngqwaru had been instructed by Major Venter to take Mr Gwadana to Elliot on July 31, 1986, and to bring him back to Queenstown the following morning for the "pointing out".

He said they had taken Mr Gwadana to the charge office at the police station when they had arrived in Queenstown on August 1, at 9.30 am

Det/Sgt Baleni said he saw Mr Gwadana again that day when he took his fingerprints.

The defence counsel, Mr Justice Poswa, asked the witness when he had learnt that he was required to give

evidence yesterday, and he replied that the prosecutor, Mr Johann du Plessis, had informed him that afternoon.

He said Mr Du Plessis had asked him to bring his pocketbook for July and August 1986.

Mr Poswa asked him if he had seen Warrant/Officer N. A. Jordaan on either of the two days in question

Det/Sgt Baleni said he could not remember if he had seen W/O Jordaan on August 1, but said he had seen him at the main office at the security branch on July 31.

Mr Poswa asked the witness if he or Sergeant Ngqwaru had spoken to Mr Gwadana on the way to Elliot and he replied that they had not.

"But don't you agree that ordinarily three people in a car would exchange some words?" Mr Poswa asked and the witness replied "yes".

Det/Sgt Baleni said that he had not spoken to Mr Gwadana because he had had nothing to do with him apart from transporting him

Asked whether Mr Gwadana had been handcuffed by him or Sergeant Ngqwaru, Det/Sgt Baleni replied that he was not sure

Mr Poswa said Mr Gwadana would tell the court that it was Det/Sgt Baleni who had handcuffed him

Det/Sgt Baleni said that when Maj Venter had told him to take Mr Gwadana to Elliot he had spoken Xhosa quite well but Mr Poswa said he recalled Maj Venter telling the court that he could not speak Xhosa well.

The case continues today

SU

RISING
PHONE COSTS

Dean Martin
doing well

Officer: ^{DID 24/3/88} most of unit appeared inebriated ⁽²⁵⁾

GRAHAMSTOWN — No policeman under the influence of liquor could officially do duty, particularly unrest work where serious decisions had to be made, a former commanding officer of the Unrest Unit told the Supreme Court here yesterday

Lieutenant-Colonel D Blignaut was testifying at the trial of two members of the unit, Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents in Cradock on July 26, 1986

Col Blignaut was called by the defence and confirmed the difficult, dangerous conditions under which the unit worked between 1984 and 1986

He also confirmed that Const Goosen was trapped in a wooden shack for 20 to 30 minutes during a "firefight" between the police and a terrorist in February 1986

Questioned about the "black bashing operation" the unit was alleged to have conducted in the Cradock township late at night, he said no policeman officially could be placed on duty if he was under the influence of liquor

In this instance it appeared that the whole unit, except for Const Goosen, was to some degree or other inebriated

He also said that even acting as an independent unit in another district it would have been necessary for W/O de Villiers to contact and co-ordinate with the Cradock command before entering the township

When the evidence of the alleged assault on Mr Mlungisi Stuurman the following day was put to him, he said such conduct was completely unacceptable to him personally and as a policeman

He added that there had never been any complaints about W/O De Villiers or the unit

with regard to drinking on duty or misconduct prior to that weekend

He described both W/O De Villiers and Const Goosen as excellent and enthusiastic workers up to then

Sergeant E W Lombard of the police video unit said he was present at the night operation into the Cradock black townships on July 26, 1986

He gave the court his account of the action and said he was completely unaware of any assaults or knifings, except for one drunk old man he himself had thumped on the chest after he had been told "white man, take your bus and off out of our location"

He said there were no reports made of any stabbings or assaults in his presence

The only injury he knew of at the time was a cut on Constable M Booyens' arm after he had reportedly fallen

He heard subse-

quently there were allegedly two stabbings and one killing that night

He agreed that thinking back it was completely wrong for a group of inebriated policemen to go into the township

He said he saw nothing wrong with it at the time because his own judgement was clouded by liquor

After the incident he was questioned by Brigadier B H Henn, and about three weeks later by Major G Goosen and Lieutenant J C Meyer

When he told Major Goosen what had happened Major Goosen was not satisfied "He said I was a Mafia gangster and I was talking and he would lock me up"

Major Goosen had referred to notes and told him what had allegedly happened When he did not agree, Maj Goosen told him to "stop protecting the others, they were all Mafia".

The trial continues today



Cop on trial says colonel lied in court

JOHANNESBURG — Captain Jack La Grange yesterday accused the man who handled the investigation of the charges against him, Colonel "Suiker" Britz, of having placed false evidence before the Rand Supreme Court

Captain La Grange, 40, former commanding officer of the East Rand Murder and Robbery Squad, and Sergeant R E van der Merwe, 30, are facing two counts of murder and one of attempted murder. They have both pleaded not guilty.

Sergeant Van der Merwe has admitted shooting three men, two fatally, but said he believed he was following lawful orders.

Captain La Grange has denied any involvement in the three crimes.

Drug dealers

Mr Bernie Ogle was killed on September 28 last year, Mr Ernest Malakoane was wounded during the early hours of September 29 and Mr Peter Pillay was killed on October 4.

The state has said all three men were drug dealers.

Mr Klaus von Lieres, attorney-general for the Witwatersrand Local Division, said that when Captain La Grange returned from an identity parade at which he was not identified by Mrs Gloria Malakoane, he must have felt the police had made a serious mistake in arresting him.

Captain La Grange agreed.

Captain La Grange said the version put before the court by Colonel Britz was "definitely fabricated". He said many of the things Colonel Britz had said were not correct.

WRONG MAN . . . Mrs. Gloria Molakoane, wife of the wounded man, points to one of the men in a police line-up in Johannesburg shortly after Captain La Grange was arrested on the Natal South Coast. Captain La Grange is in fact the man, arrowed, second from the right. He had shaved off his moustache.

- (2) No
- (a) to (c) Fall away
- (3) No

Nelspruit: persons detained

104 Mr P G SOAL asked the Minister of Law and Order:

- (1) Whether any persons were detained at police stations in the Nelspruit police district in 1987 on suspicion of being illegal immigrants, if so, (a) how many and (b) for what specified period was each detained,
- (2) whether any of these persons were in possession of South African identity documents when detained, if so, how many,
- (3) whether any other steps were taken in respect of these persons, if so, what steps?

The MINISTER OF LAW AND ORDER

- (1) Yes
- (a) 12 164 persons
- (b) The work involved in compiling this information is voluminous and time-consuming, therefore, it is not practically feasible to furnish the information
- (2) Yes — 706 persons
- (3) Yes The persons mainly entered the Eastern Transvaal area illegally from Mozambique to find a better refuge. The control over these aliens resort with the Department of Internal Affairs who are responsible for their further handling. I am therefore not prepared to furnish information about the further steps that were taken

Note The South African Police do not keep record of the race of persons charged with these offences, therefore, the total number of persons arrested is supplied

Illegal immigrants/prohibited persons: detained

111. Mr S S VAN DER MERWE asked the Minister of Law and Order:

- (1) (a) How many suspected (i) illegal immigrants and (ii) prohibited persons were being detained in police stations in the Republic as at the latest specified date for which figures are available, (b) in terms of what statutory provisions were they being detained in each case, (c) how long had each been in detention and (d) in which police stations were they being detained,
- (2) whether any persons being detained as suspected illegal immigrants in 1987 admitted that they were in the country illegally; if so (a) how many, (b) how long had each been detained when signing an admission to the effect that he was an illegal immigrant, (c) of which countries were they citizens in each case and (d) where had each been detained while his case was being investigated?

The MINISTER OF LAW AND ORDER

- (1) (a) (i) 2 658 persons and (ii) 1 548 persons on 10 February 1988
- (b) Contravening various sections of the Admission of Persons to the Republic Regulations Act, 1972 (Act 59 of 1972) and the Aliens Act, 1937 (Act 1 of 1937)
- (c) and (d) The work involved in compiling this information country-wide is voluminous and time-consuming, therefore, it is not practically feasible to furnish the information
- (2) Yes
- (a) 20 726 persons
- (b) Immediately after detention — 20 513 persons
6 persons after 2 days
128 persons after 14 days
79 persons after 30 days

- (c) Mozambique
- Zimbabwe
- Swaziland
- Botswana
- Malawi
- Lesotho
- Zambia
- Portugal
- Transkei
- Netherlands

- (d) At several police stations, country-wide

Adults/juveniles shot and killed/wounded by SAP

123 Mr S S VAN DER MERWE asked the Minister of Law and Order:

- (1) How many (a) adults and (b) juveniles in each race group were shot and (i) killed or (ii) wounded by the South African Police in the execution of their duties in 1987,
- (2) how many persons in each category were (a) killed and (b) wounded while attempting to escape arrest?

The MINISTER OF LAW AND ORDER

	(1)	(a)	(b)
Whites	(i) 5	(ii) 4	(i) 10
Coloureds	44	47	8
Blacks	305	408	37
Asians	1	3	117
	355	462	45
			161

separate unrest-related and non-unrest-related deaths and wounding—

Police vehicles involved in accidents

126 Mr S S VAN DER MERWE asked the Minister of Law and Order:

- Whether any police vehicles were involved in accidents in 1987, if so, (a) how many and (b) what was the total cost to the State of such accidents?

The MINISTER OF LAW AND ORDER

- Yes
- (a) 6 206 vehicles
- (b) R4 079 504,38 of which an amount of R553 684,12 was claimed from third parties and members of the South African Police. The total expenditure for the State thus far amounts to R3 525 826,26

Note Because all calculations in respect of damages to vehicles and the determining of responsibility for damages in each case, coupled with civil actions which might follow, are not yet completed, the actual and ultimate damages for the State will be a lower amount which cannot be determined at this stage

I wish to point out to the honourable member that during 1987 the South African Police covered 434,2 million kilometres with motor vehicles. This represents an average of 70 000 accident-free kilometres for every accident that occurred

Self-governing territories/border areas: new employment opportunities for Blacks

177 Mr P G SOAL asked the Minister of Education and Development Aid:

- (a) How many new employment opportunities were created for Blacks in each employment sector in the self-governing territories and border areas (i) by development corporations and other statutory bodies and (ii) through investment by (aa) South African and (bb) overseas companies in the 1986/87 financial year and (b) what was the cost per employment opportunity created in each of these sectors?

Contraventions of Aliens Act: persons arrested

110. Mr S S VAN DER MERWE asked the Minister of Law and Order:

- How many Black persons were arrested by members of the South African Police in 1987 for contraventions in terms of the Aliens Act, No 1 of 1937?

The MINISTER OF LAW AND ORDER

3 456 persons of all races

CA 186 Trans (251)
24/3/88

No way for a cop to work — colonel

Own Correspondent

GRAHAMSTOWN. — No policeman under the influence of liquor could officially do duty, particularly unrest work where serious decisions had to be made, a former head of the Unrest Unit told the Supreme Court yesterday.

Lieutenant-Colonel D Blignaut was testifying at the trial of two members of the unit, Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents in Cradock on July 26, 1986.

When the evidence of the alleged assault on Mr Mlungisi Stuurman the following day was put to him, he said such conduct was completely unacceptable to him personally and as a policeman.

Sergeant E W Lombard of the police video unit told the court he had been present at the "black-bashing operation" on that night.

He agreed that thinking back it was completely wrong for a group of inebriated policemen to go into the township. He said he saw nothing wrong with it at the time because his own judgment was clouded by liquor.

The trial continues.

Call for strong action against police

MR Ray Swart, Progressive Federal Party spokesman on Foreign Affairs, yesterday called for "strong action" against the police who allegedly continued searching the West German Consul-General's home in Johannesburg even after learning it had diplomatic status.

The special unit hunting for the man suspected of involvement with the Krugersdorp bomb blast, Mr Hein Grosskopf, entered the home of Mr Erhard Loeser after a tip-off, which sparked an international row and resulted in a full apology by the South African government

Documents

Yesterday a shocked Mrs Charlotte Loeser said the police had continued the search after going through her husband's documents. She said the policemen had been "very rude".
"When the police learn in the course of their visit that it is a diplomatic residence and they continue their search, it is a total misuse of police power and a breach of diplomatic convention," Mr Swart said.

- The Minister of Foreign Affairs, Mr Pik Botha, has said the officer in charge of the police unit involved had been instructed to convey personal apologies to the West German officials. He said "steps" had been taken against the policemen concerned.
— Own Correspondent and Sapa

SAP shot dead 400 wounded 623 in '87

D/D 25/3/88

Daily Dispatch
Correspondent

CAPE TOWN — The police shot and killed 400 people last year, including 175 who were shot while trying to escape, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

A further 623 people were shot and wounded, including 288 who were shot trying to escape

Mr Vlok said in reply to Mr Tian van der Merwe (PFP, Green Point) that 355 adults and 45 juveniles were shot and killed by the police last year

He said 305 of the adults killed were black, five were whites, 44 were coloureds and one was an Asian, while 37 of the juveniles who were killed were black and eight were coloureds

Of those killed, 169 adults and 16 of the juveniles were shot while attempting to escape

Mr Vlok said 462 adults were shot and wounded by the police, including 408 blacks, four whites, 47 coloureds and three Asians and 161 juveniles were shot and wounded, including ten whites, 34 coloureds and 117 blacks

"These statistics include deaths and woundings with regard to unrest-related and non-unrest-related deaths and woundings," Mr Vlok said.

Detective denies he mistreated accused

EAST LONDON — A detective-sergeant from Queenstown told the regional court here yesterday that he was not "unfriendly" to Mr Fikile Gwadana, nor did he mistreat him by handcuffing his hands behind his back while transporting him from Elliot to Queenstown and by stating he had no food for him

Det-Sgt Joseph Baleni was testifying in the trial within a trial of Mr Mzwabantu Errol Dapula and Mr Gwadana, who are alleged to have prepared and planted an explosive device in the Fred Pettit Centre in Queenstown on June 28, 1986

They have pleaded not guilty

The trial-within-a-trial is to test the admis-

sibility of the contents of a "pointing out document", which included a statement by Mr Gwadana to Lieut William Charles Landman of the South African Police, who had acted as a justice of the peace

Defence counsel, Mr J Poswa, said Mr Gwadana would tell the court that Sergeant Baleni and Sergeant Ngqwaru, who accompanied him on the trip, had been unfriendly to him on the way to Elliot on July 31, 1986, and back to Queenstown the next day

Sergeant Baleni denied this, adding that he was not sure whether Sergeant Ngqwaru had been unfriendly to him

Mr Poswa said Mr Gwadana would also say they had not told him

that they would fetch him again the following day for the "pointing out"

Sergeant Baleni said they had told him they would fetch him the next day, adding that he might have overheard them talking in the charge office

"Don't you accept that it is possible for him not to have been there when you said it?" Mr Poswa asked Sergeant Baleni said he did not know

Mr Poswa said Mr Gwadana would say he had had nothing to eat on July 31, and while he was in the car on August 1 he mentioned to Sergeant Baleni that he was hungry, but he was told there was no food in the car

Mr Poswa said Mr Gwadana had said he had been "most uncomfortable" with his hands handcuffed behind his back for such a long time.

Sergeant Baleni replied that that was how people were handcuffed if they were being transported in a car, even though they might be travelling a long distance.

Mr Poswa also said that Mr Gwadana would say they had stopped at Dordrecht where Sergeant Baleni had bought cold drinks for himself and Sergeant Ngqwaru, but not for Mr Gwadana

Sergeant Baleni said he did not remember this, but it was unlikely because it was winter

"So you never drink cold drinks in winter?" Mr Poswa asked, to which Sergeant Baleni replied that he did

"I put it to you that you are either deliberately misinforming the court or else you don't remember and are simply misinterpreting your own information," Mr Poswa said

Sergeant Baleni replied that that was not the case.

Earlier, Sergeant Baleni said he had experienced only two "pointing outs" before, both of which were after August 1986

The prosecutor, Mr Johann du Plessis, submitted that Mr Gwadana had not been forced to say anything or to point out anything and had done so of his own free will

The case continues to-

D/B 25/3/88

Witness resented treatment (251)

Daily Dispatch
Correspondent

GRAHAMSTOWN — A witness told the Supreme Court yesterday he resented the way he had been treated during the investigation of the Cradock police murder case

He said he had complained to several police officers about it

Sergeant E W Lombard was testifying at the trial of Warrant/Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two charges of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents at Cradock on July 26, 1986

Sgt Lombard said two days after the incident he was questioned by Brigadier B H Henn, who asked about the the

vehicle he had driven in Cradock

Brig Henn asked if the vehicle had double back wheels and he said not

This seemed to infuriate Brig Henn who then told him he had better get an advocate, then told him to get out of his office

When he was questioned by Major G Goosen and Lieutenant J C Meyer about three weeks later, he was treated like an accused

In answer to a question by Mr Justice Zietsman, he explained "like a person involved in assaults and murders"

The way Maj Goosen went on he thought he was being accused of the murder of Mr Mlungisi Stuurman, although Maj Goosen must have known he had not been anywhere near the river

He said he heard the whole section had been "locked up" by then, and he was sure the same would happen to him

Maj Goosen asked him if he knew about Judges' Rules, but did not actually warn him. When he tried to tell what he knew of the happenings of July 26, Maj Goosen would refer to a pile of notes and then tell him that it did not happen like that

He had eventually made and signed a statement, and although it was correct, it was not what he wanted to say but what Maj Goosen had extracted

When Mr W Kingsley, for the State, put his statement to him, he identified it. Asked to explain certain omissions and contradictions between it and his evidence, he said he told Maj Goosen the full story

Maj Goosen had decided his evidence about his thumping an old black man on the chest was "irrelevant" and omitted it

The same applied to his account of where the bus had subsequently travelled

He could not explain why the statement said he asked Constable Neveling to take over driving while he had a chance on foot patrol, when in fact he had gone to look for W/O De Villiers

He agreed the statement was nearer to the State witness' evidence than his own testimony in court on this point

He said he felt bitter about the way he had been treated, although he had never laid a formal complaint

The trial will continue today

Parliament and Politics

Police shot 400 dead in 1987

Political Staff

THE police shot and killed 400 people last year, including 175 who were shot while trying to escape, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

A further 623 people were shot and wounded, including 288 who were shot while trying to escape.

Mr Vlok, who was replying to a question by Mr Tian van der Merwe (PFP, Green Point), said 355 adults and 45 juveniles were shot and killed by the police last year.

He said 305 of the adults killed were black, five were whites, 44 were coloured and one was an Asian, while 37 of the juveniles who were killed were



black and eight were coloured.

Of those killed, 169 adults and 16 of the juveniles were shot while attempting to escape.

Mr Vlok said 462 adults and 161 juveniles were shot and wounded by the police. The adults included 408 blacks, four whites, 47 coloured and three Asians. The

161 juveniles shot and wounded included 10 whites, 34 coloured and 117 blacks.

He added that 265 adults and 23 juveniles of those shot and wounded were attempting to escape.

"These statistics include deaths and woundings with regard to unrest-related and non-unrest-related deaths and woundings," Mr Vlok said.

(25) 25/3/88

HOUSE OF ASSEMBLY — PEOPLE

Political Staff

HOUSE OF ASSEMBLY — Police shot and killed 400 people last year, including 175 who were shot while trying to escape, Law and Order Minister Adriaan Vlok said yesterday.

A further 623 people were shot and wounded, including 288 who were shot trying to escape.

These statistics include deaths and woundings with regard to unrest-related and non-unrest-related deaths and woundings, Vlok said.

He was replying to a question by Tian van der Merwe (PFP Green Point) — Sapa.

Captain absent at killing - alleged claim

Own Correspondent

JOHANNESBURG. — A social worker employed at the Magistrate's Court here testified yesterday that murder accused Sergeant Robert van der Merwe told him his co-accused Captain Jack la Grange "was not there" at the shooting of three men.

Captain La Grange, the suspended head of the East Rand Murder and Robbery unit, and Sergeant Van der Merwe have both pleaded not guilty to the murder of two alleged drug dealers and the attempted murder of a third.

La Grange has denied any involvement in the killings

The social worker, Mr Theunissen, who is employed by the Department of Health and Welfare, said he met Sgt Van der Merwe at court in December some time be-

tween 9.30am and 11am but could not remember the date

Sgt Van der Merwe had been pointed out to him, and as a social worker he had asked him if he had any problems. Sgt Van der Merwe told him he did not.

Mr Theunissen said Sgt Van der Merwe had said he was going to be a state witness. His impression of Van der Merwe was that he was euphoric.

As a "reality test" he said to him: "You and Jack jumped into a car and shot those 'ouens' Sgt Van der Merwe's response was "The captain was not there."

Mr Theunissen said he had not made a note of the conversation because he had no interest in the case and had only made a statement on Wednesday after the case was discussed in his presence during lunch and he mentioned the conversation.

Under cross-examination by

counsel for both Sgt Van der Merwe and the State, Theunissen insisted that the conversation had taken place

The Attorney-General for the Witwatersrand, Mr K von Lier SC, put it to Mr Theunissen that Sgt Van der Merwe's first appearance was on December 10 when he was taken before the magistrate late in the afternoon and his next appearance was December 22.

Sgt Van der Merwe's counsel also applied to reopen his case

The sergeant testified that he did not know Mr Theunissen at the conversation between them had not taken place

He said he had seen Mr Theunissen at court but not spoken to him.

The trial continues today, before Mr Justice Irving Steyn and two assessors

D/O 26/3/88 (251)

Policeman: I knew nothing of killings

GRAHAMSTOWN — A witness who had been with the alleged "black bashing expedition" in the Cradock township, was asked by the Supreme Court yesterday how there could have been stabbings and killings without his knowing

Sergeant E W Lombard said he could not explain, but he had not been aware of any violence

Sgt Lombard was called by the defence to testify in the trial of Warrant-Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice arising out of alleged incidents in Cradock on July 26, 1986

Asked how he felt later when he heard people had been stabbed and a man killed, Sgt Lombard said if the allegations were true, he felt very bad about being one of the expedition

He admitted that he had been under the influence of liquor and that he had had a free choice as to whether he would accompany the patrol or not. He agreed to go along as a driver

When they left the townships, he notified the "Op's Room" they were withdrawing. If there had been any incidents, it was his responsibility to report them at the time

He did not report any incidents nor that Const M P A Booyens had been injured on duty. The trial continues on Monday — DDC

Own Correspondent

GRAHAMSTOWN — A witness who had been with the alleged "black bashing expedition" in the Cradock township was asked by the Supreme Court yesterday how there could have been stabbings and killings without his knowing.

Sergeant E W Lombard said he could not explain, but he had not

been aware of any violence that night, except when he himself had thumped an old man on the chest

Sergeant Lombard was called by the defence to testify in the trial of Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice arising out of alleged incidents in Cradock on July 26, 1986

Assessor Mr B P Loots wanted to know how the incidents which the court now know happened could have happened without Sergeant Lombard's knowledge. The policeman could not explain

Sergeant Lombard also said he did not hear any talk of incidents among members of the unit after they returned to base. Asked how he felt later when he heard people had been stabbed and a man killed, he said that if the allegations were true, he felt very bad about being one of the expedition

He said the purpose of going into the township that night was to do foot patrols to tempt the stone-throwers and arrest them.

He agreed that the idea of using foot patrols as bait was a form of enticement

He admitted that he was under the influence of liquor when he went in, and that he had had a free choice as to whether he would accompany the patrol or not

In answer to Mr Justice Zietsman, he denied that he and WO De Villiers had planned the operation together. They had discussed it, WO de Villiers had made the decision and he had agreed to go along as a driver.

When they left the township he notified the "Op's Room" they were withdrawing. If there had been any incidents, it was his responsibility to report them at the time

The trial will continue on Monday

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Cop on patrol 'didn't know' of incidents

Cop who saved city speaks from the grave

CAPE TOWN
26/3/88

(251)

By ROGER WILLIAMS
Chief Reporter



FLASHBACK . Colonel "Terry" Terblanche and the crowd of 30 000 who surrounded Caledon Square on March 30, 1960. Unarmed, and with cool courage he went in among them and persuaded them through their leader, after giving him an assurance, to return peacefully to the townships

A POLICE officer accredited with saving Cape Town from a bloodbath in 1960 revealed in his will that he was "dumbfounded" when ordered by a cabinet minister to move armoured vehicles into the city as 30 000 angry blacks marched on Cape Town

Brigadier I P S "Terry" Terblanche revealed this in a statement found attached to his will

He said the then Minister of Justice, Mr Frans Erasmus, gave him the order on March 30, 1960

After 28 years of silence the brigadier, who died at Bellville last week aged 85, recorded "for posterity" what transpired on that momentous day for Cape Town

Under control

Mr Erasmus gave the order in spite of his assurance that the situation was under control and that it would be highly dangerous to take the step the minister was insisting on

Mr Erasmus instructed him to send armoured vehicles on to Stalplein, near Parliament, and to the Old Supreme Court (now the SA Cultural History Museum), off Church Square

"I was dumbfounded that a minister of our country could address me in such a manner, and issue an instruction altogether unheard of for a minister

"When I told him I was also in full control of the security of the Parliament buildings, his response was 'Carry out my instructions'"

(The brigadier obeyed the instruction, but ensured the vehicles were kept well out of sight, under the control of senior officers)

Brigadier Terblanche is credited with having saved Cape Town from a bloodbath on the day he later referred to as "the miracle of March 30", on which, with cool courage, he decided to talk rather than shoot when the phalanx of angry blacks marched to the Caledon Square police headquarters to demand to put their pass-law and other grievances to Mr Erasmus personally

Colonel Terblanche, as he was then, defused a dangerous situation by promising the leader of the blacks, Mr Philip Kgosana, a 23 year old university student, that he would arrange for him and a small deputation to meet Mr Erasmus later in the day

In his statement he said when Mr Kgosana returned to Caledon Square — having persuaded his followers to go back peacefully to the townships — he was arrested on Mr Erasmus's instructions

'A certain source'

He says when he routinely applied for promotion to a higher rank (brigadier) on his retirement in 1961, this was rejected by Mr Erasmus and that he was later told in confidence by "a certain source" that the minister had disapproved of his handling of the March 30 situation

In an 80th-birthday interview he told me he had set out the details in a statement he had attached to his will — and this was released to me yesterday by his son and the co-executor of his estate, Mr Naas Terblanche

Brigadier Terblanche said he had remained silent "in the interests of my country and my people", but felt that after his death "the true facts be recorded, for posterity"

Court told of trauma effect

By BILL KRIGE

A POLICEMAN accused of murder probably suffered from Vietnam Syndrome, a post-traumatic stress disorder, a judge heard this week.

Dr Anton Potgieter, an expert in reaction to operational stress, was giving evidence at the trial of Warrant Officer Leon de Villiers and Constable Patrick Goosen in the Grahamstown Supreme Court.

A key element Const Goosen acquiring symptoms of the syndrome was a police action in which an alleged terrorist died in a firefight in Port Elizabeth and during which Const Goosen was pinned down by gunfire for almost 30 minutes.

This was in February 1986, a few months before the incidents in Cradock which led to the two policemen each being charged on two counts of murder.

Accidental

Earlier, the court heard of a drunken and unauthorised patrol by members of the unrest unit at which people were chased, caught and beaten up at random. One teenager, Mlungisi Stuurman, was bleeding so badly that W/O de Villiers allegedly told his troop he should be "taken out".

The youth was driven to the banks of the Fish River and shot in the head by Const Goosen, who has claimed the shooting was accidental.

Dr Potgieter said Const Goosen pitied Mr Stuurman and associated himself with his helplessness — "he was as helpless as I was in the shack" he had told the doctor, referring to the firefight in which he feared for his life.

Row over officer (SI)

AN Indian police officer's position as second in command at a police station in a white Natal seaside resort has upset a Conservative Party member.

This has landed Lt Venketras Gurriah Naidoo (31), at the centre of a political row between the Minister of Law and Order, Mr Adriaan Vlok, and a Scottburgh housewife, Mrs Anna Clark, the *Tribune Herald* newspaper reported on its front page yesterday

28/3/88
Gurriah

DREAMING OF

Proceeds for flood relief fund

Events planned to celebrate SAP's 75th anniversary

28/3/88 (251) Star

By Craig Kotze

Witwatersrand police are planning a series of events to celebrate the SAP's 75th anniversary this year, including a Rand Show extravaganza, a rally of 1 000 veteran cars — the largest in South Africa to date — and a massive tattoo

A Scroll of Honour is to be handed to SAP Commissioner General Henne de Witt on May 18 by the Johannesburg City Council. The ceremony will be preceded by a parade through town by police platoons and vehicles.

A Heroes Acre will also be opened at the West Park Cemetery on May 20.

Police involvement in the Rand Show — where equipment worth more than R4 million will be displayed — is extensive and takes the form of a massive exhibition centre and displays by various squads, including the elite Task Force and divers

Public display

The Nongqai, South Africa's new vehicle used for combating unrest, will be on public display for the first time.

The SAP effort at the show will also include exhibitions of the Diamond and Gold Branch, Criminalistics, Narcotics Bureau and the Dog School.

Displays will include a roadblock simulation using the vehicle in which Dutch fugitive Klaas de Jonge was initially arrested, bush warfare and a

car-bomb scene. Gymnastics and drill displays will also be held.

On May 7, a massive Veteran Motor Rally involving 1 000 vehicles leaves Church Square in Pretoria for the showgrounds in Johannesburg, where a flypast of veteran aircraft will also take place.

The vehicles will travel along the M1 Highway to the showgrounds, where they will be on display.

Takings donated

Part of the takings will be donated to the Flood Disaster Fund and to cancer research

September 17 sees Operation Flying Squad — a police version of a military tattoo — at Hector Norris Park in La Rochelle in Johannesburg. Virtually the full spectrum of police units will be on display.

Other events planned this year for the anniversary include.

● An event at the Kyalami racetrack as part of the Robin Hood Racing Day on August 6

● A 10 km night marathon involving 7 000 runners at the Hector Norris Cycle Track in La Rochelle on September 7

● A Choir Festival at the Standard Bank Arena on September 24

● Ladies Garden Party and fashion show at Gold Reef City on August 18 which will be attended by Mrs Elize Botha, wife of President Botha.

Bloodbath hero reveals all after 28 years

P/D 28/3/88

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CAPE TOWN — A police officer accredited with saving Cape Town from a bloodbath in 1960 revealed in his will that he was "dumbfounded" when ordered by a cabinet minister to move armoured vehicles into the city to stop a march by 30 000 angry blacks.

In a statement attached to his will, Brigadier I. P. S. "Terry" Terblanche said the then Minister of Justice, Mr Frans Erasmus, gave him the order on March 30, 1960.

After 28 years of silence, the Brigadier, who died in Bellville last week at the age of 85, recorded "for posterity" what transpired on that momentous day.

Mr Erasmus gave the order despite Brig Terblanche's assurance that the situation was under control and that, in his opinion, it would be highly dangerous to take the step on which the minister was insisting.

Mr Erasmus instructed Brig Terblanche to send

armoured vehicles to Stalplein near parliament and to the Old Supreme Court (now the South African Museum of Cultural History).

"I was dumbfounded that a minister of our country could address me in such a manner, and issue instructions altogether unheard of for a minister," Brig Terblanche said.

"When I told him I was in full control of the security of the parliamentary buildings, his response was 'carry out my instructions'."

The Brigadier obeyed, but made sure that the vehicles were kept well out of sight, and placed under the control of senior officers.

Brigadier Terblanche was later credited with having saved Cape Town from a bloodbath on the day he later referred to as "the miracle of March 30", by coolly deciding to talk rather than shoot, when the phalanx of angry blacks marched to Caledon Square police headquarters.

They mob demanded to see Mr Erasmus personally, in order to put their pass-law and other grievances to him.

Colonel Terblanche, as he was then defused, a dangerous situation by promising the leader of the group, Mr Philip Kgosana, a 23-year-old university student, that he would arrange for him and a small deputation to meet Mr Erasmus later in the day.

In his statement, Brig Terblanche said that when Mr Kgosana returned to Caledon Square — having persuaded his followers to go back peacefully to the townships — he was arrested on Mr Erasmus's instructions.

Brig Terblanche also said that when he routinely applied for promotion, upon his retirement in 1961, Mr Erasmus refused to approve his request.

He was later told in confidence by "a certain source" that the minister had disapproved of his handling of the March 30 situation. — Sapa

D/D 28/3/88 (251)

Indian policeman at centre of political row

DURBAN — An Indian police officer's position as second in command at a police station in a white Natal seaside resort has upset a Conservative Party member

This has landed Lieutenant Venketras Gurriah Naidoo, 31, at the centre of a political row between the Minister of Law and Order, Mr Adriaan Vlok, and a Scottburgh housewife, Mrs Anna Clark, the Tribune Herald newspaper reported on its front page yesterday

Lieut Naidoo, who has been stationed at Scottburgh on the Natal South Coast, for about 10 years, is to be moved to an "Indian" town

He was recently promoted to his present rank.

Mrs Clark, who confirmed that she was a member of the CP, questioned his position as second in command at the Scottburgh police station in a letter to Mr Vlok on January 14

She said there was no

reason for the appointment as Scottburgh had no Indian residents, Indian-owned businesses, or black townships



MR VLOK

"Promote the man by all means — but why to one of the few all-white towns in this country," she said in her letter

The Press secretary for the Minister of Law and Order, Brigadier Leon Mellet, said that policemen were placed wherever they were needed and race was not a criterion in appointments

He said he doubted whether there was a link between Lieut Naidoo's transfer and Mrs Clark's letter

However, the CP's Natal vice chairman, Mr Pat Mohr, said the minister had created a situation that had caused the reaction to Lieut Naidoo's position at the Scottburgh police station

"How would Indians react if an Afrikaner Weerstandsbeweging member was appointed to Chatsworth (Durban's Indian township)?" he asked

In a letter to Mrs Clark, dated February 29, Mr Vlok said that since December 1, Lieut Naidoo's posting at Scottburgh had been temporary, as he had served there as a Warrant Officer

"In the meantime, a posting has been identified for him as station commander at Umzinto, where he will be transferred in due course" — Sapa

Capt. Link 24/3/88

CP housewife 'upset' by officer's rank *31*

DURBAN. — An Indian police officer's position as second-in-command at a station in a white Natal seaside resort has upset a Conservative Party member

This has landed recently-promoted Lieutenant Venketrás Gurriah Naidoo, 31, at the centre of a row between the Minister of Law and Order, Mr Adriaan Vlok, and a Scottburgh housewife, Mrs Anna Clark, according to the Tribune Herald.

Lt Naidoo, who has been stationed at Scottburgh for about 10 years, is to be moved to an Indian town.

Mrs Clark, who confirmed she was a member of the CP, questioned his position as second-in-command at the Scottburgh police station in a letter to the Minister on January 14

A spokesman for the Minister of Law and Order, Brigadier Léon Mellet, said he doubted whether there was a 'link' between Lt Naidoo's transfer and Mrs Clark's letter. Sapa

1112 s.d. 11

THE president of the World Alliance of Reformed Churches, Dr Allan Boesak, vowed yesterday to continue resisting the government but said he feared being killed.

He said he had received new death threats in the past week and if he was assassinated suspicion should fall on the police

Police have rejected the allegation, which a spokesman described as "totally unfair, untrue and malicious"

Speaking at a press conference yesterday, Dr Boesak said: "Many leaders have been assassinated in South Africa. I want the world to know the light of suspicion should fall on the South African government and the police if something like that should happen"

Dr Boesak recently reported that stones had been thrown through the windows of his home and has said that he received death threats in the past.

He said yesterday there had been "more death threats over the last week"

Guarding his home

At a sermon earlier yesterday, Dr Boesak said: "Even though it may be true that we will be called on to give our lives for this cause I cannot change my obedience to God," reports Sapa-Reuter "I cannot withdraw the challenge to the state that we will continue to work for peace and justice," he said in the sermon in Bellville South

Elaborating at the press conference, Dr Boesak said students had volunteered to guard his home and while sitting in a car at 3am last Tuesday they said they had seen what they believed to be a police car drive by with its lights out

"As the car passed the students flicked their lights on. There were three in the car, one in the back, who had a gun pointing out the window," he said

Dr Boesak said the students said they had seen a police emblem on the car, from which they maintained a spotlight had been turned on before it sped away

He said this was a "very sinister development," because when a journalist friend called police about the incident, "they categorically denied there was even a car in the vicinity

"If they had said the car had come on patrol duty to see if I was safe, no one would have believed them, but they at least would have had an excuse," said Dr Boesak.

"One doesn't say these things to create an atmosphere of martyrdom. It has happened before in this country. People have died mysteriously," he added

A spokesman for police headquarters in Pretoria, Captain J L Barnard, said "It is unfair that the South African Police should always be subjected publicly to such allegations. It is another example of how untested, unsubstantiated, one-sided allegations are made in public in a bid to discredit the SAP not only locally, but also abroad

Dr Boesak also accused the Dutch Reformed Church of laying the groundwork for government action

against anti-apartheid churchmen
The white Dutch Reformed Church is quite deliberately trying to provide a theological justification before the fact so that the state can take action against us," he said
Dr Boesak said events were following a simi-

lar pattern to 1977 when the Christian Institute was banned after coming under fire from the Dutch Reformed Church
Statements by the DRC, criticizing him and Archbishop Tutu and alleging that they did not represent the church were dangerous, he said
"The white Dutch Reformed Church is saying to the state, 'These people are not the church and do not represent the church, therefore when you act against them you are not acting against the church,'" said Dr Boesak

Boesak *CAPE TOWN 28/3/88*

WORLD ALLIANCE OF REFORMED CHURCHES

CAPE TOWN 28/3/88

APR 1988

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Senior State Prosecutor for a decision

- (a) and (b) Fall away
- (3) No The Senior State Prosecutor declined to institute prosecution
- (a) and (b) Fall away

South African Government' discussions with Angola

*15 Mr R A F SWART asked the Minister of Foreign Affairs

- (1) Whether the South African Government has held or is to hold any discussions with the Government of Angola, if not, why not, if so, (a) when, (b) where, (c) who was or is to be involved in the discussions and (d) what was or is to be the purport of the discussions,
- (2) whether he will make a statement on the matter?

+The DEPUTY MINISTER OF FOREIGN AFFAIRS

- (1) The hon member will appreciate that in matters of this nature, particularly as regards the possibility of discussions with Angola, I am simply not in a position to give definitive replies to the categorical questions put by the hon member
- (2) No, not at this stage

Members of AWB who are members of Police Force/reserve police force

*16 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) Whether it is the policy of the South African Police (a) not to engage persons as, and (b) to require the resignation of, (i) members of the Police Force and (ii) members of the reserve police force who are current members of (aa) a certain organization, the name of which has been furnished to the Police for the purpose of the Minister's reply, and (bb) any other organizations, if so,
- (2) (a) in terms of what statutory provisions or regulations, (b) why and (c) what are the names of the organizations concerned?

+The MINISTER OF LAW AND ORDER

- (1) and (2)

HOUSE OF ASSEMBLY

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proud because it best serves the interests of a multi-racial South Africa with its diverse social, cultural and religious customs

To strictly abide by this policy is in itself a very difficult task. Therefore the South African Police cannot allow members of the Force to also be members of unregistered political parties or movements, organizations, bodies or associations which pursue radical and extremist political goals and demand undivided loyalty from their members

Even if such an organization should register or start functioning as a political party, and the activities and goals of such party are so radical and extremist that membership thereof is incompatible with membership of the South African Police, the necessary steps will be taken to prevent this clash of loyalties

The Afrikaner-Weerstandsbeweging is an organization which from its statements of policy at my disposal, clearly indicates that it pursues radical and extremist political goals and demands undivided loyalty from its members

These radical and extremist political goals cannot be reconciled with the policy of impartiality of the South African Police. A person who is loyal to the Afrikaner-Weerstandsbeweging or any other radical organization cannot serve the interests of South Africa's multi-racial society impartially

Alleged abduction/assault of person on 9 February 1988: persons charged

*17 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) Whether any persons have been charged in connection with the alleged abduction and assault on or about 9 February 1988 of a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, if so (a) on what date, (b) in terms of what statutory provisions, (c) with what alleged offences, (d) at what police station were they so charged, (e) (i) what are the names of the persons charged and (ii) by whom are they employed, (f) what were the circumstances surrounding this incident and (g) what is the name of the person who was allegedly abducted and assaulted,
- (2) whether the persons charged are being held in custody, if not, why not,

(3) whether the Police have submitted a docket on the case to the Attorney-General of the Witwatersrand, if not, (a) why not and (b) when is it anticipated that this will be done, if so, (1) when and (ii) with what result,

(4) whether any other steps have been taken in respect of these persons, if so, what steps?

+The MINISTER OF LAW AND ORDER

- (1) No
- (a) to (g) Fall away
- (2) Falls away
- (3) No, but to the Attorney-General of the Transvaal in Pretoria
- (a) and (b) Fall away
- (1) 11 March 1988
- (ii) On 22 March 1988 the Attorney-General declined to prosecute

(4) Not by the South African Police

National Flood Disaster Relief Fund

*18 Mr R M BURROWS asked the Minister of National Health and Population Development

- (1) Whether he or his Department has issued an instruction or advice to the effect that the National Flood Disaster Relief Fund was to be the only fund-raising body for flood disaster relief in the Orange Free State and Northern Cape area, if so, (a) when, (b) in what form and (c) why,
- (2) whether bodies other than the official fund collected moneys for flood disaster relief in Natal, if so, (a) which bodies and (b) with effect from what dates;
- (3) whether he will make a statement on the matter?

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

- (1) Yes
- (a) 7 March 1988
- (b) A press statement by the Chairman of the Board of the Disaster Relief Fund
- (c) Because the possible contravention of the provisions of the Fund-raising

HOUSE OF ASSEMBLY

determined that the AWB has been declared an unlawful organization

†The MINISTER Mr Speaker, I have already indicated that in my reply to question 16 I shall respond fully to questions which the hon member for Green Point has put to me about what the policy is and so on I suggest that the hon member sits quietly now, because he will hear the replies shortly

†Mr T LANGLEY Mr Speaker, further arising out of the hon the Minister's reply, I should like to know from him in terms of which statutory provision or regulation he terminated the membership of these persons

†The MINISTER Mr Speaker, again I should like to tell the hon member nicely and slowly that in my reply to question 16 I shall reply exactly to what he is asking. He will then have clarity in this connection [Interjections]

Opening of commercial cinemas on Sundays

*13 Mr D J DALLING asked the Minister of Justice

- (1) Whether, during the past year, he received an representations relating to the possible opening of commercial cinemas on Sundays, if so, (a) from whom and (b) what was the gravamen of these representations in each case,
- (2) whether he has taken or is contemplating taking any action as a result of these representations, if not, why not, if so, (a) what action and (b) when?

The MINISTER OF JUSTICE

(1) Yes

- (a) Ster-Kinekor Theatres (Pty) Limited
- (b) That commercial cinemas in certain centres be opened on Sundays to show selected films

- (2) It has been learnt that the people concerned are preparing further motivation for their representations

New Questions

Certain person: national service

*1 Mr C J DERBY-LEWIS asked the Minister of Defence

HOUSE OF ASSEMBLY

this person, if not, why not, if so, what action,

- (4) whether he will furnish the House with information on this person, if not, why not, if so, (a) what is his (i) name and (ii) diplomatic rank, (b) which country does he represent in South Africa and (c) with what banned organization does he have connections?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS

FAIRS

- (1) Before Heads of Diplomatic Mission are appointed in South Africa, customary international law requires that approval of the appointment be obtained from the State President. When application is made for such approval, a curriculum vitae of the nominee is submitted by the sending State and this is investigated further

In the case of other members of the staff of diplomatic missions, customary international law dictates that the sending State may freely appoint the members of the staff of the mission, except in the case of military, naval or air attachés where the receiving State may require their names to be submitted beforehand for its approval

This procedure is followed in South Africa and the past of persons whose names are submitted for approval is investigated by the relevant authorities before such approval is given

- (2) Not to the knowledge of the relevant authorities
- (3) Falls away
- (4) Falls away

Botshabelo: special constables deployed

*4 Mrs H SUZMAN asked the Minister of Law and Order

Whether any special constables have been deployed in Botshabelo, if so, (a) how many, (b) when were they deployed in this area for the first time and (c) what specified tasks have they been assigned?

The MINISTER OF LAW AND ORDER

Yes

- (a) Sufficient special constables to supplement permanent members of the South

African Police so that law and order can be effectively maintained

- (b) Since 1 June 1987
- (c) Special constables are employed to guard schools and other strategic buildings. They are also employed during crime prevention actions

However, I regret the fact that in certain circles, deliberate campaigns have been launched to discredit special constables. This is being done with evil intentions in order to jeopardize the good relations that exist between them and the majority of law-abiding residents of black townships

I wish to emphasize that since special constables were first deployed in the Black townships, there has been an increasing decline in unrest-related incidents and ordinary crime

Their presence in the Black townships is welcomed by the majority of law-abiding residents. They are a stumbling-block to the radical and criminal elements because they effectively curb their criminal activities

Should the hon member or any of the hon members of this House approach me, I am prepared to share with them information which I have at my disposal in respect of how the law-abiding communities experience the presence of special constables in the Black townships in a positive manner

Mrs H SUZMAN Mr Speaker, arising out of the hon the Minister's reply, could he tell us whether he has received complaints about these special constables exceeding their powers in Botshabelo?

The MINISTER Mr Speaker, as far as I know, no complaints have been received, but the hon member will understand that it is not possible for me to give an accurate answer off the cuff. If she cares to put that question on the Question Paper, however, I will reply to it.

Parental expenditure on private school fees: loss of revenue to State if tax-deductible

*5 Mr K M ANDREW asked the Minister of Finance

Whether his Department has made an estimate of what the loss of revenue to the State would

HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY

Indicates translated version

For oral reply

General Affairs

Question standing over from Tuesday, 15 March 1988

Soutpansberg: services of police reservists terminated

*8 Mr T LANGLEY asked the Minister of Law and Order +

- (1) Whether the services of certain police reservists at police stations in the Soutpansberg constituency, the names of which have been furnished to the South African Police for the purpose of the Minister's reply, were recently terminated, if so, (a) why, (b) in what manner and (c) how many reservists are involved, whether the services of police reservists have been terminated on a country-wide basis, if so, (a) why and (b) how many reservists' services have been terminated country-wide, if not, why not?

The MINISTER OF LAW AND ORDER

- (1) Yes
- (a) On account of their continued membership of the Afrikaner-Weerstandsbeweging
- (b) By giving them notice that their services in the Reserve Police Force are being terminated
- (c) Seven reservists

†Mr T LANGLEY Mr Speaker, arising out of the reply of the hon the Minister, is it now as a result of the complaints lodged with the hon the Minister by Adv Pieterse, the NP's agent in Soutpansberg, that this action was taken against the AWB in that area?

†The MINISTER Mr Speaker, I am not aware of any complaints lodged by Adv Pieterse

HOUSE OF ASSEMBLY

- (a) 278
(b) 296

Meeting with Nelson Mandela

*4 Mr C J DERBY-LEWIS asked the Minister of Justice

- (1) Whether, in 1987, he met with Mr Nelson Mandela inside a prison during the course of his duties, if so, (a) what was the purpose of these meetings and (b) (i) when and (ii) where did they take place, if not,

- (2) whether he met with Mr Mandela outside prison premises in that year, if so, (a) what was the purpose of these meetings and (b) (i) when and (ii) where did they take place?

†The MINISTER OF JUSTICE

- (1) and (2)

I visit various prison institutions in the course of my duties and sometimes talk to groups or individuals. In the process I have also had contact with Mr Nelson Mandela

Members of AWB who are members of SAP/ reserve police force

*9 Mr T LANGLEY asked the Minister of Law and Order +

- (1) Whether members of the (a) South African Police and (b) reserve police force were recently requested to indicate in writing whether they are members of a certain organization, if so, of what organization,
- (2) whether those members who have indicated that they belong to the organization concerned, have been required to take certain action, if so, what action,
- (3) whether all such members have complied with this requirement, if not,
- (4) whether any action has been taken against members who have failed or refused to comply with this requirement, if not, why not, if so, what action?

†The MINISTER OF LAW AND ORDER

- (1) (a) No

- (b) Yes A number of members of the Reserve Police Force were requested

to indicate whether they were members of the Afrikaner-Weerstandsbeweging

- (2) Yes They were given the choice of resigning from the Afrikaner-Weerstandsbeweging or resigning as members of the Reserve Police Force
- (3) No

- (4) Yes Seven members of the Reserve Police Force were informed that their services were going to be terminated

†Mr T LANGLEY Mr Speaker, arising out of the hon the Minister's reply, are these to the best of his knowledge the only seven members of the reserve police force who either refused to indicate that they were members or refused to resign?

†The MINISTER Mr Speaker, I shall, still in reply to question 16 — which is a question of the hon member for Green Point — deal with the whole matter of the AWB and our action in this connection. I really suggest that the hon member for Soutpansberg waits until I get there, because he may get clarity then

†Mr T LANGLEY Mr Speaker, further arising out of the hon the Minister's reply, I put certain questions to him, and I would like to suggest, with respect, that the hon Minister did not reply to my questions properly. I therefore request him to supply me with a reply.

†The MINISTER Mr Speaker, I supplied the hon member with a full reply and I shall let my reply suffice

†Mr F J LEROUX Mr Speaker, the hon member for Soutpansberg asked the hon the Minister a question arising out of his reply. I do not believe it is within the power of the hon the Minister to say when he will answer a question. He says he will do so when he replies to question 16 [Interjections]

†Mr SPEAKER Order! The hon member for Soutpansberg's last comment was not a question but a complaint against the hon the Minister that he did not originally reply fully enough to his question. This is what the House is dealing with at the moment, and not with a specific question by the hon member to the hon the Minister

†Mr F J LEROUX Mr Speaker, further arising out of the reply of the hon the Minister I should like to know from him whether it has been

HOUSE OF ASSEMBLY

On 29 February 1988, the figures were as follows

†The MINISTER OF JUSTICE

†The MINISTER Mr Speaker, I have indicated that there are other questions on this matter to which I shall reply. The hon member can also wait calmly until he hears those further replies [Interjections]

Questions standing over from Tuesday, 22 March 1988

Robben Island: prisoners held

*1 Mrs H SUZMAN asked the Minister of Justice

How many prisoners were being held at the (a) maximum security and (b) medium security prison on Robben Island as at the latest specified date for which figures are available?

On 29 February 1988, the figures were as follows

Trial resumes

THE trial of the two policemen facing charges of murder and attempted murder will be resumed in the Rand Supreme Court today.

It was postponed yesterday without any evidence being given and the two policemen, Sergeant Robert Edmundt van der Merwe (30) of the Brixton Murder and Robbery Squad and Captain Jack la Grange (40) former head of the East Rand Murder and Robbery Squad were remanded in custody until today.

They are appearing before Mr Justice Irving Steyn and two assessors.

The State alleges that they shot and killed Mr Bennie Alex Ogle, an import-export agent outside his house in Ennerdale on September 29 last year, and three hours later shot and wounded Mr Ernest Molokoane, a Soweto businessman outside his double storey house in Mapetla, and gunned down Mr Peter Godfrey Pillay, an Eldorado Park taxi owner on a dirt road near Riverlea on October 4 of that year.

They have pleaded not guilty to all the charges. The case has aroused great public interest.

251
since then
29/3/88

'COULD BLOODIED COP'

Court is told of 'powerful motivation'

THE State yesterday asked a Rand Supreme Court judge that the two murder and robbery squad policemen charged with two counts of murder and one of attempted murder should both be found guilty as charged.

Mr Klaus von Lieres, the Attorney General of the Witwatersrand, who is appearing for the State, asked Mr Justice Irving Steyn, sitting with two assessors, to find

Sergeant Robert Edmund van der Merwe (30) of the Brixton Murder and Robbery Squad and Captain Jack la Grange (40) former head of the East Rand Murder and Robbery Squad guilty on the three counts.

The two policemen are alleged to have murdered Mr Bennie Alex Ogle an import-export agent outside his home in Ennerdale on September 29 last year, three hours

By MANDLA
NDLAZI

later shot and wounded Mr Ernest Molokoane, a Soweto businessman outside his double-storey house in Mapela, and gunned to death Mr Peter Godfrey Pillay on a dirt road near Riverlea on October 4 of that year.

The two policemen have pleaded not guilty. In his argument for a

conviction, Mr von Lieres said what drove Sergeant van der Merwe to commit cold blooded murder was the belief that he was doing it for the interest of his people and his country. He asked the court that Sergeant van der Merwe should be found guilty of all three counts.

He said there were also allegations that Sergeant van der Merwe was influenced when he was

promised "heaven on earth" and that he would never see the inside of a cell.

Mr von Lieres said Sergeant van der Merwe had told the court that he was not influenced by promises and had decided to tell the truth when he heard of the shocking evidence that R35 000 was involved in the shooting.

Advocate Eddie

Bruwer, counsel for Captain la Grange, said in his argument his client had not been pointed out at the identification parade that was held. He said there was no evidence implicating Captain la Grange Mr Justice Steyn said the question was if Sgt van der Merwe was not with Captain la Grange, then who was the other person?

(Proceeding)

MIR Molokoane . . .
survived.



JOHANNESBURG

The powerful motivation that drove Detective Sergeant Robert van der Merwe to commit cold-blooded murders had been that he thought he was doing so in the interests of volk and fatherland

This was argued yesterday by the Attorney General of the Witwatersrand, Mr Klaus von Lieres, SC, in the Rand Supreme Court at the resumption of the trial in which Sergeant Van der Merwe, 30, of the Brixton Murder and Robbery Squad and Captain Jack la Grange, 40, the former head of the East Rand Murder and Robbery Squad

They are appearing on two charges of murder and one of attempted murder.

Mr Von Lieres asked that Sgt Van der Merwe be found guilty on all three counts

^{DID 30/3/88} Court told accused killed for "volk and fatherland" (251)

The trial was postponed yesterday because Mr Justice Irving Steyn was unable to attend as he had broken a kneecap at the weekend

He was on crutches and helped to his seat by his two assessors when he took the bench yesterday

Mr Von Lieres also submitted that Capt La Grange's case was based on a complete denial he was implicated in the murders of Mr Bennie Alex Ogle and Mr Peter Godfrey Pillay and the shooting of Mr Ernest Molokoane.

He also relied on a "heavy onslaught" on

the credibility of the head of the investigating team, Lieutenant Colonel Karel Britz

"There were also allegations that Sergeant Van der Merwe was improperly influenced by promises of Heaven on Earth, bail, a transfer to another unit in the police force and that he would never see the inside of a cell if he spoke the truth in order to implicate Captain La Grange as being the big fish to be landed"

Sergeant Van der Merwe said he had not been influenced by the promises but had de-

cidied to speak the truth when he was faced with the shocking fact that R35 000 was involved

The confession he made was substantiated by his evidence in court and he believed the action he took in shooting the men was right because Capt La Grange told him instructions to eliminate them had come from head office

"As a good policeman he had to obey the orders of a senior officer

"A motivation could have been his attitude to the ANC and he saw justification because what he was doing was in the interests of volk and fatherland

"His background and upbringing taught him to respect human life

"He knew what was right and wrong and lawful and unlawful"

The case continues — Sapa

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D/D 30/3/88
**Police stop
Eglin tour**

PIETERMARITZBURG
— The leader of the Progressive Federal Party, Mr Colin Eglin, was stopped by police in Ashdown while on a fact-finding tour through the townships yesterday.

When the party was stopped, a senior officer who was called to the scene told Mr Eglin that he would not be able to continue the visit except under police escort.

Mr Eglin declined and was told to take the shortest route out of Edendale Valley and report to the police station.

The officer received a radio call and the party was allowed to continue the tour provided it did not stop anywhere.

The police liaison officer later said the reason Mr Eglin was not allowed to continue the visit was because a photographer and reporter were among the party.

Mr Eglin said last night he regarded the incident as "a sign of the times"

He said effective police action was called for but half-trained "kitskonstabels" were not the answer. — Sapa

March 30 1988

COURTS

**I knew
nothing of
KTC order
— officer**

**Supreme Court
Reporter**

A SENIOR policeman, who saw witdoeke burning shacks in KTC in June 1986, told the Supreme Court he did not know of an interdict preventing such actions.

Captain Paul Loock, giving evidence yesterday in the R312 000 damages claim against the Minister of Law and Order by 21 KTC residents and the local Methodist Church, said he was not aware and was not informed of an interim court order restraining police, army or squatter leaders from attacking or allowing attacks on KTC.

Captain Loock said that from June to November 1986 he was in charge of detectives at Gugulétu police station investigating general and unrest-related offences such as arson.

He said he was in KTC in a Casspir on June 9, 10 and 11 1986.

Captain Loock said it would have been suicidal for his Casspir crew of seven to leave their vehicle and attempt to arrest witdoeke for arson in June 1986.

Threat

He said. "It would have been seven men against a few thousand."

It was fair to say that any threat to policemen clearly came from the comrades and that the damage caused on the three days he was there was "practically exclusively" the work of witdoeke, Captain Loock said.

Mr H Viljoen SC, for the residents, in cross-examination: Why did you not act in terms of the law against the side which did not seem to be threatening you?

Captain Loock: I was not equipped to do so. The unrest unit tried to keep witdoeke out of the area. I was there to investigate crimes.

The Minister of Law and Order has denied that police assisted in, alternatively failed to prevent, attacks on KTC in June 1986, as alleged by residents.

(Proceeding)

HOUSE OF ASSEMBLY

†Indicates translated version

For written reply

General Affairs

Emergency regulations: juveniles detained

50 Mrs H SUZMAN asked the Minister of Law and Order

(1) (a) What total number of persons classified as juveniles in terms of the Prisons Act, No 8 of 1959, had been detained in terms of the emergency regulations since 12 June 1986 as at the latest specified date for which information is available, (b) in which prisons were they detained and (c) for what period in each case,

(2) whether these juveniles were visited by detainee inspectors, if not, why not, if so, at what intervals?

The MINISTER OF LAW AND ORDER

(1) (a) to (c) The work involved in compiling this information would be voluminous and time-consuming and cannot be economically justified. Therefore I am not prepared to furnish this information.

(2) No. I wish to point out to the honourable member that Inspectors of Detainees are appointed in terms of Sections 44 and 45 of the Internal Security Act, 1982 (Act 74 of 1982) to visit persons detained in terms of Section 29 of the said Act.

Persons detained in terms of the Emergency regulations, receive visits from Judges of the Supreme Court of South Africa, and on request from their legal representatives, parents and/or family. Furthermore I wish to refer the honourable member to the reply of my Colleague the Minister of Justice to Written Question Number 232.

Deaths in police custody

55 Mrs H SUZMAN asked the Minister of Law and Order

Whether any persons died in police custody in 1987, if so, (a) how many, (b) what were their

HOUSE OF ASSEMBLY

25 August 1987 as at the latest specified date for which information is available and (b) where were they deployed in each case,

(2) whether any complainants against constables have been laid with the Police since 25 August 1987, if so, (a) how many, (b) what was the nature of the complainants and (c) in respect of what date is this information furnished,

(3) whether any special constables have been charged with offences since 25 August 1987, if so, (a) how many, (b) with what offences and (c) in respect of what date is this information furnished,

(4) how many firearms of each specified type were issued to these constables,

(5) whether any firearms issued to special constables have been used in the commission of any crimes, if so, (a) how many since 25 August 1987 as at the latest specified date for which information is available and (b) what were the circumstances surrounding the use of such firearms in each case?

The MINISTER OF LAW AND ORDER

(1) (a) 398 special constables until 27 February 1988

(b) In the Police Divisions of Natal, Northern Transvaal and Orange Free State

(2) Yes

(a) and (b) A variety of charges, *inter alia* —

Murder
Attempted murder
Robbery
Assault with the intent to do grievous bodily harm
Theft

Housebreaking with the intent to steal and theft
Malicious damage to property
Rape

Contraventions of the Arms and Ammunition Act, 1969 (Act 75 of 1969)

(c) 12 February 1988

(3) Yes

(a) to (c) I refer the honourable member

to my reply in paragraph (2)(a) to (c) above

(4) For security reasons, I do not consider it to be in the public interest to furnish this information

(5) Yes

(a) and (b) Several instances up until 12 February 1988. However, the work involved in compiling these statistics country-wide is voluminous and time-consuming and cannot be economically justified. Therefore I am not prepared to furnish this information.

Note
However, I wish to draw the attention of the honourable member to the fact that the presence of special constables in the Black residential areas, causes a great deal of antagonism among radical elements. These members are often exposed to provocation and situations of necessity. Allegations of excessive force and criminal behaviour are often made against these members out of revenge, when they consequently take action against radical and criminal elements. In some instances the allegations are well-founded, but in the majority of cases it is evident that the allegations are meant to discredit special constables in the community and with the outside world.

All allegations are carefully investigated. In those instances where it is clear that special constables have committed crimes, criminal charges are investigated against them without hesitation and their services are summarily terminated. It is brought to the attention of special constables daily that they, like any other citizens, should not act beyond the limits of the Law. They also work under the supervision of experienced police officials.

Furthermore, I wish to point out to the honourable member that the Commissioner of the South African Police and I, have irrevocably undertaken to eradicate criminal behaviour within the South African Police, and this includes the criminal behaviour of special constables.

HOUSE OF ASSEMBLY

(5) whether any wards in State hospitals are overcrowded, if so, (a) in which specified hospitals and (b) to what extent?

THE MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

- (1) No Hospital facilities are provided according to the wishes and needs of the community
- (2) No, see (1)
- (3) No A committee is at present busy with an investigation into the utilisation of empty spaces in State hospitals. The committee's report will be studied and further action will be planned accordingly

(4) Yes

(a) and (b) The information is not readily available

(5) Yes
(a) and (b) The information is not readily available

Section 50, Internal Security Act: detainees

423 Mrs H SUZMAN asked the Minister of Law and Order

(a) How many persons were detained in 1987 in terms of section 50 of the Internal Security Act, No 74 of 1982, and (b) for what period was each detained before being released?

THE MINISTER OF LAW AND ORDER

- (a) None
- (b) Falls away

Black school pupils: per capita expenditure

509 Mr R M BURROWS asked the Minister of Education and Development Aid

What was the per capita expenditure, (a) including and (b) excluding expenditure of a capital nature, on Black school pupils in the 1987/88 financial year?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID

1987/88	1986/87
(a) R560,50	(a) R476,95
(b) R466,79	(b) R368,56

Note These figures are based on projections as

the Department's books for 1987/88 have not yet been closed

Persons employed by SAP

521 Mr C J DERBY-LEWIS asked the Minister of Law and Order

How many Whites, Coloureds, Indians and Blacks, respectively were employed by the South African Police in each of the latest specified five financial years for which figures are available?

THE MINISTER OF LAW AND ORDER

I do not consider it to be in the public interest or the interest of the country to furnish this information

Administration of estate duty tax: cost

524 Mr C J DERBY-LEWIS asked the Minister of Finance

(a) What was the cost of administering the estate duty tax in each of the latest specified three years for which information is available and (b) what was the amount realized in such tax in each of these years?

THE MINISTER OF FINANCE

(a) Estimated cost*	(b) Amount realized
1984/1985	R300 000
1985/1986	R428 000
1986/1987	R486 000
1984/1985	R100 383 241
1985/1986	R139 360 485
1986/1987	R147 278 888

* The true cost of administering the Estate Duty Act cannot be determined as the assessing of estate duty is integrated in the administration process in Masters' offices while the collection and administration in Inland Revenue forms part of the administration of other taxes

Diamond industry: cost of policing

528 Mr C J DERBY-LEWIS asked the Minister of Law and Order

(1) What is the cost to the State of policing the diamond industry in the Republic of South Africa,

(2) whether the South African Police are involved in policing the diamond industry in

South West Africa, if so, at what cost to the (a) State and/or (b) Police,

(3) in respect of what date is this information furnished?

THE MINISTER OF LAW AND ORDER

(1) The South African Police does not police the diamond industry of the Republic

(2) No

(a) and (b) Fall away

(3) Fall away

Milnerton/Maitland/Pinelands: arrests for vagrancy/drunkenness

544 Mr J J WALSH asked the Minister of Law and Order

How many (a) males and (b) females of each race group were arrested in 1987 for (i) vagrancy and (ii) drunkenness in the (aa) Milnerton, (bb) Maitland and (cc) Pinelands police station areas?

THE MINISTER OF LAW AND ORDER

	(a)	(b)
(i) (aa)	14 persons	9 persons
(ii) (aa)	93 persons	49 persons
(i) (bb)	26 persons	18 persons
(ii) (bb)	2 425 persons	890 persons
(i) (cc)	none	none
(ii) (cc)	572 persons	34 persons

Separate records of the race of persons arrested are not kept, therefore only the total number of persons arrested is furnished

New work opportunities for Blacks

557 Mr J J WALSH asked the Minister of Education and Development Aid

(a) How many new work opportunities were created for Blacks in each employment sector by the South African Development Trust in the 1987-88 financial year and (b) what was the cost per opportunity in each sector?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID

As the 1987/88 financial year has not been completed, figures are not available as yet, and therefore 1986/87 figures are stated. Figures indicated in the table below are in respect of

the South African Development Trust Corporation (STK)

New work opportunities created	Cost per work opportunity
(a)	(b)

STK's activities	
1 1 Commerce, services and housing	50
1 2 Industries	5 942
1 3 Small industries	20
1 4 Mining	nil
1 5 Agriculture	1 300
1 6 Transport	nil
1 7 Other	nil

* 1) Not available as yet

Note

(1) Activities which are undertaken by the Department of Development Aid on South African Development Trust land, are mainly handled by private contractors. As a result of rotation of employees between projects inside as well as outside South African Development Trust-areas, and fluctuating contract periods, the desired information cannot be calculated

(2) The number of temporary work opportunities for occasional workers created on South African Development Trust land, by means of the special employment creation programme, for the period 1 April 1986 to 31 March 1987 amounted to 57 582. An amount of R2 724 million was spent for this purpose. A sectoral division of this employment is not available

STK manufacturing concerns/persons employed/amount invested in self-governing territories

558 Mr J J WALSH asked the Minister of Education and Development Aid

As at the latest specified date for which information is available, what was the total (a) number of (i) manufacturing concerns and (ii) persons employed and (b) amount invested by the South African Development Trust in each of the self-governing territories where decentralization concessions or incentives are applicable?

Females detained
61 Mrs H SUZMAN asked the Minister of Law and Order

- (1) How many females (a) were detained in 1987, and (b) had been detained as at the latest specified date for which figures are available, in terms of section (1) 28, (ii) 29, (iii) 31 and (iv) 50 of the Internal Security Act, No 74 of 1982,
- (2) (a) how many females had been detained in prison cells in terms of the emergency regulations since 12 June 1987, and (b) how many females were being so held, as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER

- (1) (a) 67 persons
(iv) None
(b) (ii) 18 persons on 11 February 1988
(iv) None

(2) (a) and (b) I refer the honourable member to my reply to written question 54

Note The information requested in paragraph (a) (i) and (iii) and (b) (i) and (iii) resorts under the Department of Justice. The honourable member can therefore acquire it from the Minister of Justice

Internal Security Act/emergency regulations: detainees released

207 Mr S S VAN DER MERWE asked the Minister of Law and Order

How many persons detained since 12 June 1986 in terms of the Internal Security Act, No 74 of 1982, and emergency regulations had been released as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER

— 638 persons in terms of the Internal Security Act, 1982 (Act No 74 of 1982)

— Although unrest has decreased, the revolutionary climate remains unacceptably high and unrest-related incidents still occur

The publication and distribution of information in respect of detentions under the Emergency Regulations can contribute to increase the revolutionary climate. Therefore, I do not

consider it to be in the interest of the safety of the public and the maintenance of the public order to be party to such actions

Emergency regulations: meetings prohibited
208 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any meetings have been prohibited in terms of the emergency regulations since 12 June 1986, if so, how many in each police district as at the latest specified date for which figures are available?

The MINISTER OF LAW AND ORDER

Yes, 49 meetings until 22 February 1988 in various police districts country-wide

Emergency regulations: detainees released following court orders

211 Mrs H SUZMAN asked the Minister of Law and Order

(1) How many detainees held under the emergency regulations had been released following court orders to that effect since the introduction of the first state of emergency in July 1985 as at the latest specified date for which information is available,

(2) whether any applications for the release of detainees held in terms of emergency regulations are pending, if so, how many as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER

(1) and (2) I do not consider it in the interest of anyone to furnish this information

Police men/women in SAP

212 Mrs H SUZMAN asked the Minister of Law and Order

(1) How many (a) Indian, (b) Coloured, (c) White and (d) Black (i) policemen and (ii) policewomen were there in the South African Police Force as at the latest specified date for which figures are available,

(2) how many persons of each race group were there in each specified rank as at that date?

The MINISTER OF LAW AND ORDER

(1) and (2) I do not consider it to be in the interest of the safety of the Republic to reveal

the exact establishment of the South African Police. I am however prepared to furnish this information on a confidential and personal basis to the honourable member

Municipal police: complainants

213 Mrs H SUZMAN asked the Minister of Law and Order

Whether any complaints were lodged with the South African Police in 1987 regarding the conduct of municipal police attached to any town councils, if so, (a) how many in respect of each specified town council, (b) what was the nature of the complaints in each case and (c) what action was taken by the Police as a result?

The MINISTER OF LAW AND ORDER

Yes

(a) and (b) 569 complainants *inter alia*, murder, attempted murder, assault with the intent to do grievous bodily harm, theft, rape, malicious damage to property, culpable homicide, pointing of a firearm, robbery, negligent driving and driving under the influence of liquor, were reported at various police stations country-wide

(c) A case docket was opened in respect of every complainant and submitted to the Attorney-General of the area concerned after completion of the investigation to decide whether prosecution were to be instituted or not

Security legislation: detainees

240 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) (a) What total number of persons was being detained in terms of security legislation as at 31 January 1988, (b) what were their names in each case and (c) in terms of what statutory provision was each being detained,

(2) how many of these persons were under the age of (a) 18 and (b) 15 years as at that date?

The MINISTER OF LAW AND ORDER

(1) (a) I refer the honourable member to my reply in paragraph (1) to written question 49 of 4 March 1988

(b) I do not consider it to be in the

interest of the persons concerned or in the public interest to furnish this information

(c) In terms of section 29 of the Internal Security Act, 1982 (Act 74 of 1982)

(2) (a) 11 persons
(b) None

Juveniles hospitalized

241 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any persons detained in terms of the emergency regulations and classified as juveniles in terms of the Prisons Act, No 8 of 1959, were hospitalized (a) in 1987 and (b) as at the latest specified date for which information is available, if so, (i) how many, and (ii) for what reasons, in each case?

The MINISTER OF LAW AND ORDER

(a) and (b) Yes

(1) 84 persons up until 11 February 1988 namely

20 years of age	22 persons
19 years of age	25 persons
18 years of age	19 persons
17 years of age	13 persons
16 years of age	12 persons
15 years of age	2 persons
14 years of age	1 person

(ii) For a variety of reasons, *inter alia*—

chest pain
sofe knees
public pains
epigastric pains
abscesses
warts
venereal disease
bronchitis
epileptic fits
asthma
infection
appendicitis
skin allergies
tonsillitis
tuberculosis
stomach ache
gastro-enteritis

Unrest-related offences: arrests by security forces

242 Mr S S VAN DER MERWE asked the Minister of Law and Order

Handwritten signature

Handwritten signature

(1) How many cases of assault on infants by parents were reported in respect of each race group in each province during the period 1 July 1986 to 30 June 1987,

(2) in how many cases in respect of each race group did the infant (a) die and (b) suffer serious injury as a result of the assault?

The MINISTER OF LAW AND ORDER

	(1)	(2)(a)	(2)(b)
Western Province	203	10	51
Natal	52	6	9
Orange Free State	35	1	8
Transvaal	63	6	25

Note Statistics of the race of persons are not kept, therefore, only the total with regard to all the race groups are being furnished

Detainees in police cells hospitalized

282 Dr M S BARNARD asked the Minister of Law and Order

(1) Whether any persons detained in police cells since 12 June 1986 have been hospitalized since 10 February 1987, if so, (a) how many, (b) in terms of what statutory provision was each being detained, (c) to what hospitals were they admitted, (d) for what reasons were they hospitalized in each case and (e) in respect of what date is this information furnished,

(2) whether he will furnish the names of the persons concerned, if not, why not, if so, what are their names?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) 75 persons

(b) 25 persons in terms of section 29(1) of the Internal Safety Act, 1982 (Act 74 of 1982), 10 persons in terms of the emergency regulations,

40 persons in terms of section 50 of the Criminal Procedure Act, 1977 (Act 51 of 1977)

(c) Different hospitals country-wide

(d) For a variety of reasons *inter alia* —
Ulcers
Alcohol poisoning
Low blood pressure

Heart disease
Pain in the chest
Appendectomy
Gastro-enteritis
Pregnancy

Pneumonia
Epilepsy
Tuberculosis
Asthma
Diabetes
Infection
Malnutrition
Kidney disease

(e) Until 29 February 1988

(2) No It is not in the interest of the persons concerned to furnish the information

Thefts from cars: reported/recovered

298 Mr H H SCHWARZ asked the Minister of Law and Order

(a) How many thefts from cars were reported during the period 1 July 1986 to 30 June 1987 and (b) in how many cases were recoveries made?

The MINISTER OF LAW AND ORDER

(a) 62 707 cases

(b) Statistics of the articles that are recovered are not kept

Cosatu House, Johannesburg: investigation into explosion

306 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether, with reference to his reply to Question No 15, standing over, on 6 October 1987, the investigation into the explosion in Cosatu House in Johannesburg on 7 May 1987 has been completed, if not, why not, if so, (a) what were the findings and (b) what action has been taken as a result?

The MINISTER OF LAW AND ORDER

No because the guilty person/persons have not yet been identified and traced
(a) and (b) Fall away

Hillbrow/Norwood/Lombardy: offences

309 Mr H H SCHWARZ asked the Minister of Law and Order
How many case of (a) murder, (b) culpable

homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of

drugs were reported at each specified police station in (i) Hillbrow, (ii) Norwood and (iii) Lombardy in 1987?

The MINISTER OF LAW AND ORDER

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Hillbrow	61	12	246	960	94	596	4 126	551	1 829	3
Norwood	5	8	40	129	11	414	644	193	1 134	0
Lombardy East	6	6	24	67	15	51	377	101	757	0

Note I wish to point out to the honourable member that for the sake of efficiency, statistics were furnished for the period 1 January to 31 December 1987 All statistical reports will in future be furnished in calendar year periods

Labour disputes/work stoppages/strikes: SAP called to scenes

310 Mr J B DE R VAN GEND asked the Minister of Law and Order

In how many instances were the South African Police called to the scene of (a) labour disputes, (b) work stoppages and (c) strikes in 1987?

The MINISTER OF LAW AND ORDER

(a) 148 instances

(b) 142 instances

(c) 353 instances

Medical University of Southern Africa/Vista University: amounts received by students

362 Mr A GERBER asked the Minister of Education and Development Aid +

(1) Whether any students at (a) the Medical University of Southern Africa and (b) Vista University receive any (i) remuneration, (ii) allowances and/or (iii) bursaries on a monthly basis, if so, what amount per month is so received, in each case,
(2) whether all such students receive these amounts,
(3) whether the amounts so paid are proportionally reduced in the case of students who boycott classes, if not, why not, if so, what are the relevant details?

Wards in State hospitals not integrated
404 Dr M S BARNARD asked the Minister of National Health and Population Development

(1) Whether any wards in hospitals administered by the State are integrated, if so, how many in each specified hospital, if not, why not,
(2) whether his Department plans to desegregate wards in State hospitals, if not, why not, if so, when,
(3) whether any studies have been carried out into the cost implications of desegregating wards in State hospitals, if not, why not, if so, (a) when, (b) by whom and (c) what were the findings,

(a) Medical University of Southern Africa
(1) (i), (ii) and (iii) No
Salaries are paid to paramedical and nursing personnel in training by the hospital

(4) whether any wards in State hospitals are under-utilized, if so (a) in which specified hospitals and (b) to what extent,

Kakamas shootings: policeman charged

Political Staff

11(4) 30/3/88
251
A POLICE sergeant has been arrested and charged with the murder of two children shot dead at Kakamas last month, a police spokesman confirmed today.

Sergeant W J Beyleveldt of the dog squad at Kimberley appeared in court on Monday on two murder charges and 13 charges of attempted murder.

He was not asked to plead and the case was postponed to April 28.

He was released on his own recognizance.

The Kakamas shootings last month resulted in the deaths of Rosaline Cloete (4) and Michael Julius (13). Another 15 people were said to be injured at the time.

According to the police account a crowd started throwing stones when the police tried to arrest a suspect, and it became necessary to open fire.

According to accounts from people in the crowd, the people had gathered out of curiosity and there was no rioting or stone throwing.

CNF, TMS 30/3/80
'Crime down' since kitscops

Political Staff

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BOTH unrest-related incidents and "ordinary crime" had declined ever since special constables were deployed in black townships, the Minister of Law and Order, Mr. Adriaan Vlok, said yesterday. Replying to a question from Mrs. Helen Suzman (PFP Houghton), Mr. Vlok said he regretted deliberate campaigns to discredit special constables. "This is being done with evil intentions in order to jeopardize the good relations that exist between them and the majority of law-abiding citizens of black townships."

Policemen in murder probe

21/3-6
4/188

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CPM

By MARC DOBSON

THREE policemen are the subject of a murder investigation following the death of a factory worker, aged 22.

Mr Anthony "Ace" Kobe, from Sandkraal, died in George Hospital on Sunday after being admitted with severe head injuries.

He was due to be married in two weeks.

Independent MP Mr Jan van Eck confirmed this week that he submitted questions to Parliament on Kobe's death.

It is alleged Kobe was arrested after being involved in a dispute with another man on Saturday night.

Kobe was taken in a van to Sandkraal police station where he managed to escape

Fell unconscious

He was pursued, caught and brought back to the police station

While at the police station he was allegedly beaten until he fell unconscious. He was carried out to the van while still unconscious.

It is alleged he was later found alive on a nearby beach, but died in hospital after an operation.

A police spokesman from Pretoria said they were investigating an allegation of murder arising from Kobe's death

He could not comment further as the matter was still being investigated and would result in a judicial proceeding.

Kobe leaves two children and a mother.

Two police guilty of murder

251 Court finds
Brixton man
La Grange
lied about
'ANC deaths'

By JOHN PERLMAN
TWO policemen, one of whom said he believed he had been acting against African National Congress members, were yesterday found guilty of two counts of murder and one of attempted murder in the Rand Supreme Court.

Passing judgement before a packed court, Mr Justice Irving Steyn found Sergeant Robert van der Merwe and Captain Jack La Grange guilty of the murders of Bernie Ogle and Peter Godfrey Pillay, and of the attempted murder of Ernest Malakoane.

Sentence is due to be passed today. Judge Steyn said La Grange's claim that he had nothing to do with the shootings was not just doubtful but completely false.

La Grange, commanding officer of the East Rand Murder and Robbery Squad, had told the court Van der Merwe was nicknamed "Wonder Wereld" as he seemed to be living in a world of fantasy, with himself (La Grange) as a central figure.

Throughout the three-and-a-half week trial, La Grange said he had not been involved in any of the three shootings.

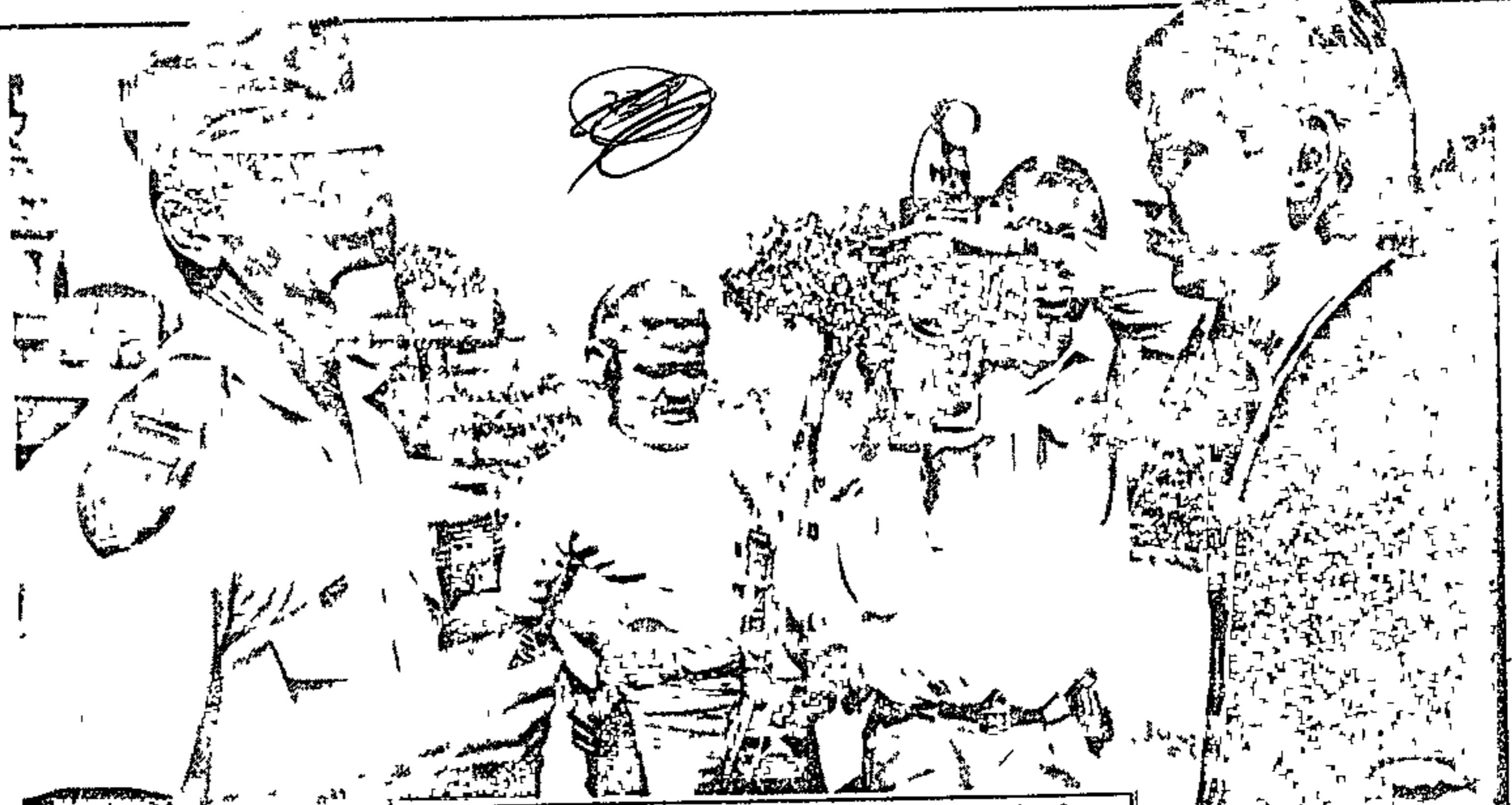
Van der Merwe, a member of the Brixton Murder and Robbery Squad, had admitted to shooting Malakoane and the deceased. All that remained in doubt, Judge Steyn said, were his reasons for doing it.

Earlier Van der Merwe told the court La Grange had said Ogle, Pillay and Malakoane were drug dealers, arms smugglers and involved with the ANC.

His feelings towards the ANC, he said, were of "pure hatred". He had been inside the Johannesburg Magistrates' Court last year when a bomb went off outside.

● To PAGE 2

The contents of this edition have been restricted in terms of the Emergency regulations



No handshakes this time, as students march on Pretoria

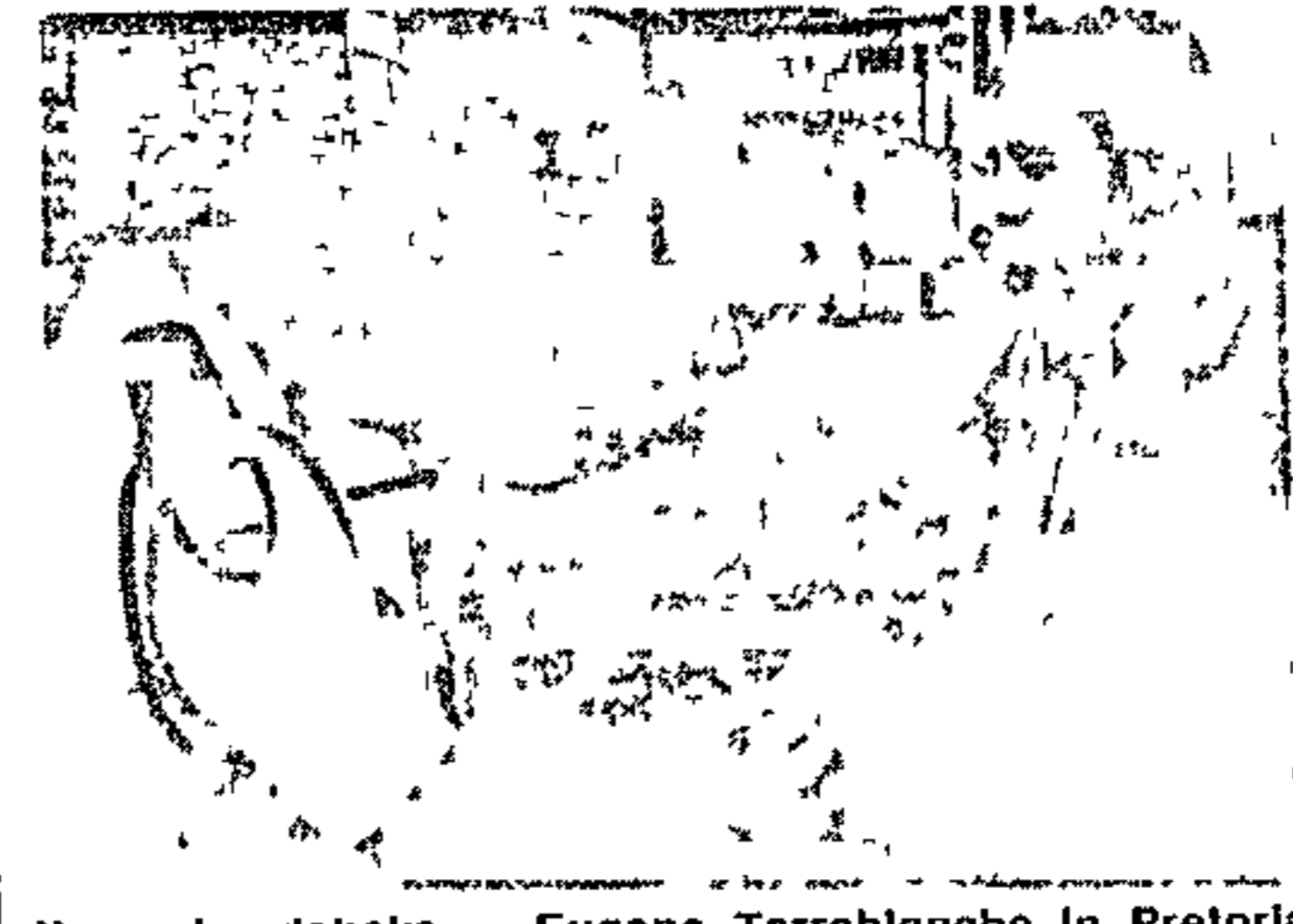
By VUSI GUNENE
ABOUT 70 members of the National Union of South African Students (Nusas) marched to the Union Buildings in Pretoria yesterday to protest against last month's banning of 18 organisations.

Dressed in academic gowns and led by Nusas president Steve Kromberg, the students marched 20 metres apart to avoid being accused of participating in an illegal gathering.

Each student handed a petition to a high-ranking police officer at the foyer of the Union Buildings.

As the procession approached, policemen turned away journalists, saying it was a security area.

The delegation represented residences, faculties, re-



Warm handshake... Eugene Terreblanche in Pretoria

Coolly polite Nusas leader Steve Kromberg in Pretoria
Picture ANNA ZIEMINSKI

At a news conference at the University of the Witwatersrand yesterday, reporters were told the delegation did not expect the government to heed the demands "as previous demands by the people of South Africa have been ignored".

The conference heard, however, that "the presentation of demands will publicly announce that students from the English language campuses and significant numbers of students from the Afrikaans campuses believe that the National Party's repressive measures offer no solution to the current conflict".

ligious groups, clubs and most representative group-societies. According to Kromberg, the protestors "constituted the largest and most representative group-ing (of white students) to participate in a national protest" against the ban-

Captain La Grange guilty of murder

● From PAGE 1

Van der Merwe, who said until he appeared in court he had been expecting to be a state witness, said he knew his actions were "illegal according to the law", but believed he was acting correctly and "in *lands-belang* (in the national interest).

Van der Merwe said he had acted on orders from La Grange, but believed they were coming from higher up. He said that on the night of September 28 when he and La Grange met before proceeding to the houses of Ogle and, later, Malakoane, La Grange had said the "order from head office was that two drug dealers with ANC connections and smuggling arms had to be eliminated".

He said La Grange had told him the order to kill Pillay had come from a senior policeman, Brigadier Basie Smit.

SINGS. ANOTHER CHURCH SERVICE? NO, A TRAIN BOUND FOR SOWETO

See PAGE 11

W/merwe 3/13-7/4/88

251

W/merwe 3/13-7/4/88

Murders cops

CAT TIPS 31/3/88

guilty of killing

251

Own Correspondent

JOHANNESBURG. — Captain Jack la Grange and Detective Sergeant Robert van der Merwe were yesterday found guilty in the Rand Supreme Court on two counts of murder and one of attempted murder.

La Grange, the former head of East Rand Murder and Robbery Unit, and Van der Merwe, a former member of the Brixton Murder and Robbery Unit, sat impassively in the hushed court as Mr Justice Irving Steyn and two assessors handed down judgment.

There were gasps from their wives seconds later as the judgment sank home

Both were found guilty of the murder of drug dealer Mr Bennie Ogle on September 29 last year and the attempted murder of building contractor Mr Ernest Malakoane three hours later

They were also found guilty of the murder of Mr Peter Pillay, a drug dealer who allegedly asked La Grange to eliminate Mr Ogle and Mr Malakoane. Mr Pillay was found dead with five bullet wounds in his head

After a lengthy summary, Mr Justice Steyn said that even though Van der Merwe believed he was acting in the country's interests by eliminating ANC members and pill-pushers in a clandestine police operation, he had intended to kill the three people

Mr Justice Steyn said Van der Merwe could not have done the killings on his own, "there had to be a second person and that person was Le Grange"

Argument in mitigation will be heard today

CALL THIS 3/13/88
25/

Govt praise for police in KTC

Supreme Court Reporter

POLICE on duty in KTC on the second day of factional fighting received a message from Mr Louis le Grange, former Minister of Law and Order, praising them for their work and promising that he would answer any questions

This was said yesterday by Captain Paul Looek in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC

Captain Looek told the court that from June to November 1986 he had been in charge of detectives at Guguletu police station investigating general and unrest-related offences, including arson

He had been in a Casspir in KTC on June 9, 10 and 11, 1986, and had not made any arrests

An SABC video tape, taken on the day police took several journalists on a tour of the area, was shown to Captain Looek in court

It showed him outside the Casspir

on a few occasions. It also showed hundreds and sometimes thousands of witdoek vigilantes walking next to and behind Casspirs

Asked by Mr HP Viljoen SC why police had not acted against the witdoeke when the march indicated trouble, Captain Looek said it was usual for the witdoeke to stand around the area and then walk back to Crossroads

He added "It is not my duty to contain unrest. I was there for investigations and to stop arson. I was not equipped for unrest duty"

The video film showed the Casspir in which Captain Looek was travelling through KTC passing SADF buffels and other Casspirs while witdoeke walked in the road or at the side

Mr Justice MR de Kock presided. Mr Viljoen with Mr P Pretorius and Mr A Omer and instructed by the Legal Resources Centre, appeared for the residents. Mr CD Griesel SC and Mr L Visser SC, with Mr FD J Brand and Mr CY Louw and instructed by the State Attorney appeared for the minister

La Grange, Van der Merwe found guilty of murder (251)

CAPTAIN Jack La Grange and Detective-Sergeant Robert van der Merwe were found guilty on two counts of murder and one of attempted murder on the 19th day of their Rand Supreme Court trial yesterday.

La Grange, former head of the East Rand Murder and Robbery Unit, and Van der Merwe, a former member of the Brixton Murder and Robbery Unit, both sat impassively in

a silent and packed courtroom as Mr Justice Irving Steyn, sitting with two assessors, handed down judgment.

The accuseds' wives gasped.

Both men were found guilty of the murder of drug dealer Bennie Ogle on September 29 last year, and the attempted murder of building contractor Ernest Malakoane three hours later.

They were also found guilty of the murder of Peter Pillay, a drug dealer

who allegedly asked La Grange to eliminate Ogle and Malakoane. Pillay was found dead at Crown Mines on October 4 with five bullet wounds in his head.

After a lengthy summary of trial evidence, Mr Justice Steyn said that even though Van der Merwe believed he was acting in the country's best interests by eliminating ANC members and pill-pushers during a clandestine police operation, he found the evidence suggested the shootings were a case of *dolos directus* — in that Van der Merwe had every intention of killing the three people.

During a summary of La Grange's case, the judge pointed out that evidence from both defence teams showed he was the man with Van der Merwe at the scene and time of the shootings.

The judge said that after putting all the facts together from both defences, Van der Merwe could not have carried out the killings on his own.

Argument in mitigation of judgment will be heard today before sentence is passed

LA GRANGE

DANIEL SIMON

Policemen found guilty of murder

D/D 31/3/88

251

Daily Dispatch
Correspondent

JOHANNESBURG

Captain Jack la Grange and Detective/Sergeant Robert van der Merwe have been found guilty on two counts of murder and one of attempted murder.

On the 19th day of their trial yesterday, La Grange, the former head of the East Rand Murder and Robbery Unit, and

Van der Merwe, a former member of the Brixton Murder and Robbery Unit, both sat impassively as Mr Justice Steyn and two assessors handed down judgment.

Both were found guilty for the murder of a drug dealer, Mr Bennie Ogle, and for the attempted murder of a building contractor, Mr Ernest Malakoane.

They were also found guilty for the murder of Mr Peter Pillay, a drug dealer who allegedly asked La Grange to eliminate Mr Ogle and Mr Malakoane.

Mr Justice Steyn said that even though Van der Merwe believed that he was acting in the country's best interests by eliminating ANC members and pill-pushers during a clandestine police operation, the evidence suggested that he had every intention to kill the three.

During a summary of La Grange's case, Mr Justice Steyn pointed out that evidence from both defence teams showed that he was the man with Van der Merwe at the scene and time of the shootings.

"There had to be a second person and that person was La Grange."

He pointed out to the court that La Grange had obtained directions to the homes of Mr Ogle and Mr Malakoane from Mr Julius Davis, who was Mr Pillay's right-hand man.

He pointed out that La Grange and Mr Pillay had known each other and that Van der Merwe had shot Mr Pillay on La Grange's orders, believing him to be an ANC member.

Argument for mitigation of judgment will be heard today before sentence is passed.

COPS

Sowetan
31/3/88

251

GUILTY

CAPTAIN Jack la Grange, former head of the East Rand Murder and Robbery Squad and Sergeant Robert Edmundt van der Merwe of the Brixton Murder and Robbery Squad were yesterday found guilty in the Rand Supreme Court of two counts of murder and one of attempted murder.

Verdict on Mandrax killings

Mr Justice Irving Steyn, sitting with two assessors, said the State had proved its case and there was enough evidence to show that both policemen had committed the crimes.

Captain la Grange (40), of Alberton and Sgt van der Merwe (30), of Kliprivier, were found guilty of murdering Mr Bennie Alex Ogle, an import-export agent, outside his Ennerdale home on September 29 last year.

No doubt

Three hours later they attempted to murder Soweto businessman Mr Ernest Molokoane outside his double-storey house in Mapetla when they shot and wounded him. They gunned down Mr Peter Godfrey Pillay, an Eldorado Park taxi

By **MANDLA NDLAZI**

owner, on a dirt road near Riverlea on October 4, last year.

The judge said there was no doubt that the person with Sgt van der Merwe, who fired the shots, was Captain la Grange.

He said evidence before court showed that Captain la Grange had made "positive reactions" when questioned about the killings and the attempted murder.

The judge said Captain la Grange shaved his moustache off and changed his hair-style because he feared being pointed out at the identification parade.

He said there was evidence that Captain la Grange took Sgt van der Merwe to the places where the killings were

committed and showed him the victims.

The judge said there was also evidence that Sgt van der Merwe got scared when he saw Mr Molokoane walk into the Brixton Murder and Robbery Squad office.

He locked himself in his office and phoned Captain la Grange to tell him that Mr Molokoane was alive.

The captain, said the judge, answered that "we will make a plan," according to evidence

After the verdict, both policemen dressed in neat suits calmly walked down to the cells

Argument on whether there were extenuating circumstances will be heard today.



MR Molokoane . . . survived.

REPORTS, pictures and comment in this edition may be censored in terms of the Government's state of emergency

Stripped, tortured, woman tells court

From EDYTH BULBRING

PORT ELIZABETH. — A woman was forced to lie naked on the floor while electric shocks were administered to her body, the Regional Court here was told.

This shock claim emerged at the trial of five Ibhayi municipal policemen who each face three counts of assault with intent to do grievous bodily harm.

Ntswaki Princess Qaulana testified that she was forced to lie naked on her stomach while a senior white municipal policeman instructed other policemen to administer electric shocks to her body.

The accused are Mark van Rensburg, 22, Ntsikelelo Jonga, 22, Mandi Ndima, 32, Herald Mabandla, 22, and Phillip Pono, 38.

The incidents allegedly took place during interrogation at the Ibhayi municipal police offices in Kwazakele Single Men's Quarters during October 1986.

Qaulana, Vuyo Ndingane and Tommy Qaulane were suspected of burning down a policeman's house.

The policemen have pleaded not guilty. In statements they admitted arresting the three. They claimed they were released after being questioned briefly.

Qaulana told the court she and two others were arrested and taken to the Kwazakele Hostel.

"When I denied knowledge of the arson attack on the house I was slapped in the face repeatedly by Pono," Qaulane said.

She said Van Rensburg instructed her, through an interpreter, to lie on her stomach on the floor.

Her head was pressed to the floor and an electric cord attached to her body was switched on.

She said she was subjected to electric shocks to her back, buttocks and legs.

Riirarv 'noints

3/13-6/4/88
Soutz
25

Mourning on Winterveldt anniversary

By VUSI GUNENE,
in Winterveldt

ON the second anniversary of the Winterveldt shootings, bereaved families were mourning, worrying about survivors — and wondering whether they would ever see the report of the Winterveldt commission of enquiry

On March 26 1986 a residents' meeting turned into a bloodbath as police fired on a crowd. Eleven people were killed — among them Albert Nkabinde and Dinah Mokoena. The *Weekly Mail* visited their families in Winterveldt last weekend, on the second anniversary of the tragedy.

Nkabinde's mother Annah said she found it hard "to forgive those responsible for my son's death"

Albert had been the family breadwinner, and had a wife and one-year-old daughter.

"His daughter is starving," she said. "My husband and I are unem-

ployed and too old to find work

She described the events of the fateful day "Our only concern at that time was the spate of detentions of the children in Winterveldt. The people elected representatives to negotiate the release of children

"The meeting was agreed upon by police and the residents' representatives. On that Wednesday thousands of people gathered at the football ground and waited for a senior policeman to address them.

"Everybody was seated on the ground and without provocation and warning (police) Col MA Molohe (now deceased) hoisted a red flag which gave the police and army the

right to shoot

"We ran in different directions, not knowing that my son was among the people shot," she said.

Another resident, Ephraim Mokoena, whose wife Dinah was killed, said he found it "appalling" that the report on the commission's findings had been kept secret. He had taken his family to the cemetery that morning to pray.

The *Weekly Mail* this week sent a number of telexes to Mangope's office and made telephone enquiries to determine when the commission's report will be available. There has been no response.

The report was completed last year and handed over to the Bophuthatswana Department of Justice for scrutiny.

'Police threat to unionist - inform or face comrades'

GRAHAMSTOWN. Security police in Queenstown have threatened to make certain that a trade unionist is killed by the "comrades", unless he acts as an informer.

In papers before the Supreme Court here, the branch secretary of the Food and Allied Workers Union, Mr Kayalein Norman, said two policemen came to his office on January 18.

"They started to search the offices and when I asked them what they were doing, they told me that they had come to fetch me. They said: 'kom kaffirjie', and started dragging me from the offices."

Norman was taken to the security police offices where he was hit by the policemen.

"I was then asked about my activities in Lusaka. When I told him that I had not gone to Lusaka, but to Harare to attend a seminar there, he accused me of lying."

Norman repeated that he had not gone to Lusaka, a green bag was placed over his head, he could not breathe and lost consciousness.

"When I regained consciousness, one of the policemen said I would have to sign a receipt for R200. I refused and they started to punch me."

After being beaten for some time, Norman agreed to sign the re-

form. He was then told they wanted to take a picture of him shaking hands with one of the policemen.

He refused, was again assaulted, and finally gave in. A coloured policeman took the picture.

"They said they now had me. They would give the photograph to the comrades and people would say I'm an informer."

"They said if I did not act as an informer, they would carry out their threats."

Norman later left Queenstown to stay in Port Elizabeth. He applied for an interim order restraining the security policemen involved in the incident from assaulting, threatening, harassing or intimidating him.

Acting Mr Justice van Rensburg, referred the matter for trial because of conflict in material aspects of the case.

In their replying affidavit, one of the policemen said he had visited Norman's offices because he had information that he had attended a function in Harare where he had made contact with the ANC.

He denied that Norman had been assaulted.

Webster-ANC Institute-ANC

Sark 3/13/88



Mr Albert Tywili lost the sight of his left eye after being hit by a policeman with the butt of a pistol

Man loses eyesight after police 'beating'

AN UPINGTON man has lost the sight of his left eye, following a fight with a policeman

Police have confirmed they are investigating a charge of assault. Mr Albert Tywili, 26, an unemployed driver, has been discharged from hospital with the grim news that he must now live with partial sight.

Violence

He is unsure whether he will be able to work as a driver again

Tywili said he reported to the Pabalello police station in Upington on January 30 as part of his bail conditions

He is one of 26 people being charged for public violence and the murder of Constable Lucas Sethwala following a political meeting in Pabalello on November 13 1985. Tywili denies the charges.

Tywili said he reported to a Constable Desmond Mdluli at the Pabalello police station who, he claims, was involved in allegedly "roughing up" two youths when he arrived.

Mdluli apparently became abusive

when Tywili asked him why he treated his own people like dogs.

Mdluli apparently became abusive when Tywili asked him why he treated his own people like dogs. Mdluli then pushed Tywili out of the station door.

As Tywili was walking to the gate he saw another policeman, a Sergeant Nkosi, and told him he wished to complain about Mdluli. Nkosi told him to accompany him into the station.

While he was waiting for Nkosi he was again ordered to leave by Mdluli

"He told me he was the boss and I must go. He started to push me outside and I smacked him in the face. We began to fight and two policemen, one white and one black, came running to help Mdluli," said Tywili.

Dagga

Tywili was later charged with possession of dagga, assaulting a policeman and resisting arrest. The case was heard at the Upington Magistrate's Court on February 3 and all three charges were withdrawn because of lack of evidence.

Own Correspondent
DURBAN — A Queens-
town trade unionist who
has sought protection
from the police through
the courts by applying
for an interim order has
alleged that he was
threatened with death un-
less he became an in-
former

In his founding affida-
vit, Mr Kayaletu Nor-
man, branch secretary of
the Cosatu-affiliated
Food and Allied Workers
Union (Fawu), said he
had been arrested in his
offices on January 18

"After dragging me
from my offices, I was
taken to the security po-
lice offices where I was
slapped and beaten. One
of the policemen placed a
green bag over my head

Police threatened me with death if I would not spy — unionist

and I started suffocating
and lost consciousness,"
he said

Mr Norman said that
after he had regained
consciousness he was
forced to sign a receipt
for R200

"They then invited me
to wash my face in a
bucket of water and as I
did so one of the police-
men pushed my head into
the water and held it
under the water for some
time.

"I was then told that I
had to pose for a picture
with one of the policemen

shaking my hand and an-
other with one of them
giving me R20

As Mr Norman was in
"considerable pain and
terrified out of his wits",
he agreed

The policemen then in-
formed him that they
would distribute the pho-
tograph and the receipt
in the townships and as a
result people would think
he was an informer. They
said he would then un-
doubtedly be killed by the
"comrades"

The next day, as he

was hitch-hiking to
Aliwal North to attend to
Fawu business, a police-
man arrived and warned
him not to go. He again
tried to reach Aliwal
North on January 22. In
Burgersdorp the car he
was in was stopped and
he was told to go to the
police station, where he
was questioned about his
trip

When he finally ar-
rived in Aliwal North a
security policeman or-
dered him to go to the po-
lice station where he was
again questioned about

his union activities
Mr Norman then went
to Port Elizabeth and de-
cided to stay there as he
was afraid to return to
Queenstown in case the
policemen had started
the rumours about him

Subsequently he ap-
plied to the Supreme
Court in Grahamstown
for an interim order re-
straining two security po-
licemen from assaulting,
threatening, harassing or
intimidating him

Mr Acting Justice van
Reenen referred the mat-
ter to trial as he said
there was conflicting
matter in the case

In their replying affi-
davit, the policemen den-
ied that Mr Norman had
been assaulted

Star 7/3/88
251
A

Police ⁽²⁵¹⁾ respond to stayaway

21/3/88
THE SAP has taken cognisance of the fact that certain elements and trade unions are involved in organising a stayaway today, police liaison officer, Lieutenant Pierre Louw said.

before
Lt Louw said the actions of the organisations were being investigated "as they are illegal"

0
"However, we wish to give the assurance that we are planning all actions humanly possible to prevent persons from intimidating and preventing workers from being able to do a good day's work and earn a living

Divisional commissioners for the Witwatersrand and Soweto, Brigadier Ernest Schneller and Brigadier Johan Viktor announced on Friday that more policemen would be allocated to these areas
— Sapa

251



B/day 31/3/88

BUSINESS DAY,

POLICE broke up a demonstration of workers this week in Industria, Johannesburg, who were protesting against the Labour Relations Amendment Bill.

The 124 who were arrested appeared in the Johannesburg Magistrate's Court yesterday facing charges under the Internal Security Act. They have been granted R200 bail each and will be released today.

About 500 workers from various factories — Steele Bros, United Tobacco Company, Transparent Packaging and Printpak — in the area took to the streets during their lunchtime, singing, dancing and waving placards, a witness said. One placard

Police break up protest

read, "Down with the Bill".

Shop stewards from the factories which were organised by the Paper Wood and Allied Workers Union, Food and Allied Workers Union and the National Metalworkers Union of SA, co-ordinated the demonstration to protest against the proposed labour law, a union official said.

Separate groups of workers from different factories congregated near Steel Bros in Springbok Road, the witness said.

Shortly afterwards, police arrived

After moving closer they warned the workers to disperse as they were gathering illegally.

"At that point, most workers had completed their demonstration and were moving back into the factory gates. There was only a small group left that sang even louder." The police then moved in with dogs and batons.

Police in Pretoria said yesterday 124 people were arrested in the Industria and Longdale industrial areas after police dispersed a group, using batons and dogs. — Sapa.

Police officer tells court of 'vagueness' about affidavit

Supreme Court Reporter

12645 3/3/88
751
A POLICE officer did not know that an affidavit he made would be used to oppose an interdict restraining police, army or squatter leaders from attacking or allowing attacks on the KTC squatter camp

This was evidence in the Supreme Court, Cape Town yesterday by Captain Paul Loock in the R312 000 damages claim brought by KTC residents and the Methodist Church against the Minister of Law and Order.

Earlier Captain Loock, who headed detectives at Guguletu police station during the period when KTC was destroyed, had said he did not know of the interdict

Under cross-examination he said he thought the affidavit concerned a civil claim arising from an incident in which he had shot a priest

Mr H Viljoen, SC, for the KTC residents You mention the "applicants" in the affidavit. You must have known the application had something to do with the "witdoeke" and the inhabitants of camps.

Captain Loock. I'm very vague about it It could be that they told me what it was about, but I can't remember now.

From a video tape shown in court of scenes in KTC, Captain Loock agreed that a radio message from the then Minister of Law and Order, Mr Louis le Grange, had been broadcast

Mr Viljoen said the message read "I wish you all of the best You are doing well. You must act correctly at all times I will answer the questions"

(Proceeding)

PUBLIC SECTOR - CLOYT^{SEE} - POLICE

1988

APRIL - May.

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Sow 7/13/4/88

'Comrade' given second death sentence ⁽²⁵¹⁾

GRAHAMSTOWN - A 22-year-old Comrade who was forced to join the organisation and rose to become a "general" has received his second death sentence after he was found guilty of the murder of a police informer.

Vuyani Jacobs, who was told by the Comrades that he would be killed for guarding the homes of policemen unless he joined the organisation, was found guilty of murdering Michael Thozamile Dondashe on October 24 1985.

He had already been sentenced to death for another murder and received a 17-year prison sentence for a third murder. He also received a ten-year sentence for attempted murder.

Gilindoda Gxekwa, 22, who appeared with Jacobs, received his third death sentence.

SOUTH 7/13/4/88

Mwasa worker held, no charges ⁽²⁵¹⁾

AN organiser for the Media Workers Association of South Africa (Mwasa), Mr Joseph Malumbazo, 28, was released from police custody early this week after being held for a day.

Malumbazo, a father of three children, was picked up in Guguletu by kitskonstabels on Monday morning and taken to the Guguletu police station.

He was released on Tuesday without being charged.

He said he was on his way to the bath-rooms in NY 12 with a team of City Aces soccer players, when a police van full of kitskonstabels stopped.

A spokesman for the South African Police, Major Jan Calitz, refused to comment.

Guilty man's acts compared to army raids

JOHANNESBURG — In a political climate where the government was not above acting outside the law, as they did in Botswana, the actions of Robert van der Merwe, had he been in the security forces, would have been rewarded with a medal

This was argued by Mr W Maritz, for Van der Merwe as extenuating circumstances in the Rand Supreme Court yesterday

Later, after Mr Maritz's argument, Jack La Grange, 40, the former head of the East Rand Murder and Robbery Squad and Van der Merwe, of the Brixton Murder and Robbery Squad, were given the death penalty

An application for leave to appeal against sentence will be heard in April

Mr Maritz submitted that Van Der Merwe had been called to do duty while in training at the Police College during the 1976 disturbances

His actions in murdering Mr Bennie Ogile and Mr Peter Pillay should be seen against the background in the police force which was one where violence was almost a "sub-culture"

La Grange and Van der Merwe were found guilty on Wednesday by Mr Justice Irving Steyn of murdering Mr Ogile and Mr Pillay, of Johan-

nesburg, and attempting to murder Mr Ernest Mokoane, of Soweto

The Attorney General of the Witwatersrand, Mr Klaus von Lieres, who asked that the death sentence be imposed on both men, argued that a political motive was not an extenuating circumstance in this country

"It would be like giving the Afrikanse Weerstandsbeweging (AWB) permission to go and shoot members of the United Democratic Front (UDF) Mr Von Lieres said

He said he would deal with two points whether Van der Merwe was influenced by La Grange and to what extent, and whether a political motive could be considered an extenuating circumstance

Shortly after proceedings began yesterday, Mr Eddie Bruwer, for La Grange, asked for the case to be adjourned until next week so a psychiatrist could examine La Grange to establish what his state of mind was

The application was refused by Mr Justice Irving Steyn who said "There is no medical basis for a surprising application like this at such a late stage, on behalf of a man who had been found guilty of murders and there is not the slightest basis for this application"

Mr Maritz said that Van der Merwe was torn between what was considered unlawful in the eyes of the law and his belief that he had acted correctly because he believed the order had come from head office

"The case would never have come before the court if Van der Merwe had thought the two people he had been asked to kill were merely drug dealers

"He thought that what he had done was in the interests of the country

"He said when he pulled the trigger he saw his comrades lying dead outside the magistrate's court after the bomb explosion

Mr Von Lieres submitted that there was no basis for mitigation for La Grange

He said both La Grange and Van der Merwe had demonstrated contempt for law, order and justice

An application by Mr Von Lieres that the witness, Mr Julius Davis, who gave evidence as a co-conspirator for the state, be granted indemnity against prosecution for the three crimes committed, was granted by the court

Mr Frank Christiaan van Rooyen, a businessman from Alberton who owns a video shop, was called to give evidence in mitigation on behalf of Van Der Merwe

He said he had known the sergeant for three years and found him always very civil and as having a great respect for his elders and his senior officers

"He had come to investigate a robbery at my shop and even called the warrant officer with him 'Sir' I told him to call me Frank but he always referred to me as Sir

"He was always eager, almost too eager to help everybody and nothing was a big enough effort for him. I offered him three video tapes but he refused to accept them as a gift and insisted on paying," said Mr van Rooyen — Sapa

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Death row for killer policemen

Staw 2/4/88

251

As one of the accused sat weeping and the other looked straight ahead, his head cocked defiantly to one side, South Africa's most sensational murder trial for many years ended in the Rand Supreme Court this week with both Detective Sergeant Robert van der Merwe and Captain Jack la Grange receiving a double death sentence.

The former head of the East Rand Murder and Robbery Squad, 40-year-old La Grange, and 30-year-old Van der Merwe, of the Brixton Murder and Robbery Squad, were found guilty of murdering Mr Bennie Ogle, of Ennerdale, and Mr Peter Pillay, of Eldorado Park, and of the attempted murder of Mr Ernst Molokoane, of Mapetla, Soweto in last year.

Both men were sentenced to 10 years for attempted murder.

An application to appeal against the sentences of death was made on behalf of Van der Merwe and La Grange and will be heard in the Rand Supreme Court on April 19

The 19-day trial was punctuat-

JOE OPENSHAW

ed with dramatic surprises and culminated in two hectic days, Wednesday and Thursday, when during judgment and argument in mitigation of sentence friends and family of the victims all but battered down the doors of the public gallery in their rush to get seats in court

The wives of both men and close family members sat in press benches directly behind them throughout the trial.

During the trial Van der Merwe substantiated a confession he had made with evidence that La Grange asked him to kill Mr Ogle and Mr Molokoane in a clandestine operation because they were members of the ANC and drug dealers and that "head office" had ordered they be eliminated.

La Grange, he said, later asked him to shoot Mr Pillay as he had ANC contacts and "head office" wanted him eliminated because he was a threat to them and the

TO PAGE 2.

P.T.O.

Cops To Earn

CME Trips 11/4/88

251

JOHANNESBURG. — The former head of the East Rand Murder and Robbery Squad and his fellow police hitman turned pale and stared straight ahead as a Rand Supreme Court judge read out the double death sentence yesterday.



Robert van der Merwe



Jack la Grange

Captain Jack la Grange and Sergeant Robert van der Merwe were sentenced to hang for the murder of two alleged drug dealers, Mr Bernie Ogle and Mr Peter Pillay. In addition, they were each given a 10-year jail term for the attempted murder of Mr Ernest Molokoane.

Policemen shook the hands of the condemned men as the two descended down to the cells. Outside the courtroom, people cheered and clapped in the corridors.

Dozens of journalists and photographers gathered at the entrance to the Supreme Court waiting for counsel to leave the building.

Many of the people were from Eldorado Park and Ennerdale where the murdered men had lived.

Application for leave to appeal by Van der Merwe and La Grange against their double death sentences may be granted in April concerning the death of Mr Bernie Ogle.

However, Mr Justice I Steyn refused the application for leave against the guilt verdict over the death of Mr Peter Pillay.

Delivering sentence, Mr Justice Steyn said he had found mitigating circumstances in the case of Van der Merwe regarding the murder of Mr Ogle last September 28, because he had been influenced by La Grange.

Shortly after proceedings began yesterday, Mr Eddie Bruwer, for La Grange, asked for the case to be adjourned until next week so a psychiatrist could examine La Grange to establish what his state of mind was.

The application was refused by the judge who

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From page 1

CME Trips 11/4/88 *251* *344*
said "How can anyone argue extenuating circumstances when he has denied all involvement in the crimes for which he had been found guilty? There is no medical basis for a surprising application like this at such a late stage on behalf of a man who had been found guilty of murders."

The judge said he had used his discretion in the case of Van der Merwe and sentenced him to death for the murder of Mr Ogle because he had abused his position as a policeman.

The court was told that La Grange had been charged in an assault case 18 years ago, while van der Merwe had a clean record.

Counsel Mr W Maritz said that in a political climate where the government was not above acting outside the law as it had done recently in Botswana, the actions of Van der Merwe, had he been in the security forces, would have been rewarded with a medal.

"He thought that what he had done was in the interests of the country."

Mr Klaus von Lieres, Attorney-General of the Witwatersrand, who asked that the death sentence be imposed on both men, had argued that a political motive was not an extenuating circumstance and could not be used to find diminished blameworthiness in the case of La Grange and Van der Merwe. "It would be like giving the AWB permission to go and shoot members of the UDF," said Mr von Lieres. He said both La Grange and Van der Merwe had demonstrated contempt for law and order and for justice. These were the duties that society had invested in them.

An application by Mr Von Lieres that a witness, Mr Julius Davis, who gave evidence as a co-conspirator for the state, be granted indemnity against prosecution for the three crimes committed, was granted by the court — Sana

HANDSHAKES AFTER DOUBLE DEATH SENTENCE IMPOSED

D/D 11/4/88

251

JOHANNESBURG
— Application for leave to appeal by Robert van der Merwe and Jack La Grange against their double death sentences was allowed yesterday in connection with only one of their victims.

Mr Justice Steyn refused the application for leave against the guilt verdict over the death of Mr Peter Pillay but allowed an application for leave to appeal later this month concerning the death of Mr Bernie Ogle

The two detectives were each given the double death sentence in the Rand Supreme Court yesterday for the murder of the two alleged drug dealers, and were both given a 10 year jail term for the attempted murder of Mr Ernest Molokoane

As sentence was passed, Van der Merwe and La Grange stared ahead and went pale

After the sentencing, policemen shook the hands of the condemned men as the doors opened down to the cells to allow them and their families to leave

The courtroom doors swung open and cheering could be heard from the corridors

Earlier, the courtroom was silent as Mr Justice Steyn read out his double death sentence

Mr Justice Steyn said although there had been extenuating circumstances in Van der Merwe's case regarding the shooting of Mr Ogle, this did not lessen the crime. However, he said that there were no extenuating circumstances when Van der Merwe shot Mr Pillay

Defending counsel Mr W Maritz asked the court for compassion for 30-year-old Van der Merwe's children, aged eight and five. It also appeared in hearings that La Grange had been charged with an assault case 18 years ago, while Van der Merwe had a clean record

Before sentence was passed, the Attorney General of the Witwatersrand, Mr Klaus von Lieres, asked for a substantial prison sentence in Van der Merwe's case — "ten years at least" — Sapa

See also page 9

AM Taxis
1/4/88 (287)

Police may be involved in killing

By PETER DENNEHY

POLICE have said they are investigating allegations that policemen were involved in the March 20 death of Mr Andile "Ace" Koba of Sandkraal, near George. A murder docket has been opened.

Brigadier J H Steyn, Divisional Commissioner of the South-Western District, said yesterday that he was aware of allegations that policemen had assaulted Mr Koba before he died.

When the investigation was complete, the docket would be sent to the attorney-general who would decide whether to prosecute, Brigadier Steyn said.

Ms Elizabeth Qatana, of dwelling 821 in Sandkraal, said in a sworn affidavit that she and a friend "could hear Ace's screams for about 30 minutes" in the police station at Sandkraal.

Mr Koba was arrested when police

intervened in a brawl between him and a man who had thrown Ms Qatana "over the steps" because he objected to them taking a short-cut through his property. After an initial beating, Mr Koba had tried to run away from the police but was captured, she said in the affidavit.

She had asked a special constable called Ntobeko to go in and stop the beating, but he said the door was locked and there was nothing he could do. When the screaming stopped, she saw two policemen and Ntobeko carry Mr Koba out to the van, which was then driven away.

Twenty minutes later police told her that he had escaped. She went to both hospitals and another police station in the area, and searched the bush for him in vain.

At 5am the next day she returned to the police station where she was told Mr Koba was in hospital. He had severe head injuries, and died later that

CAPE TOWN 1/4/88 251

Vlok denies lawyers access to documents

Supreme Court Reporter

THE Minister of Law and Order, Mr Adriaan Vlok, has denied lawyers acting for 21 KTC families in a R312 000 damages action against him, access to documents detailing stock, weapons and ammunition because it would be to "the detriment of state security".

On Wednesday afternoon, in a certificate in terms of Section 66 of the Internal Security Act, Mr Vlok said that as Minister of Law and Order he had personally considered inscriptions in books, documents and registers of the Divisional Commissioner of Police, Western Province, all counter-insurgency units and also the riot squad (Western Province)

The inscriptions relate to the amount of all weapons and ammunition in the distribution registers, all police stations' inventories and all government property registers for the

police districts Cape Town, Wynberg and Athlone from January this year and also for the Bellville police district from 1 April last year

'Security'

● This is the fourth time during the hearing that the government has blocked access to documents in the "interest of state security". Last month the Deputy Minister of Law and Order, Mr Roelf Meyer, blocked access to Joint Management Centres (JMC) documents

Both the ministers of Law and Order and of Defence were previously subpoenaed to provide certain documents, but declined to do so in terms of the the Internal Security Act

The hearing continues on April 18

Mr Justice M R de Kock presided Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents Mr C D Griesel SC and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

CROSS-BORDER RAID

25A

The reason why

Neighbouring states can deny harbouring ANC insurgents for as long as they like, but while there are bomb blasts, landmines on farm roads and attacks on security forces, the South African Defence Force (SADF) will retaliate, even if it means crossing borders to do so. That was again the grim lesson this week when an SADF military patrol killed four alleged ANC members in Botswana.

This was no coincidental skirmish. The recent killing of the three black policemen in Atteridgeville and the recent bomb attack at the Krugersdorp Magistrate's Court — which resulted in the extraordinary manhunt for the son of a prominent Afrikaner family — are still fresh in the minds of South Africans, and undoubtedly so in the minds of Defence Minister Magnus Malan and Law and Order's Adriaan Vlok.

On Monday the Johannesburg daily *Beeld* quoted security police chief Herman Stadtler as saying that fugitive Hein Grosskopf, linked to the Krugersdorp bomb, may have fled to Lusaka. But he could equally be somewhere in Botswana or Mozambique, the newspaper speculated.

33

FM 1/4/88



Malan ... troops will not hesitate

A few hours later the head of the Botswana Defence Force, Lieutenant General Mompoti Merafhe, announced the raid on a house in Gaborone in which three people — possibly four — were killed. This was later confirmed by the SADF. A military spokesman had earlier said that soldiers patrolling the northern border with Botswana killed three alleged insurgents on Friday. "Following up on intelligence gathered during Friday's operation an element of the SADF killed four more terrorists in the suburb Thuring on the northern outskirts of Gaborone early today," he added.

Malan warned last month after a rocket attack on a border farm — in which no one was injured — that his troops would not hesitate to pursue guerrillas into neighbouring countries. This was echoed by Foreign Minister Pik Botha who said at the time that ANC members used Botswana and Zimbabwe as infiltration routes for attacks inside SA.

"This is further evidence that ANC terrorists, originating from Zambia and Zimbabwe, use Botswana as a transit route to infiltrate into SA," said the SADF statement. Botswana and Mozambique earlier denied helping the ANC.

It is clearly SADF strategy to force these countries to take active steps against the ANC presence in their territories. Simply denying that they assist them will be no excuse.

88/7/11 FM (25A)

Lawyers refused lists of weapons

CAPE TOWN — Minister of Law and Order Adriaan Vlok has denied lawyers acting for 21 KTC families in a R312 000 damages action against him access to documents detailing weapons and ammunition, because it would be to "the detriment of State security"

In a certificate in terms of Section 66 of the Internal Security Act, Mr Vlok said this week that, as Minister of Law and Order, he had personally considered inscriptions in books, documents and registers of the Divisional Commissioner of Police for the Western Province, counter-insurgency units and the riot squad (Western Province)

The inscriptions relate to the amount of weapons and ammunition in the distribution registers, all police stations' inventories, and all Government property registers for the police districts of Cape Town, Wynberg and Athlone from January, and also for the Bellville police district from last April 1.

This is the fourth time during the hearing that the Government has blocked access to documents in the "interests of state security"

Both the ministers of Law and Order and of Defence were previously subpoenaed to provide certain documents, but declined to do so in terms of the Internal Security Act

The hearing continues on April 18 — Sapa.

3/4/88 SITimes 251

Killer cop's wife tells of agony

From Page 1

bedclothes because of the torment she would suffer thinking about her husband, and missing him

From now on, although she may visit him each day, there will be no physical contact between Tessa and her husband

"We'll have to see each other through a glass panel I won't be able to touch him, and I don't know if he'll ever be able to see the children again"

One of the most distressing aspects of the trial has been that "it was policeman against policeman, and people named in court as drug smugglers enjoyed it".

"I'm not bitter — my husband was a dedicated and a good policeman. He was treated well throughout his career

Indebted

"But how am I supposed to pay Pillay's wife R800 000 when I have nothing? She and Ogle's wife were at court in designer clothes while I can't even afford to spend R40 on a dress

"They have so much more than we do, but it's obvious they won't be happy until we are out on the street"

Supported by her family, friends and those of her husband's former colleagues loyal enough to defy an order not to fraternise with either accused, Tessa is indebted to "all the good people" who have stood by her

"The other day, a complete stranger brought us a parcel of meat. I was so grateful, I accepted it.

"My husband has been made out to be 'the big bad

wolf' in this case, but none of that matters"

"I love him, and our whole family is right behind him. The man I have been married to for 16 years is a gentle, hardworking person

"I'm the one who always disciplined the children; he was the one they always ran to for comfort

"And even now he's the one that keeps me going. Every time I have seen him I've gone there feeling depressed, and come away feeling better

"But the pain in my heart is indescribable. I keep on asking myself, is this what it feels like when your husband dies?"

"Thank God for my faith. If I hadn't known before how to pray I would certainly have learnt in these past months. All I pray for now is that my husband will see the outside world again

Message

"It sounds strange, but at least on Death Row he has a bed to sleep in and a flush toilet in his cell

"He was like a caged animal when he first came out of the cell he was held in at Pretoria before the trial

"He told me it was smaller than our toilet at home, that he had to sleep on the floor and that he couldn't bear the thought of using the slop bucket because it was cleaned only once every 24 hours

"The only thing that kept him sane was a message

someone before 'him' had scratched into the cell wall. It said 'Remember, time also passes'."

For her children, aged 15, 8 and 3, the ordeal has been equally gruelling

"My eldest daughter knows and understands. She's taken it as well as can be expected, but she adores her father and her attitude is simply 'He's my dad, no matter what'

"I told my younger daughter last week that her father was in prison and she became hysterical, but she's calmer now

"The worst has been trying to explain to our son I told him his father was in America for a court case. He accepted it until the other day, when he asked 'But how come you can see Pappa every day in America and get home so quickly?'

"In time, he'll also have to know the truth but for now he just misses his father terribly"

The children last saw him on the day of his arrest — but neither they nor Tessa knew that he had been taken into custody

"We were on holiday, and the police said they were taking Jack back to Johannesburg for an identity parade

"I thought it was in connection with one of his cases

"It was only the next night, when I was watching the TV news, that I realised one of the policemen charged with two murders and an attempted murder was my husband

"The future is bleak, but with God's help, we'll face it. All I hope for now is that

Jack will somehow be pardoned

"He told me the other day he was so sorry for what the children and I were going through, and that even under those circumstances his first concern was for his family

"All the time he's been in prison he wouldn't even take R10 from me to buy anything. He didn't want us to go short

Scared

"And you know, he told me just last week 'Tessa, all my career I've sat there in the bench with the prosecutor, on the side of the law

"I never realised what it was like to be on the other side, in the dock

"Now I know. All the people I've arrested over the years must have been just as scared, just as anxious, as I've been"

"All I said to him was 'If you ever get out of there I don't ever want to see Pretoria again as long as I live

"I'll be going to see him as often as I can, but every time I see that Unisa building next to the freeway my knees start shaking and I feel sick"

● Mrs Rose Pillay, from whose home the policemen's third victim drove to his death on October 4, said she was "satisfied" at the outcome of the case

"It doesn't change the fact that there's no one to look after me and my three children now. Peter and I were divorced after 13 years of marriage, but we were never really separated and he ran his taxi business from my home

"I'm just glad it's all over and that justice has been done."

The victim who survived, Soweto building contractor Mr Ernest Malokoane, said the verdict and sentence had proved that "justice is blind and all are equal under the law"

"I thought that because they were policemen, they would go to jail, or even be found not guilty"

Said Mrs Gloria Malokoane, "I never entertained the slightest notion that they would get the death sentence"

Tessa la Grange tells of love pact with husband in Death Row

KILLER'S ACCOUP WALTERS' A-GO-ON



JACK LA GRANGE

By MARLENE BURGER

THE SHATTERED wife of condemned murderer Jack la Grange spoke for the first time this weekend of her four months of hell since her police captain husband was arrested and tried.

And, she revealed, they have made a secret love pact that will link them daily.

Every morning, as the lights on Death Row at Pretoria Central prison are switched on at dawn, the couple will say "Hello" to one another — aloud.

Mother-of-three Mrs Tessa la Grange, 37, spoke openly of her love for the man who was given a double death sentence on Thursday afternoon after court revelations of their deeds which have shocked the nation. But even as she travelled from her Alberton home to Pretoria yesterday morning to visit him for the first time since he was sentenced, her main concern was for their children.

Nightmare

"It's been a nightmare, but what I have to think of now is the future and security of our family.

"We are facing financial ruin. I have to try to keep our house somehow, but we are on the verge of losing everything."

Jack la Grange, 40, former head of the East Rand Murder and Robbery Squad, and Robert van der Merwe, 30, a sergeant with the Britton Murder and Robbery Squad, were given double death sentences for the murder of two drug-pushers, Bernie Ojide



Teartul Amanda van der Merwe, left, and Tessa la Grange, sketched in court

Residents ignore girl's death cries

Tragic April Fool's prank

By CHARIS PERKINS

AN April Fool's Day prank turned tragically sour when a man held a pistol to his head playfully, declaring to his wife: "I love you. I'll never kill myself."

Then a shot went off and he accidentally killed himself with a bullet through his right temple.

Mr Hermanns Kruger, 33, of Finsbury, Randfontein, had apparently not realised the .38 pistol he was playing with was cocked and loaded. He died instantly.

Neighbours said Mr Kruger and his wife, Lorraine, 39, were happily married with two children, a girl of 10 and an eight-year-old son.

Genuine

"It looks like a genuine accident. Mr Kruger was probably playing the fool," a

(251)

Murder trial: No police comment

By MARLENE BURGER

A SENSATIONAL court case ended this week with the eyes of the country firmly focused on the activities of members of the South African Police

As the four-week murder trial of two policemen ended on Thursday, the men who had brought two of their peers to justice and heard them sentenced to death, clammed up

Investigating officers in the case against Captain Jack la Grange and Detective-Sergeant Robert van der Merwe refused to comment on the outcome or on allegations of clandestine police operations made in evidence.

The SAP's chief liaison officer, Brigadier Leon Mellet, said it would be "inadvisable" for the Minister to make any comment until he had seen the context in which allegations of secret police operations had been made

Violence

But, he admitted, it was "painful" to the SAP that two senior members had been found guilty of such serious charges

During the trial, Van der Merwe's advocate, Mr Bill Maritz, argued his client had believed he was acting in the national interest when he shot people he believed were ANC members:

"The Government has presented us with a dangerous double standard in declaring that if it is in the national interest, we will act against the ANC wherever they are," he said.

"Members of the Defence Force who took part in the Botswana raid earlier this week will probably be given medals — yet my client, a simple policeman who believed he was doing exactly the same, stands here in the shadow of the gallows

"Had he not been influenced by the sub-culture of violence which prevails in the police, I am prepared to submit that this case would never have been before this court

Superceding

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White River

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Elizabeth
Pinetown,
Oberholzer
Vanderbij
Municipal

cops were caught

3/4/88

25th

STimes

TWO anonymous letters started a top-level police investigation which ended this week with two crack detectives being sent to Death Row.

Captain Jack La Grange, 40, former head of the East Rand Murder and Robbery Squad, and Detective Sergeant Robert van der Merwe, 30, displayed no emotion as Judge Irving Steyn sentenced them to death twice and imposed an additional sentence of 10 years in prison.

They had been found guilty of murdering two suspected drug dealers and attempting to kill a third.

For the two policemen and their families, the sentence came less than four months after they were arrested early in December last year.

Pretext

The saga began on the night of Monday, September 28 last year, when Mr Bernie Alex Ogle, 30, was lured from his house in Isis Street, Ennerdale, by two white men who said they were from the SAP vehicle branch.

On the pretext that they wanted to examine the registration papers for his top-of-the-line Mercedes 500 SEC, they accompanied Mr Ogle to the garage and went through the motions of checking the car's engine number.

Then they asked him to go with them to their official car — a light-coloured Ford Sierra — parked outside, so that they could "tell Brixton they had the wrong information".

All three men jumped over the concrete wall surrounding the house La Grange shouted "Now" and Van der Merwe fired five shots from a .22 pistol into Mr Ogle's chest, head and stomach.

This, the court was told, was the first time that the policeman had killed anyone.

Asked how he felt at that moment, Van der Merwe said in evidence:

"I realised that when people say 'I'll shoot you' they have no idea what they are talking about. It's not so easy to do it."

Shot again

Yet, less than three hours later, he emptied the revolver for a second time, into the back of Soweto building contractor Mr Ernest Malokoane.

Justifying his actions, Van der Merwe said he had believed both men to be drug dealers with ANC connections and suppliers of firearms to criminals.

La Grange, whom he admired and idealised as a senior officer, had told him the two victims had to be eliminated on orders from head office, Van der Merwe said. A week later, Van der



CONVICTED KILLERS ... Sgt van der Merwe, left, and Capt La Grange

Anonymous letters put finger on the two killers

By MARLENE BURGER

Merwe shot a third man — this time with a silver .32 revolver supplied by La Grange.

The target was registered police informer Mr Peter Pillay, of Eldorado Park, the man who had told La Grange he wanted Ogle "taken off the map" because he had been cheated on a R500 000 Mandrax deal.

But La Grange told Van der Merwe the informer was a threat to their earlier "clandestine" operation and was about to be questioned by the Brixton Murder and Robbery Squad.

He had to be "taken out" on orders of Brigadier Basie Smit, La Grange said.

Flattered that "my captain" had chosen him to carry out the earlier eliminations,

Eichmann's 'law' quoted by jurists

THE death sentences handed down to two killer policemen in the Rand Supreme Court was based on what academic jurists call the "Eichmann Principle".

History repeated itself in the bizarre trial, which eerily echoed a sensational murder case that shocked South Africa more than 40 years ago.

Guilty

Two German prisoners of war were ordered by a senior officer to "execute" a fellow inmate suspected of being a security risk in a POW camp in Maritzburg in 1942.

Van der Merwe picked La Grange up at his Alberton home and drove to a spot on the Eldorado Park road.

There they made contact with a man in a white Datsun bakkie before both vehicles turned on to a little-used gravel road near Crown Mines.

Revolver

La Grange spent a few minutes in the cab of the vehicle with the man — whom Van der Merwe told the court he did not know — before beckoning the sergeant to approach.

"The captain got out of the bakkie and said 'Now'."

"I climbed into the vehicle, rested my knee on the seat and emptied the revolver."

Mr Pillay died from five bullet wounds in the head.

Both policemen carried on with their normal duties

after the incidents — until anonymous letters naming them were sent to the Minister of Law and Order and the head of the Pretoria Murder and Robbery Squad, Lieutenant-Colonel "Suiker" Britz.

Dossiers on the shootings were transferred to Brixton, and La Grange received an anonymous telephone call warning him that there was an investigation into his involvement.

On Sunday November 22, Van der Merwe testified, he received a visit from the captain.

"He said we must get into the car and drive to Pretoria to shoot Basie Smit. I told him I wanted nothing to do with it."

Interview

"It's one thing to shoot drug dealers or ANC members, but you can't just go around shooting senior police officers."

A week later, he asked for a confidential interview with his commanding officer, Lieutenant-Colonel Staal Burger, and told him what had happened.

"The colonel said 'My God, Van der Merwe, couldn't you see he was misusing you?'"

During initial questioning, Van der Merwe denied any knowledge of the incidents.

But, when shown a withdrawal slip for R30 000 from Pillay's account and told by Col Britz that the money had been paid to La Grange, he decided "only the truth would get me through this".

That night, Van der Merwe made a full confession to Roodepoort magistrate Mr Corrie Bezuidenhout and 12 hours later La Grange was arrested at Margate, where he was on holiday.

By HAMISH McINDOE

Two accused were sentenced to five years hard labour.

Said Unisa criminal law professor Mr Sas Strauss: "The court ruled that the German officer had no authority to give such an execution order and the appellants were not bound to obey."

Adolf Eichmann's defence in an Israeli court was that he was acting on lawful orders. He was found guilty of genocide and sent to the gallows.

HOW ROGUE

I felt bad, says investigating officer in La Grange trial



Pretoria Correspondent

The investigating officer in the "police murder trial" — in which two detectives were given double murder sentences on Thursday — has spoken of the "sadness" he felt on hearing his colleagues were to hang for murdering two drug dealers

Colonel "Suiker" Britz, head of the Pretoria Murder and Robbery Unit, was speaking for the first time since Captain Jack la Grange and Detective Sergeant Robert van der Merwe received the death penalty for murder and 10 years for attempting to murder a third man

"I felt bad," he said

Colonel Britz was instrumental in bringing the two policemen, also members of police murder and robbery units, to court for trial.

"I have known Captain la Grange for several years and regarded him as a good detective," he said.

For three months, Colonel Britz had headed investigations after receiving an anonymous letter implicating the policemen in the murders

"Because I knew the men, I felt different when sentence was being

passed, compared with other cases I've investigated where the accused were sentenced to death

"These were good guys and not your everyday criminal. They come from good backgrounds," he said

It was obvious that not only Colonel Britz sat with a heavy heart when the judge passed sentence. A police major, also part of the investigating team, sat nearby with his head in his hands and eyes closed as Mr Acting Justice Irving Steyn sentenced the men

"It does not matter that they were policemen, the investigation had to be done like any other. It's not up to me to decide if they will be charged, that's the work of the Attorney-General," Colonel Britz said.

On April 19, legal representatives for the two convicted murderers will launch an application for leave to appeal against conviction and sentence on the murder charges and on the 10-year sentence for attempted murder.

The applications will be heard by Mr Acting Justice Steyn

The State prosecutor and Attorney-General for the Witwatersrand, Mr Klaus von Lieres, has indicated he will oppose leave to appeal by the accused.

Condemned policemen In appeal

(251)

Sowetan
5/4/88

AN APPLICATION to appeal against the death sentences by Captain Jack la Grange (40) and Detective Sergeant Robert van der Merwe (30), has been made and will be heard in the Rand Supreme Court on April 19.

Mr Justice Irving Steyn, sitting with two assessors, said the court unanimously found there were no extenuating circumstances for la Grange and that there were extenuating circumstances in the shooting of Mr Ogle by Van der Merwe as he had been influenced by la Grange.

The judge said the two policemen had discredited the country's police image. Shortly after the sentence, the large crowd of both black and white spectators gathered in the corridor and some clapped their hands and ululated, cheering the outcome of the case.

The judge said extenuating circum-

stances had to be ruled out in la Grange's case because his defence had been a complete denial of being implicated.

The two policemen were given double death sentences by Mr Justice Irving Steyn for the murder of Mr Bennie Ogle, director of Andiro Import and Export Company and Mr Peter Pillay, a taxi-owner and businessman.

They were also sentenced to 10 years in jail for attempting to murder Mr Ernest Tsietsi Malokoane, owner of Ma-Africa Building Construction Company in Soweto. • See Page 7.

REPORTS, pictures and comment in this edition may be censored in terms of the Government's state of emergency.

'Pleas ignored'

By MARC DOBSON

A GEORGE political activist allegedly beaten to death by police pleaded repeatedly for mercy, but his pleas were ignored, according to affidavits of eyewitnesses

Mr Andile "Ace" Kobe, 22, of Sandkraal squatter camp, was buried at Steyilerville on Saturday. He died in a George hospital on March 20 after being admitted with severe head injuries

A police spokesman said Kobe's body was found on the beach at Ballots Bay before 2am by members of the Criminal Investigation Department.

A murder docket has been opened. One of the eyewitnesses has laid a charge of assault against the police

A member of youth and civic organisations in George, Kobe was the father of two children and was due to marry his common-law wife, Ms Elizabeth Qatana, this Friday

Trespassing

The events which led to his death began about 7.30pm on Saturday March 19, when he was walking to a friend's house with Qatana, her sister and his 14-year-old cousin

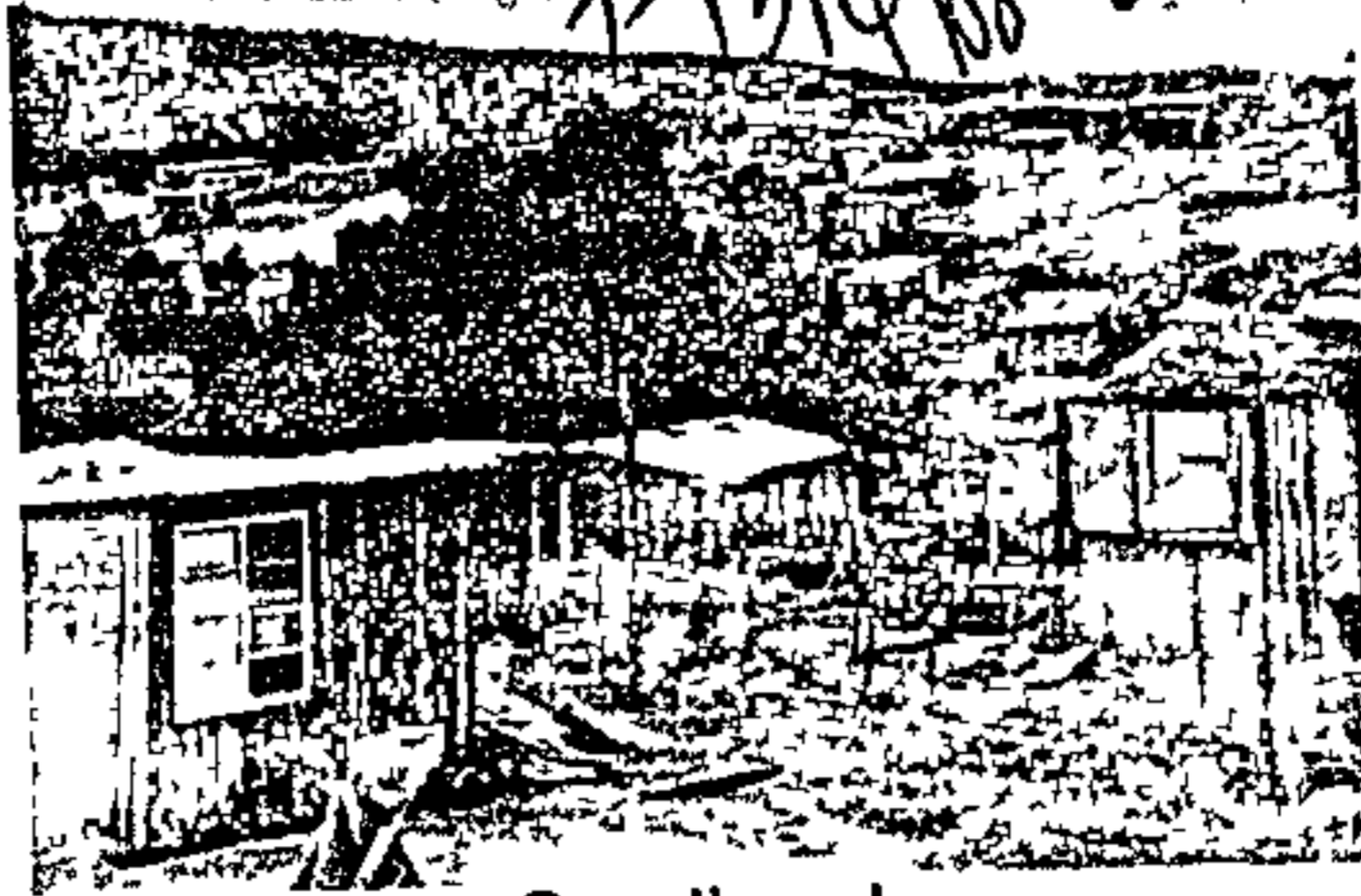
In her affidavit, Qatana said the party crossed the yard of a house in Sandkraal when the owner complained about them trespassing

On their return they used another route which passed close to this house. Their journey was interrupted by the same man who "threw me over the steps", said Qatana

Kobe intervened and the two men began to fight. A yellow police van arrived with three white policemen, two of whom immediately jumped out of the van and began beating Kobe and the other man with a baton and a sjambok

The other man fled into his yard. Kobe tried to flee but was pursued

The policeman who caught him began beating and kicking him. Qatana



Sandkraal

said She tried to protect Kobe by thrusting herself between the two men. She was punched in the face, beaten several times and kicked by the police, she said

A neighbour, Ms Nozuko Kweleta, heard the commotion and went to investigate. In her affidavit she said she saw Kobe holding onto a pole in her yard while a policeman tried to drag him from it. Kobe was pleading: "Ekskuus, my baas"

A second policeman approached Kobe and hit him on the back with a sjambok "at least 10 times", said Kweleta.

Kobe was dragged to the van by the police and placed inside. The van drove off. Qatana and the others followed, arriving at the police station as Kobe was being taken out of the van

Beaten, kicked

Qatana said she saw Kobe being beaten and kicked before he managed to escape. One of the policemen took off his shirt and together with the other policeman and a kitskonstabel ran after Kobe

A short while later they returned. The kitskonstabel dragged Kobe while the policemen beat him

"The policemen seemed to be out of control and very angry," said Qatana

The policemen took Kobe inside the police station. When Qatana and her sister tried to follow they were told by the policeman without a shirt: "Julle tewe, fokof voor ek julle dood donner". Qatana said this policeman hit her on her back with his baton.

She and her sister ran outside

She could hear Kobe's screams from inside the station for about 30 minutes and it sounded "as if he was being badly beaten"

When the kitskonstabel came outside Qatana begged him to stop the beating. He replied there was nothing he could do as the door was locked.

After the screams had stopped Qatana saw the two policemen and the kitskonstabel carry an unconscious Kobe to the van. The van drove off and Qatana saw it turn off in the direction of the sea

Qatana went to search for a car. She returned about 20 minutes later and asked a policeman what had happened to Kobe. She was told he had run away from the van and they should search for him in the bush.

"The policeman told me to leave if I did not want trouble," she said

Qatana said she enquired about Kobe at the nearby Conville police station and a policeman there telephoned the Sandkraal station. He was told Kobe was in hospital.

Qatana drove to both hospitals in the area but could not find Kobe. She returned to the road where she had seen the police van turn off towards the sea. Her party searched for Kobe but could not find him

At about 5am the following morning Qatana returned to the police station. A kitskonstabel told her Kobe was in a George

hospital after he had been found near the sea by the CID

When Qatana arrived at the hospital she heard Kobe was still alive but in a serious condition. He was operated on but died afterwards

In an affidavit, Sandkraal resident Ms Zuziwe Jebese also spoke of Kobe's pleas for mercy

Jebese said she was picked up by the police after an argument with a neighbour about money. On the way to Sandkraal police station the van stopped and Kobe was thrown inside

When they arrived at the station Jebese was in front and Kobe at the back. Jebese said she heard Kobe being beaten. As she entered the police station she saw Kobe running away and the police chasing him.

Charge office

After a while the two white policemen and the kitskonstabel returned with Kobe. They pushed him into a room leading off the charge office

"For about twenty minutes I could hear the man screaming and crying 'Ekskuus Oubaas'. I could hear many noises that sounded like beating and also the policemen shouting in Afrikaans"

During this time, Jebese said, she was approached by the policeman without a shirt

"He grabbed me by my throat and slapped me in my face many times. I cowered on the floor. He kicked me on my head once and stomped on my left ear. He returned to beating Kobe in the other room," said Jebese

Another policeman came from the room and slapped her. He told her to "Fokof, loop" and dragged her out of the station. She then went to get treatment for her injuries from people nearby

In her affidavit Jebese said she saw no reason for the assault. She intended making a civil claim against the police

Kitscop jailed for contempt

251

GRAHAMSTOWN - An Aberdeen kitskonstabel has been jailed for six months for contempt of court after assaulting and insulting two residents of the Thembalesizwe township "in the most scurrilous terms".

This follows a court order in January restricting kitskonstabels in the area from assaulting or harassing Thembalesizwe residents.

The kitskonstabel, Phndile Joseph Gomo, was described here as a "foul-mouthed bully" by a Supreme Court judge, who decided to jail him for much longer than even the legal representative of Aberdeen's black community asked for.

In an urgent application last month, Thembalesizwe residents Mr Herbert Claasen and Ms Thelma Claasen asked the Grahamstown Supreme Court to jail Gomo for contempt of court shortly after they had been assaulted.

Mr Justice Alexander ordered Gomo to pay the applicants' costs.

13/4/88

Saupe

SAP display a winner

THE SA Police's vision of a peaceful future is a butcher's shop in Soweto where cutlets are displayed on a white-tiled counter

The peaceful scene is depicted at the SAP reactions unit display at the Rand Show Peace and unrest scenarios are contrasted on a hand-painted, 50-metre-long mural

To add authenticity, a Casspir, a four-wheel-drive riot vehicle and a barbed-wire disposer are on standby in the landscaped foreground

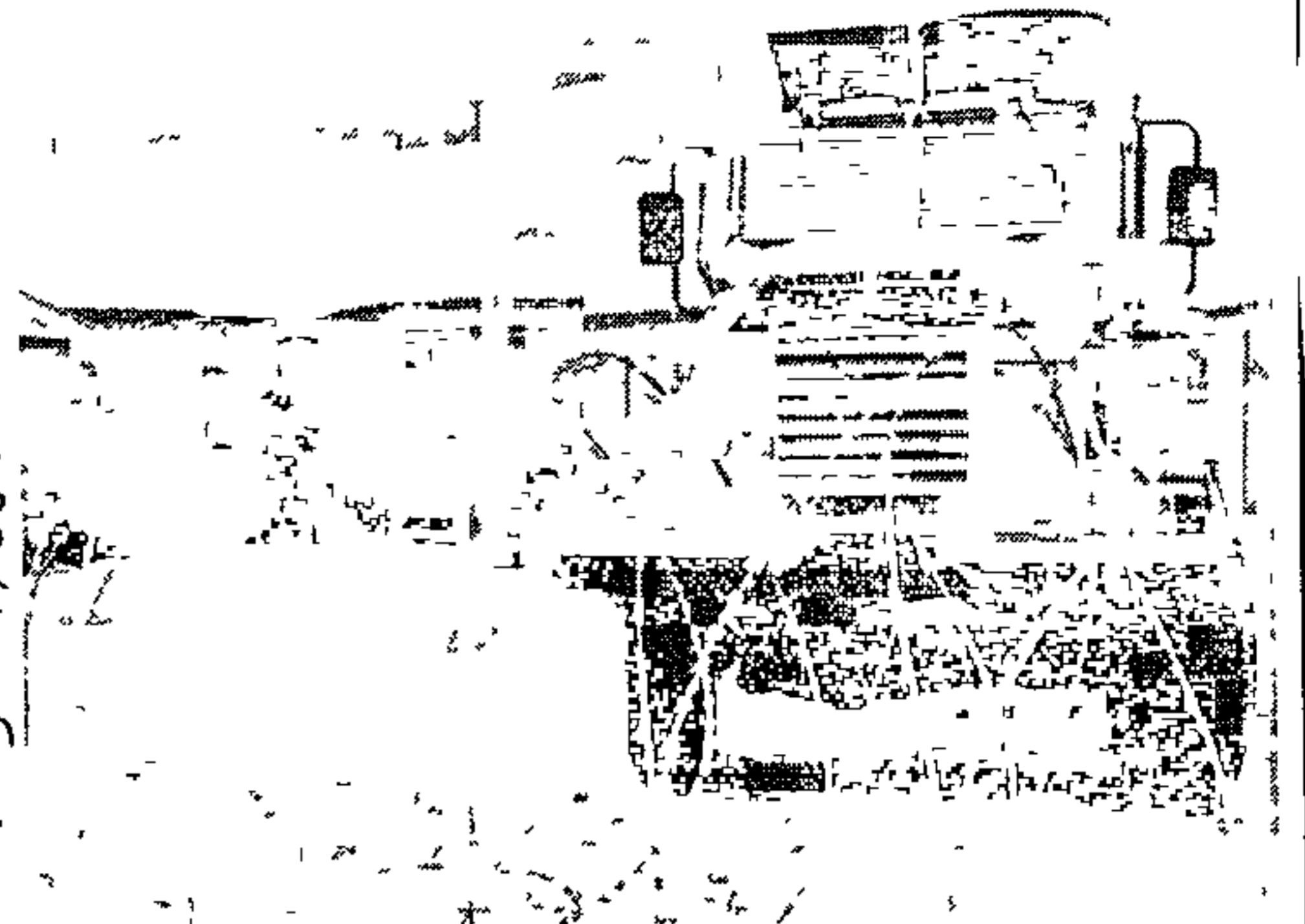
The SAP exhibition, which also gives an extensive view of

ELSABÉ WESSELS

ordinary policing and riot-squad activities, was awarded the Dennis Mosenthal Grand Challenge Trophy for the best display featuring a service to the public

It also received the City of Johannesburg Supreme Challenge Shield for the most attractive and outstanding display

The butchery portrays the artist's vision of the future "A peaceful, prosperous and developing community which can only be achieved if everybody co-operates," says the plaque accompanying the scene



The SAP mural display .. with a Casspir adding authenticity

151

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7/4/88
B/day

Don't belittle SAP PW tells public, media

PRETORIA — The State President, Mr P. W. Botha, called on the public and media yesterday not to belittle the South African Police because discord could only weaken the force. (251)

Addressing a parade here to commemorate the 75th anniversary of the police, Mr Botha said it was important that the security forces be united in their action — and equally important that the public be united in supporting the security forces

"No security service could perform its important task with confidence if discord and fragmentation prevail among the people they serve

"I wish to make an urgent appeal to all South Africans, the media, and members of the international media in particular, to refrain from so often casting suspicion on and belittling the actions of the South African Police "

The SAP was not perfect, just as no human being was perfect, Mr Botha said

He added that the police were the first line of defence against the evil of international terrorism which afflicted large regions of the world.

The ANC used violence to promote its aims and had devoted itself to cruel and callous outrages, he said Adding that the murder of innocent people was an attempt to intimate the masses into accepting a marxist system

"The recent car bomb in Krugersdorp is still fresh in our memories and a telling example of this "

Mr Botha presented 75th anniversary festival medals to several police generals, including the Commissioner of Police, General Hennie de Witt, and four police students representing the force's white, "coloured", Asian and black members —

Sapa

'Harassment' denied

THE SA Police do not act against people because they belong to certain organisations, police have said in response to allegations of police action against members of Cosatu made by the trade union federation.

Nor do the SAP comment on "routine police duties" (such as the visiting of premises, confiscation of property) the SAP Public Relations Division said in a telex to Sapa

Cosatu listed incidents of state "repression" allegedly perpetrated against members of Cosatu's affiliates during March.

These included detentions, security police raiding of offices and removal of union property and records

None of the 12 union activists listed

by Cosatu as detainees were being held under security legislation, police said

"We wish to re-affirm previous statements that the SA Police do not act against people because they belong to certain organisations but that any steps we take are aimed at the actions of individuals," the police telex said

Responding to the arrest at a roadblock for assault and robbery of Cosatu regional secretary, Mr Jacob Mabena and two other National Union of Mineworkers members, the police said "we cannot understand why Cosatu should consider this to be worthy of mention.

"After all, nobody is above the law and assault/robbery are criminal-offences"

251

with reference to

Death clash SAP blamed

Own Correspondent

DURBAN. — The Deputy Commissioner of Police in KwaZulu, Brigadier S M Mathe, has alleged that the South African Police (SAP) dropped off a truck-load of Inkatha members in a UDF area after interrogating them, resulting in a clash between the two groups which claimed the lives of two Inkatha men.

Brig Mathe made the allegation in a letter of complaint to KwaZulu Chief Minister Chief Mangosuthu Buthelezi this week.

In his letter, Brig Mathe said a large number of Inkatha members were taken from their homes at Mpumuza for interrogation.

Afterwards, 20 Inkatha members in one police truck were off-loaded in the middle of Ashdown Village, it was alleged.

Brig Mathe said it was "known throughout Maritzburg that Ashdown is a strong UDF base".

He said the Inkatha members were attacked by armed UDF members and two Inkatha members, a Mr Ndlovu and a Mr Ngubane, were killed.

The SAP spokesman said that after questioning, people were returned, according to set policy, to roughly where they had been rounded up.

SAP role in PMB clash alleged

DURBAN — Deputy Commissioner of Police in KwaZulu Brigadier S M Mathe has alleged that the SAP dropped a truck-load of Inkatha members in a UDF area, resulting in a clash which claimed the lives of two Inkatha men.

Mathe made the allegation in a letter of complaint to KwaZulu Chief Minister Mangosuthu Buthelezi this week.

Mathe said a large number of Inkatha members were taken from Mpumaza to Pentrich Corner police base near

8/4/88
Own Correspondent (51)
Maritzburg for interrogation, and later returned by police transport

Twenty members in one truck were off-loaded in Ashdown Village, known throughout Maritzburg as a strong UDF base. He said they were attacked by armed UDF members and two Inkatha members were killed. Mathe said sworn statements would be obtained to substantiate the allegations.

KwaZulu complain of SAP arrests

By CARMEL RICKARD,
Durban

A ROW seems to be developing between the South African Police and KwaZulu Police over alleged SAP action in a Pietermaritzburg township earlier this week

The deputy commissioner of the KZP, Brigadier SM Mathe, has written a letter to KwaZulu's Chief Minister, Mangosuthu Buthelezi, who is also Minister of Police for KwaZulu.

In his letter Mathe complains about the rounding up of "a large number of Inkatha members" from the Mpumuza district.

He says they were all taken to the police base at Pentritch where they were interrogated. Afterwards they were taken back but were dropped off in the middle of Ashdown township.

"It is known throughout Pietermaritzburg that Ashdown is a strong United Democratic Front base," Mathe says. "The off-loading of Inkatha members here resulted in a heavy battle when the Inkatha members were attacked by armed UDF members whilst the Inkatha members were unarmed. This resulted in the death of two Inkatha members."

A statement by an Mpumuza resident who was part of the group allegedly "rounded up" by police who were dropped off in the area by helicopter, says there were well over 100 men taken to the Pentritch police base for fingerprinting and photographing.

Allegations about similar police action — dropping a group of unarmed people in the middle of an area where residents are known to be hostile — have been made before by members of the Congress of South African Trade Unions and the UDF.

Commenting on Mathe's letter, Buthelezi said yesterday the matter would be taken up "as a matter of grave concern" with the Minister of Law and Order and the Commissioner of the South African Police.

Spokesman for the Minister of Law and Order, Brigadier Leon Mellett, said yesterday he knew nothing of the incident but that Pietermaritzburg police were investigating and would release a statement.

The former vice-chairman of the Natal Midlands region of the UDF, Professor Colin Gardner, speaking in his personal capacity, said the claims sounded "very strange" and that in effect it was Inkatha accusing the SAP of siding with the UDF.

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(251)

ANC man did die, says SAP

3/20/88 4/4/88

PRETORIA — The SAP's Public Relations Division in Pretoria insists the ANC's commander in Botswana, Solomon Molefi, was killed in the SADF's March 28 raid into northern Gaborone.

The division was asked to comment on a Botswana government charge that reports identifying Molefi as a victim constituted "deliberate fabrication"

The Botswana Press Agency said yesterday Botswana maintained that the man killed in the raid was Charles Mokoena, a refugee since 1979.

The SAP's Public Relations Division said Molefi was born on January 11, 1952, and left the country illegally via Botswana in June 1976. He was trained in East Germany and Angola. He had been in Botswana since September 1986, and was suspected of complicity in numerous acts of terrorism in SA since then.

Botswana identified the four people killed in the raid as Martha Madisa (unemployed), Thandi Seokamo (a teacher), Masego Ikgopoleng (a bookshop employee) and Charles Mokoena.

A Department of External Affairs spokesman in Gaborone said yesterday: "The SA refugee killed is Charles Mokoena and not Solomon Molefi."

□ Reacting to allegations that SA tourists had been harassed by Botswana security forces after the recent SADF raid, a Botswana government spokesman said South Africans were "free to come here as always". — Sapa.

R44 000 damages for shot pupil

Stewart
8/4/88
251

THE Minister of Law and Order, Mr Adriaan Vlok, has been ordered to pay about R44 000 in damages arising out of the shooting of a former pupil in KwaThema, Springs, during 1985.

In an out of court settlement lawyers representing the Minister have agreed to pay the amount to Mr Hamilton Ngubane (21), of Fuba Street, Duduza, Nigel. At

the time of the incident Mr Ngubane was a pupil at Mombesane Higher Primary School

In papers before the court, Mr Ngubane said he was walking in the street in KwaThema when he was shot by a member of the South African Police on July 9, 1985.

As a result of the shooting he suffered bodily injury and

suffered persistent pain and weakness because of the wounds he sustained

He said after the shooting he was taken to the local police station and later charged with public violence. He was subsequently found not guilty and discharged by a regional court magistrate

The defendants had argued that Ngubane together with several other people attacked a vehicle belonging to the SAP. During the attack the lives of the police were in danger and shots were then fired.

The defendants contended that they took the action in self defence. The out of court settlement has been confirmed by the lawyer for the State, Mr J Meltz.

Mr B Watters of Priscilla Jana and Associates, acted for Mr Ngubane.

Municipal cops faced with 500 ²⁵¹ complaints

A TOTAL of 569 complaints were lodged with the South African Police last year regarding the conduct of municipal police, the Minister of Law and Order, Mr Adriaan Vlok, said in Parliament yesterday in written reply to a question from Mrs Helen Suzman (PFP Houghton).

Complaints included murder, attempted murder, assault with intent to do grievous bodily harm, theft, rape, malicious damage to property, culpable homicide, pointing of a firearm, robbery, negligent driving and drunken driving.

A docket was opened for every complaint and submitted to the attorney general of the area concerned for a decision on prosecution.

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Police visit Mozambican bomb blast victim at clinic

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The Argus Correspondent

JOHANNESBURG. — Critically injured Mozambican Mr Ishmail Mussagy, who is apparently still unconscious in a Johannesburg clinic after last week's Maputo car-bomb blast, was visited by police at the weekend, a spokesman for the Princess Nursing Home said.

Police brandishing their weapons burst into the clinic on Saturday night after receiving a telephone tip-off that a "terrorist" was in the clinic, The Star, sister newspaper of The Argus, was told.

POLICE INVESTIGATION

The caller apparently thought that Mr Mussagy was an insurgent because he was involved in the same blast that maimed ANC member Professor Albie Sachs.

Witwatersrand police spokesman Lieutenant Pierre Louw said this morning that police had no record of the alleged action but that the matter was being investigated.

According to the clinic spokesman the Maputo storeman was not in any way connected with Professor Sachs and was on his way to the beach when the bomb went off.

FRACTURED SKULL

The police left after being told that Mr Mussagy was unconscious and could not be interviewed.

Mr Mussagy, who has a fractured skull and internal bleeding, was this morning still critical. Last night it was uncertain whether he would survive, a clinic spokesman said.

He was flown to Johannesburg from Maputo on Friday.

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Durban concern over pop riot

The Argus Correspondent
DURBAN — Overcrowding leading to violence was to be discussed urgently at a Durban City Council management committee meeting today after trouble at a rock festival attended by between 100 000 and 150 000 people

The mayor, Mr Henry Klotz, said Durban had to avoid at all costs a repetition of violence which yesterday left at least 23 people injured at the Radio Zulu rock festival, which drew the biggest crowd ever seen at Kings Park rugby stadium

Police said 23 were injured but although ambulance workers put the figure at 36

According to a police spokesman in Pretoria, one man was shot in the chest and a youth was shot in his legs by a gunman inside the stadium

Police were called just before noon when a large crowd attempted to gatecrash the already-packed stadium

Fired birdshot

According to Captain Reg Crew in Pretoria, about 1pm a group of people tried to rob a security officer of R20 000 at the stadium's cash office. Police intervened and fired birdshot into the ground to disperse them

The riot unit and security force members were called to cordon off the stadium. A police helicopter reported on the situation to members on the ground who had set up a control room

About 5pm a crowd of 200 people ransacked a food caravan at the stadium and police again fired birdshot into the ground to disperse them. No injuries were reported. The caravan was attacked again at 6pm and this time police fired rubber bullets to disperse the crowd. No injuries were reported

THOUSANDS OF FANS: Some of the crowd who attended the rock festival at Kings Park Stadium in Durban yesterday.

After the rock festival the crowd moved towards the railway station on foot and in minibuses and damage to property was reported from several parts of the town

Police caught three men looting a shop and opened fire, wounding all three before arresting them

Small wall

The city ambulance service set up an emergency centre near the stadium where the injured were treated before being taken to hospital

Mr Roger Gardner, general manager of the Natal Rugby Union, said a quick survey of the stadium today showed that only a small wall had been damaged. "When there is such a big crowd one expects such things. It should not cost much to have it repaired."

The Camel Supercross organisers, holding motorcycle races next door to the rugby stadium, blamed the Natal Rugby Union for ruining their meeting yesterday.

Promoter Mr Julian Lurie said Camel's gate money was down at least R10 000 because spectators were unable to

Police did not fire at audience

Cape Times 12/4/88 251
A REPORT and headline in the first edition of the Cape Times yesterday wrongly gave the impression that police on Sunday opened fire with birdshot and rubber bullets on the 100 000-strong audience at a Durban rock concert, and also used birdshot to disperse people at a food caravan.

The report was corrected for the second edition and it was made clear that the police had not fired at the audience or the rock fans.

According to a police spokesman in Pretoria, Captain Reg Crewe, trouble had apparently started at the concert when people without tickets tried to

enter the King's Park Rugby Stadium, where it was held. He confirmed that police fired a number of rounds of birdshot into the ground to disperse a mob attacking a security officer guarding about R200 000 at the ticket office. Birdshot was used again later to disperse a mob trying to loot a food caravan. And rubber bullets were fired to disperse another mob at a food caravan, he said.

At least 16 people were hurt in fighting among the audience and a wall was broken down by people without tickets. Police said those hurt had been injured in incidents among the crowd and not by police action.

CAPE TOWN 12/4/88

Shooting: Cop in court

By PETER DENNEHY

THE policeman who allegedly fatally shot Mr Ebrahim Carelse in the head with a shotgun in a Salt River kitchen in September 1985 was charged with culpable homicide in Cape Town Regional Court yesterday.

Lieutenant John Michael Baird, 29, from Jeffreys Bay, pleaded not guilty to culpable homicide. He did not deny that he shot Mr Carelse.

Lt Baird claimed in an affidavit that he had been within his rights in "arresting" Mr Carelse on suspicion that he "committed or attempted to commit the crimes of sedition or arson".

A 12-year-old witness, who may not be identified, told the court that he was in the kitchen in Burns Road when the shooting took place.

Mr Carelse had walked into the house, the boy claimed, and wanted to "go over the wall to see what was going on outside. I think there was running and shouting". Earlier he had heard shots and seen people running.

A policeman had run through the house and shot Mr Carelse.

Mr A Veldhuizen, for Lt Baird, put it to the boy that Mr Carelse had run into the house, shouted "Stop die boer", ignored the policeman's shout to halt, pulled the kitchen table into the policeman's way and was about to close the kitchen door when he was shot.

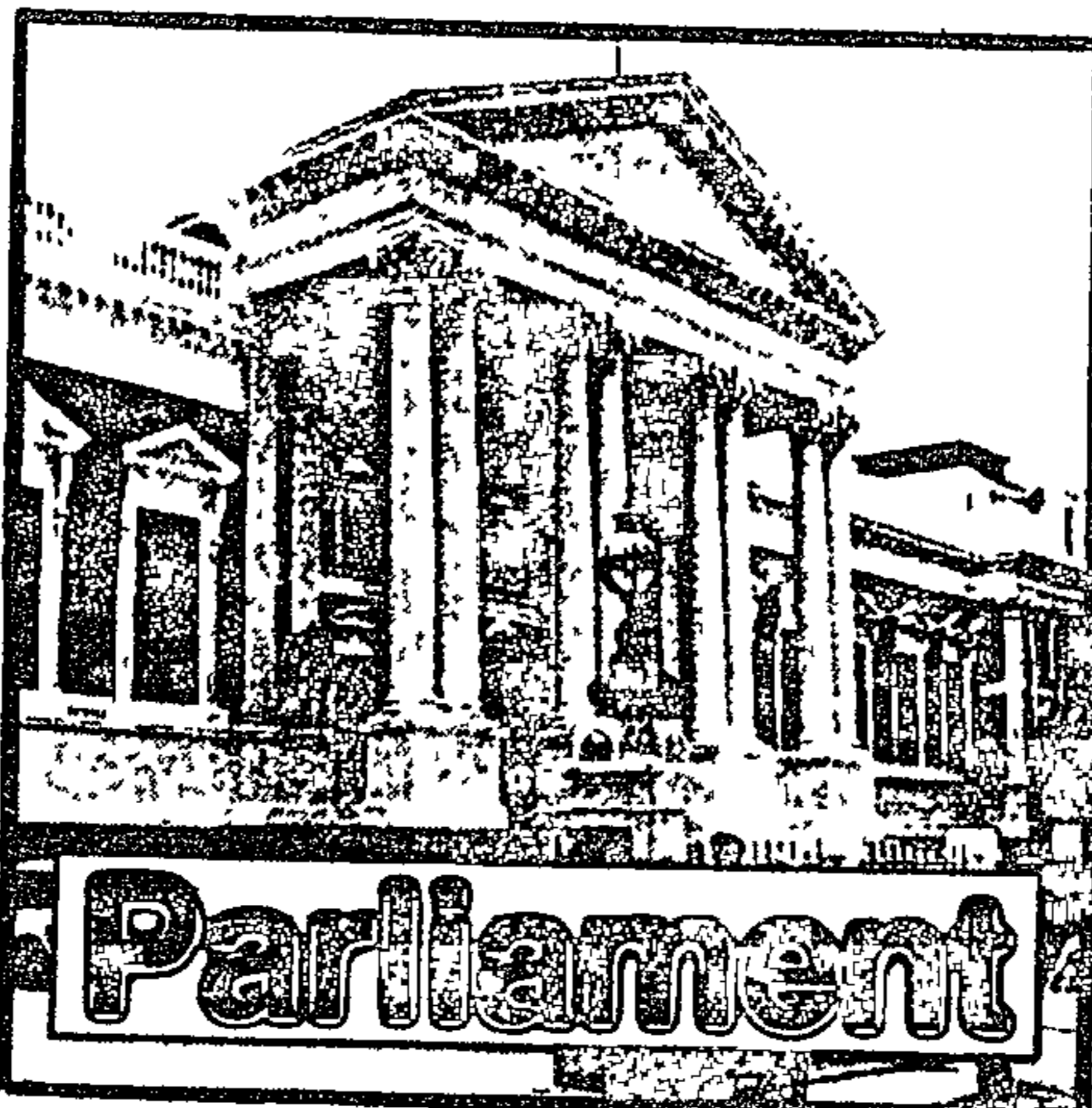
The boy denied this. Mr Carelse had told him to remain in the kitchen and was shot from behind when he opened the kitchen door.

The hearing continues today.



Lt John Michael Baird

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No action against police in Trojan Horse incident

13/4/88
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CAPE TOWN — The members of the police force involved in the "Trojan Horse" incident three years ago in Athlone, Cape Town, have not been suspended while the attorney-general decides whether to prosecute them, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Mr Vlok was replying to a question from Mrs Helen Suzman, (PFP Houghton).

At the present, these members of the police force were stationed at various police stations and were performing "normal police duties".

Mr Vlok told Mrs Suzman that the court record was a public document which was at her disposal

At the inquest, the police involved in the Trojan Horse incident were held responsible for the death of two youths.

● The Defence Force will not take any action against the six soldiers who were to have been charged with murder in Namibia until the State President, Mr. P. W. Botha, intervened and stopped their trial

The Deputy Minister of Defence, Mr Wynand Breytenbach, said no action was to be taken against six members of the Defence Force after the death of Mr Immanuel Shifidi

Mr Shifidi died after members of the Defence Force broke up a Swapo rally at Katatura township near Windhoek. — DDC

DET to repair flood damaged schools

PRETORIA — The Department of Education and Training would repair flood, storm and fire damage to farm schools, the Director-General of the department, Dr A. B. Fourie, announced in Pretoria yesterday.

He said this applied to schools where the owners of farms were not in a position to undertake the repairs themselves.

However, where farmers undertook repairs, the department would subsidise them by up to 100 per cent of the estimated cost of repairs.

Damage resulting from unrest or unrest-related incidents was excluded.

"In the light of the recent floods in the Orange Free State and in the Northern Cape, when farm schools were damaged, it is gratifying that farmers can be accommodated in this way.

"Farmers with farm schools which suffered damage may obtain details from local circuit inspectors, assistant directors or regional offices," Dr Fourie said. — Sapa

Lieutenant tells of Salt River killing

Staff Reporter

LIEUTENANT John Baird, accused of shooting Mr Ebrahim Carelse in the head with a shotgun, killing him, yesterday told the Regional Court there was no other way to stop him fleeing.

Lieutenant Baird, who entered the witness box yesterday, said he was on patrol in Salt River on September 5, 1985 when he and a colleague saw a group of men on the corner of Burns and Albert roads.

One of the men held what appeared to be a burning object. When they got closer they saw he was holding a petrol-bomb in one hand and a brick in the other.

The men were standing in front of a business and it looked as if they were about to break in and petrol-bomb the place, he said.

The men ran in different directions when the patrol car approached.

Lieutenant Baird said he had a shotgun and a pistol and had chased after the man with the petrol-bomb and brick. On several occasions he had shouted at the man, whom he identified as Mr Carelse, in both English and Afrikaans to stop.

Mr Carelse had run into 17 Burns Road and closed the door but about a second later he (Lieutenant Baird) had kicked in the door.

He followed Mr Carelse down the corridor to the kitchen. Mr Carelse ran towards the back door and had pulled a kitchen table in his way and ran out the back door.

"A second later I saw him run into a lane. I did not know where it was leading to. It was dark.

"When the kitchen door closed, I fired the shotgun."

The hearing continues today.

Cape Times 13/4/88

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Man shot in head: Policeman in court

Court Reporter

A SALT RIVER grandmother knelt next to the body of a man she knew "like a son" and went hysterical after he was shot in the head by a policeman in her kitchen, the Cape Town Regional Court heard.

Mrs Sadea van der Skyff of Burns Road was giving evidence yesterday in the trial of Lieutenant John Michael Baird, 29, who has pleaded not guilty to culpable homicide.

The State alleges that Lieutenant Baird unlawfully shot Mr Ebrahim Carelse on September 5 1985

Mrs van der Skyff said she had been visiting friends across the road about 9pm that evening when her daughter told her to get the children inside as there was "trouble".

She heard screams and shots from Main Road and hurried to

her veranda where some young children were playing.

She said she herded them inside and was talking to them when she heard a noise that sounded like a car back-firing

Mrs van der Skyff said her granddaughter told her there was a policeman in the house. She went to the kitchen and saw the policeman. Mr Carelse was lying on the floor

Hysterical

"When I saw he had been shot in the head I was so shocked I became hysterical

"I asked him 'why did you shoot an innocent man, he's like a son of mine' and the policeman said 'these are the people that make all the trouble'

"Later, when they came back to reconstruct the incident, he said he had shouted 'staan stil' but I didn't hear that"

Earlier, a 13-year-old boy testified that he had been playing on

his grandmother's veranda with his cousins and a friend when he heard shots and shouting from the direction of Main Road

His grandmother hurried from the house opposite and took the children inside

"Long gun"

His uncle, Mr Carelse, was in the house and they went to the kitchen together

Mr Carelse was just about to open the back door to see what was happening outside when a policeman burst in and fired a shot with a "long gun"

The boy said Mr Carelse dropped to the ground and he got a fright and ran away.

He still had nightmares about the incident, he said

The hearing continues today

Mr M de Klerk is on the Bench. Mr Frank Silbert appears for the State and Mr A H Veldhuizen, instructed by the State Attorney, for the defence

'COPS NOT CULPRITS'

Soweto

13/4/86

251

A WITNESS told a judge yesterday that he did not believe police committed the "horrific" murders and destruction of property during the unrest in Alexandra township.

Detective Sergeant T A Scott said this in the Rand Supreme Court at the trial of trade unionist Mr Moses Mayekiso and four civic leaders charged with treason, alternatively sedition and subversion



GETTING a congratulatory kiss from friend Mr Matome Seabi is Mrs Tebogo Modau who was conferred with a Diploma in Dietary Science at a ceremony held at the University of Venda at the weekend.

Sgt Scott was being examined by Mr David Soggot, SC for the defence. He said he would not dispute that on April 23, 1986 five people were killed, 39 others injured and that there were 22 attacks on properties in Alexandra.

Sgt Scott agreed that people in the township believed that police were responsible for the "horrific" murders and destruction of properties in Alexandra township during the unrest.

He said he had heard of rumours of a vigilante group. He had been seconded to Alexandra to investigate the riot related matters.

Mr Mayekiso, general secretary of the National Union of Metal Workers' of South Africa, and civic leaders Mr Paul Tshabalala, Mr Obed Bapela, Mr Richard Mdakane and Mr Mzwandile Mayekiso are appearing before Mr Justice van der Walt.

The State alleges they were involved in a conspiracy to make Alexandra township "ungovernable" and in the formation of "organs of people's power" and "people's court" between January, 1985 and June 1986. They have pleaded not guilty.

(Proceeding)

Place	Date finalized	Number of record
Magistrate, Randburg	28 11 86	196/86
—do—	17 12 86	223/86
—do—	22 1 87	221/86
—do—	6 2 87	14/87
—do—	6 2 87	15/87
—do—	4 3 87	27/87
—do—	13 3 87	28/87
—do—	13 3 87	29/87
—do—	13 3 87	30/87
—do—	10 4 87	49/87
—do—	14 7 87	69/87
Magistrate, Johannesburg	3 8 87	760/86
Magistrate, Randburg	19 8 87	190/87
Magistrate, Johannesburg	7 3 88	349/86
Magistrate, Randburg	29 3 88	20/88
—do—	29 3 88	21/88
—do—	29 3 88	22/88

The inquest in respect of 1 person has not yet been finalized, since further enquiries were made to the South African Police

Overseas visits

579 Mr P G SOAL asked the Minister of Foreign Affairs

(1) Whether he or the Deputy Minister of Foreign Affairs undertook any overseas visits in 1987, if so, (a) which countries were visited and (b) what was the purpose of each visit,

(2) whether he or this Deputy Minister was accompanied by any representatives of the media on these visits, if so, (a) what were the names of the journalists involved, (b) which newspapers or radio or television networks did they represent, (c) to which countries did each of these persons accompany him or this Deputy Minister and (d) why,

(3) whether any costs were incurred by his Department as a result, if so, what total amount in that year?

The MINISTER OF FOREIGN AFFAIRS

(1) Yes

(a) I and the Deputy Minister visited various countries in Europe, Africa and the Far East

(b) The media carried reports on the purpose of visits to some of the countries. In the case of the others it would not be in South Africa's interest to disclose any particulars

(2) Neither I nor the Deputy Minister invited the media to accompany us on our visits. Media representatives who covered parts of the visits did so at their own cost

(a), (b), (c) and (d) fall away

(3) No

Municipal police in Black townships: identification

618 Mrs H SUZMAN asked the Minister of Constitutional Development and Planning

(1) Whether members of municipal police forces in Black townships are required to (a) wear some visible form of identification and (b) produce their identification on demand by any member of the public, if so, what form of identification are they required to (i) wear and (ii) produce on demand, if not, why not,

(2) whether any action is to be taken regarding the wearing and production of identification by these policemen, if not, why not, if so, what action,

(3) whether these policemen are allowed to perform their duties in plain clothes, if so, under what circumstances,

(4) whether any complainants have been received regarding the actions of these municipal policemen, if so, (a) how many, (b) what was the nature of the complainants and (c) what action was taken as a result?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

The execution provisions of section 34 of the Black Local Authority Act, 1982 (Act No 102 of 1982) in terms of which the municipal police function was assigned to the various provincial governments on 1 October 1986 and according to information received from them, the following replies are furnished

(1) (a) Yes

(b) Yes

(i) Besides the prescribed uniform, badges are worn by the officers while on duty as prescribed by legislation

(ii) An appointment certificate issued when appointed, and a document that declares the official as a peace officer

(2) As answered in question 1(b)(i) and (ii) wearing and produce of identification

(3) Yes, only in the Cape Province when the commanding officer deems it necessary while the officials execute their duties as peace officers even when they are not on duty

(4) (a) No complainants were received concerning the conduct of the municipal police in the Orange Free State and Natal. In Transvaal and the Cape Province 349 complainants were received

(b) Their reckless and negligent driving, unlawful arrest and assault, pointing of firearm, vehicle driven without licence or consent, under the influence of liquor while on duty, pointing of firearm and threatened with death, murder, attempted murder and assault, culpable homicide, serious assault, assault, unlawful arrest, theft of weapon, damage to property and attempted rape

(c) Each complaint received is investigated by the local authority or the South African Police. Complainants with substance are taken further by the local authority or the South African Police. Upon conviction those concerned are sentenced. Thereafter departmental disciplinary steps are taken in accordance with staff regulations

Handwritten signature

(a) Since the inception of the Sectional Titles Act, 1971 (Act 66 of 1971)

(b) By authority of a permit issued in terms of section 21 of the Group Areas Act

Hospitals: cuts in staff establishment

821 Dr M S BARNARD asked the Minister of Constitutional Development and Planning

(1) Whether any cuts in staff establishment have been determined at the (a) Bethlehem, (b) Botumelo, (c) Odendaalsrus, (d) Parys, (e) Pelonomi, (f) Phekolong, (g) Sasolburg, (h) Universitas, (i) Virginia, (j) Voortrekker, (k) Welkom and (l) Harrismith Hospital in any staff category since 31 December 1987, if so, what cuts in each specified category at each of these hospitals,

(2) on what date or dates were the supernumeraries of the above 12 hospitals advised of the cuts in staff establishment,

(3) whether the withdrawn posts will be terminated with immediate effect as they become vacant, if not, what procedure will be followed?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) Cuts have only been effected at the Pelonomi Hospital, in the following staff categories

Chief Professional Nurse	15
Professional Nurse	23
Nursing Assistant	13
Student Nurse	34
Student Radiographer	5
Senior Provincial Administration Clerk	3
Provincial Administration Clerk	7
	100

(2) The medical Superintendent was not advised officially as the posts concerned had first to be abolished by the Commission for Administration

(3) The posts which have been cut are all vacant and frozen posts which can be abolished immediately

Printing contracts awarded to two companies

840 Mr D J DALLING asked the Minister of Justice



Lieutenant Baird

CARE TRIPS 14/4/88
Policeman *(251)*
acquitted in *(275)*
shotgun death

By RONNIE MORRIS

MOMENTS after his acquittal in the Regional Court yesterday on a charge of culpable homicide following the death of Mr Ebrahim Carelse, Lieutenant John Baird burst into tears and was consoled by colleagues.

Lt Baird, 29, the station commander at Jeffrey's Bay, pleaded not guilty to the charge.

Evidence was that Mr Carelse died after being shot in the head with a shotgun in Salt River on September 5, 1985.

The court heard that Lt Baird and a colleague were on patrol in Salt River when they spotted a group of men on the corners of Albert and Burns Roads near a business. One of them (Mr Carelse) was holding a burning object and a brick and he was convinced that the men planned to smash the glass and petrol bomb the premises.

Accepted lieutenant's version

He chased Mr Carelse down Burns Road and shouted to him about four times to stop. Mr Carelse ran into a house. At the house, when he was about to run through the kitchen door, the lieutenant fired a shot from his shotgun.

Passing judgment, the magistrate, Mr M de Klerk, said when the court considered the evidence of two state witnesses, the version of Lt Baird should be accepted.

A 12-year-old boy — he was 10 at the time of the incident — did not impress the court as a witness. He was vague and in many instances he was unsure of important aspects.

Another witness, Mrs Sadea van der Schyff, did also not impress the court as a good witness and could not explain some of her actions.

Mr De Klerk said Lt Baird was an excellent witness who answered questions clearly and did not contradict himself.

Mr F Silbert prosecuted Mr A H Veldhuizen, instructed by the State Attorney, appeared for Lt Baird.

Two attacked by police dogs

25

IN TWO separate incidents on the same day, two men claim they were bitten and seriously injured by police dogs let loose on them from a white car.

Mr Gladstone Ntsimango, 27, and Mr Monde Mooi, 25, both of Guguletu, said they were attacked when the car, probably a Mazda 626, with two policemen stopped next to them on March 27.

Lieutenant Attie Laubscher, Western Cape police liaison officer, said in both incidents police confronted a group of looking-suspicious blacks and searched them.

A black man ran away in both cases and police used dogs to stop them. Investigations were taking place but nobody had been charged, he said.

This week both men were still limping from the wounds.

In the first incident, Ntsimango said a car with two uniformed policemen stopped near him and his brother at about 11 pm in Guguletu.

A policeman asked them where they were going. The car reversed, the driver got out with a dog and released the animal which lunged at him. He was bitten on the thigh and stomach.

The dog was taken away and another unleashed. The second dog bit both his thighs.

The dog was taken back and they drove off, he said.

He did not report the matter to the police.

The second incident happened before midnight.

Monde Mooi said he was accompanying a friend to buy cigarettes. They were called from a car.

They stopped and a policeman got out, took a dog from the back seat and set it on him, Mooi said.

The dog attacked him.

When people from a nearby shebeen came out, the police drove off. He reported the matter to the police.



Monde Mooi

14-20/4/88

Sautu

Cape Times 14/4/88 251

Municipal police face charges of murder, rape

By BARRY STREEK
Political Staff

THE Minister of Constitutional Development and Planning, Mr Chris Heunis, said yesterday that 349 complaints, including allegations of murder, attempted murder and rape, had been received about the actions of municipal police in black townships in the Cape and Transvaal

No complaints had been received about the municipal police in Natal and the Free State

Mr Heunis, who was replying to a question from Mrs Helen Suzman (PFP Houghton), said the municipal police in black townships were required to wear some visible form of identification and produce their identification on demand by any member of the public

The visible form of identification, besides the prescribed uniform,

were badges worn by officers on duty

Their identification was either an appointment certificate or a document that declared the official to be a peace officer

The municipal police were allowed to perform their duties in plain clothes but in the Cape they could only do so when the commanding officer deemed it necessary, while the officials executed their duties as peace officers even when they were not on duty

Mr Heunis said the 349 complaints in the Transvaal and Cape concerned murder, attempted murder, assault, culpable homicide, unlawful arrest, theft of weapon, damage to property, attempted rape, theft, reckless and negligent driving, unlawful arrest and assault, pointing of firearm, vehicle without licence and under the influence of liquor while on duty

D1D 14/4/88 (251)

8 King policemen deny being at Boesak meeting

Daily Dispatch Reporter
EAST LONDON — Eight policemen from the security and detective branches in King William's Town testified in the regional court here yesterday that they had not been in Breidbach on March 19, 1986, when the patron of the United Democratic Front, Dr Allan Boesak, was to have addressed a mass meeting.

A King William's Town attorney and former spokesman of the King William's Town Civic Association, Mr John Smith, faces charges under Section 27 (b) of the Police Act

The charge against Mr Smith concerns the alleged publication of untruths against the police following the incident in Breidbach

The eight witnesses said they had not been anywhere near Breidbach that day and had

only heard about the incident after it had taken place.

Another state witness, Sgt J Pieterse, testified that he had not consumed any alcohol before he went on duty at 6 pm that day, nor did he have any afterwards.

He said he and other policemen at Breidbach had seen Mr Smith and Dr Boesak walk to a bus in front of a Mr Swarts's property.

Dr Boesak got into the bus, together with a crowd of youths, and said to them, "I will see you soon".

Sgt Pieterse said Dr Boesak and Mr Smith got out of the bus and walked away

He said he had not seen any teargas but had heard about it afterwards

None of the policemen on duty were under

the influence of alcohol, he said.

Asked by Mr Ian Farlam, for the defence, how many of the policemen he had actually come into contact with, Sgt Pieterse replied that he had spoken only to the two who were in the car with him at the time

The case continues today.

Mr G Steyn was on the bench and Mr H Bence prosecuted Mr Farlam and Mr Deva Pillay, instructed by Mr D Tabata, appeared for the defence

D/P 14/1/88

Police hunt 3rd ANC suspect after attack

PIETERMARITZBURG — Police have launched a search for a suspected African National Congress (ANC) terrorist following an attack in the Mpumalanga area near Hammarsdale early yesterday

During the attack two young policemen and two terrorists were killed

The dead policemen were identified as Constable Martinus Jacobus Nel, 22, of Vryheid and Constable Gerhardus Cornelius Oosthuizen, 19, of Witsieshoek

The drama began at about 1 am when a police patrol spotted three suspicious-looking men. According to a

police statement from Pretoria, the men fled and were pursued by the police

"A man was apprehended but pulled the pin from a handgrenade which was already in his hand," the statement said

"The handgrenade apparently exploded in his hand killing both himself and two constables."

A third policeman was wounded in the shoulder by shrapnel and taken to Grey's Hospital

In a follow-up operation, police spotted the second suspect at about 6 am

The man opened fire with an AK-47 rifle and

hurled a handgrenade at them. The police returned the fire and the terrorist was fatally wounded.

Two AK-47 rifles and two rucksacks containing two Russian-made handgrenades and two fully-loaded AK-47 magazines were found

The police statement said three local residents were wounded in the shoot-out, apparently by the terrorist's fire

Two were identified as Mr Joseph Mazibuko, 25, and Mr Joseph Mokuwena, 31. A third person who was shot in the buttocks has not been identified. All three were admitted to Edendale Hospital — DDC

Y suspect with hand grenade killed

GOPPS DIE IN BLAST

Sowetan 14/4/85

251

Malombo
jet out to
America

TWO policemen and two suspected guerillas died in Mpumalanga, Natal, yesterday morning, the Police Directorate of Public Relations confirmed in Pretoria.

A handgrenade that apparently exploded in the hand of a man after he was apprehended by police killed him and the two constables, a statement from the directorate said.

A second suspect died after he fired at police and hurled a handgrenade at them. The police returned the fire and killed him.

Police are searching for a third man.

The statement said at about 1am a police patrol spotted three suspicious black men.

The men fled and were pursued by the police.

"A man was apprehended, but at the same time he pulled the pin from a handgrenade which was already in his hand.

"The handgrenade apparently exploded in his hand killing both himself and two white constables."

Wounded

A third policeman was wounded when he was struck in the shoulder by shrapnel. He was treated at hospital and discharged.

In a follow-up operation at about 6am police saw the second suspect. He fired at the police with an AK47 rifle and hurled a handgrenade at them.

The police returned the fire and the man was

• To Page 2



Two cops killed

• From Page 1 ^{Sowetan} 14/4/85 searching for the third man

The police statement said three residents were wounded, apparently by the guerillas' fire.

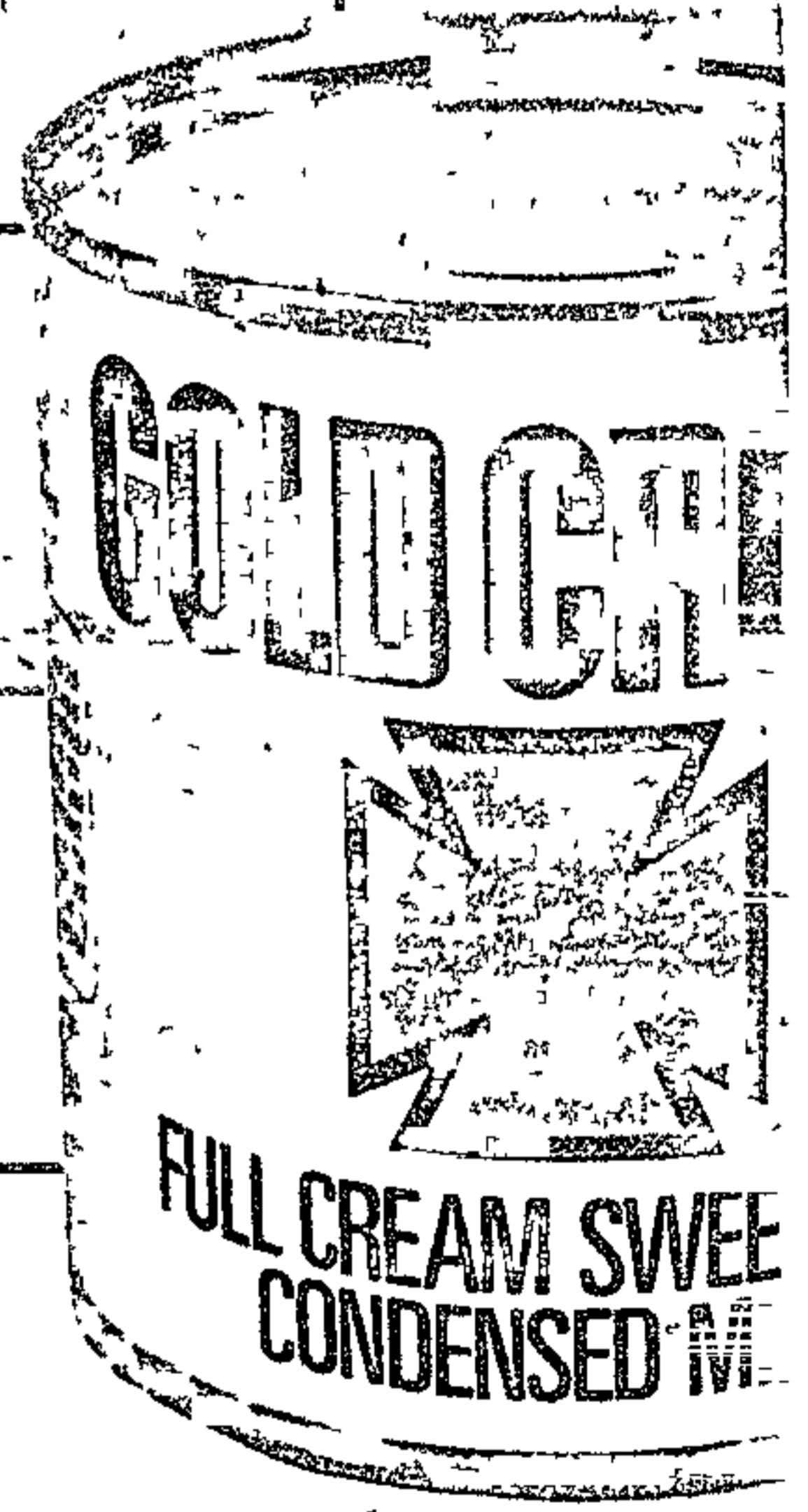
Two AK47 rifles, two rucksacks containing two Russian-made handgrenades and one fully loaded AK47 magazine each, were seized.

Police are investigating the matter and are

The two policemen who died were Mr Martinus Jacobus Nel (22), from Vryheid, and Mr Gerhardus Cornelius Oosthuizen (19), from Witsieshoek.

They were based at Unit 19 in Pretoria, but were seconded for special duties in the greater Maritzburg area — Sapa

THE Ma
plays dr
jetted o



Gold Cross
Condensed

Howard

(b) 8 October 1987,

- (4) yes,
- (a) the Paarl Teachers' College will be used by the South African Police, the Paarl Technical College and the Paarl Commercial High School,
- (b) with effect from 1990,
- (5) no

For written reply

General Affairs

Sandton: additional post offices/postal services

130 Mr D J DALLING asked the Minister of Communications

Whether it is the intention to provide any additional (a) post offices and (b) postal services in the Sandton area in 1988, if so, (i) where, (ii) what services, and (iii) when, in each case?

The MINISTER OF COMMUNICATIONS

- (a) No,
- (b) yes,

(i) Gallo Manor,

(ii) and (iii) the installation of 800 additional private boxes at the existing mail collection unit before the end of March 1988 (see note 1)

The following additional services are planned for the Sandton area for completion later than 1988.

(i) The erection of a mail collection unit consisting of 1 500 private boxes in Lombro Park by August 1989 (see note 1)

(ii) The construction of a new departmental post office in Wendywood to replace the existing hired premises in the course of 1989. The proposed new office will provide 2 000 private boxes

(iii) The establishment of a post office in Morningside (see note 2)

NOTES

- (1) In a written reply furnished on 26 February 1987 to question No 347, it was envis-

Howard

Sandton/Bramley/Wynberg/Alexandra/Lombardy East police stations: patrol vehicles stationed

137 Mr D J DALLING asked the Minister of Law and Order

How many serviceable patrol vehicles (a) with and (b) without radio equipment installed are stationed on a daily basis at the (i) Sandton, (ii) Bramley, (iii) Wynberg/Alexandra and (iv) Lombardy East police stations?

The MINISTER OF LAW AND ORDER

	(a)	(b)
(i)	4	—
(ii)	3	—
(iii)	5	—
(iv)	3	2

Sandton: detainees

141 Mr D J DALLING asked the Minister of Law and Order

Whether any persons detained in terms of security legislation or emergency regulations had been held at the Sandton police station from 12 June 1986, if so, (a) how many, (b) what specified facilities exist at this police station for holding such persons and (c) in respect of what date is this information furnished?

The MINISTER OF LAW AND ORDER

(a) to (c)

I refer the honourable member to my reply to oral question 2 of 17 February 1987 (Hansard Col 70 to 81) and written question 84 of 20 February 1987 (Hansard Col 186) which I still regard as sufficient

Internal Security Act: contraventions of section 46

142 Mr D J DALLING asked the Minister of Justice

Whether any persons were (a) charged with and (b) convicted of contravening section 46 of the Internal Security Act, No 74 of 1982, in 1987, if so, (i) how many, and (ii) how many of these persons were under the age of 18 years, in each case?

The MINISTER OF JUSTICE

Section 46 of the Internal Security Act, 1982, does not create an offence. Offences which relate to section 46 are contained in section 57

of the Act. Comprehensive statistics are not readily available in the Department. However, steps are being taken to make such statistics available in the future

Trespass: convictions

349 Mr D J DALLING asked the Minister of Justice

How many (a) Whites, (b) Coloureds, (c) Indians and (d) Blacks were convicted of trespass in 1987 in (i) each of the main urban centres and (ii) the Republic?

The MINISTER OF JUSTICE

In an effort to be of assistance to the Honourable Member the following information in respect of the Republic for the period 1 July 1986 to 30 June 1987 was obtained from the Central Statistical Services

Race	Prosecutions	Convictions
Whites	12	11
Coloureds	74	46
Indians	8	6
Blacks	179	137

Sporting facilities: amount spent

400 Mr M J ELLIS asked the Minister of National Education

What was the total amount spent by his Department on the provision of sporting facilities in South Africa in the 1986-87 financial year?

The MINISTER OF NATIONAL EDUCATION

A total amount of R1 253 700 was made available during the 1986/87 financial year by the Department of National Education for the provision of sporting facilities in South Africa

White citizens in RSA

474 Mr H H SCHWARZ asked the Minister of Home Affairs

(1) What was the total number of White South African citizens resident in the Republic as at 31 December 1987,

(2) (a) how many White persons resident in the Republic as at that date had not taken out South African citizenship and (b) (i) what were their countries of origin and (ii) how many of them came from each such country?

camp, if not, why not, if so, (i) with what (aa) residents and (bb) members of this committee, (ii) on what dates and (iii) what views on the erection of this fence were expressed by these residents and committee members,

(3) whether members of the South African Police were involved in these discussions; if so, (a) why and (b) what views did they express on the erection of this fence?

†THE MINISTER OF LAW AND ORDER

(1) Yes, on the western and southern sides

(a) barbed tape entanglement

(b) 27 February 1988

(2) (a) and (b) Yes

(i) (aa) and (bb) With a number of leading residents of the area and 24 committee members

(ii) 9, 23 and 27 February 1988

(iii) The committee members and residents requested that the area be fenced in, in order to ensure their safety against attacks while they were repairing, cleaning and upgrading the territory

(3) Yes

(a) and (b) It is the statutory responsibility of the South African Police to maintain law and order. During January/February 1988 criminal elements burnt dwellings and injured, killed and intimidated residents of the area. The request of the residents and committee was favourably considered by the mini Joint Management Centre for the area, particularly as it promoted the maintenance of law and order

Office of Municipal Police, Pabalelo, Upington:
person injured

*16 Mr J VAN ECK asked the Minister of Law and Order

(1) Whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, received any injuries during an incident at a police station in the Black

Stamard

township of Pabalelo, Upington, on or about 30 January 1988, if so, (a) what is the name of this person and (b) what was the (i) cause and (ii) nature of his injuries,

(2) whether any of these injuries are of a permanent nature, if so, what are the relevant particulars,

(3) whether any charges have been laid against this person by the Police; if so, what charges,

(4) whether any of these charges have been withdrawn, if so, (a) which charges and (b) why,

(5) whether this person has laid any charges against any members of the Police, if so, what is the nature of these charges?

THE MINISTER OF LAW AND ORDER

(1) No, not at a police station of the South African Police, but at an office of the Municipal Police, Pabalelo, Upington

(a) The name furnished by the hon member

(b) (i) and (ii) The left eye of the person was seriously injured when he resisted arrest on a charge of being in the possession of dagga

(2) Yes, the left eye of the person was removed during an operation

(3) Yes, 3 charges namely —
contravening section 2(b) of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1977 (Act 14 of 1977) — Possession of dagga,
contravening section 27(1) of the Police Act, 1958 (Act 7 of 1958) — Assaulting a police official,
contravening section 29(a) of the Police Act, 1958 (Act 7 of 1958) — Resisting arrest

(4) Yes

(a) and (b) All three charges were withdrawn pending the result of a trial in a murder case in which the person is also the accused

(5) No, but he preferred a charge of assault with the intent to do grievous bodily harm against two members of the Pabalelo Municipal Police.

Damage to school buildings

*17 Mr K M ANDREW asked the Minister of Education and Development Aid.

(a) How many cases of damage to school buildings occurred in 1987, (b) in which areas or townships were these schools situated and (c) what is the total estimated amount of the damage?

†THE DEPUTY MINISTER OF EDUCATION

(a) 39 cases

(b) Highveld

Johannesburg

Cape

Northern Transvaal

Orange-Vaal

Orange Free State

Natal

39

(c) R870 170

Black children unable to gain admission to schools

*18 Mr K M ANDREW asked the Minister of Education and Development Aid

(1) Whether any Black children are unable to gain admission to schools in 1988, if so, how many Black children were unable to gain such admission as at the latest specified date for which figures are available;

(2) whether any additional classrooms are to be built in 1988, if not, why not; if so, (a) how many and (b) where will they be built?

THE DEPUTY MINISTER OF EDUCATION

(1) Yes

Total 2 503

(2) Yes

(a) and (b) Additional classrooms and other tuition rooms are being erected during 1988 in all seven regions of the Department. It is expected that 1 435 classrooms for secondary schools and 1 292 classrooms for primary schools will be completed during 1988

Funds to persons/organizations promoting revolutionary activity/political violence: prosecutions

*19 Mr S S VAN DER MERWE asked the Minister of Justice

whether, during the latest specified three-year period for which information is available, any persons or organizations were prosecuted for (a) providing and/or (b) channeling funds to any other person or organization for the purpose of promoting revolutionary activity or political violence in South Africa, if so, (i) which (aa) persons and (bb) organizations were so prosecuted and (ii) in terms of which statutory provisions?

†THE MINISTER OF JUSTICE

(a) and (b) The required information can cover a wide spectrum of offences. The circumstances mentioned by the hon member can include any kind of offence — from a contravention of security legislation and other statutory offences to common law offences. To obtain the information, it will mean that the court records of all courts country-wide will have to be examined, which is not economically feasible

Funds to persons/organizations promoting revolutionary activity/political violence: prosecutions

*20 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) Whether, during the latest specified three-year period for which information is available, any persons or organizations (a) were charged and/or (b) were the subject of any Police action in terms of the emergency regulations or any other statutory provisions for (i) providing and/or (ii) channeling funds to any other person or organization for the purpose of promoting revolutionary activity or political violence in South Africa, if so,

(2) (a) which (i) persons and (ii) organizations were so charged or were the subject of such Police action and (b) in terms of which statutory provision or regulation in each case?

THE MINISTER OF LAW AND ORDER

I refer the hon member to the reply of my colleague, the Minister of Justice, to question 19, with which I agree

Stamard

Van der Merwe

(b) On the authority of the Deputy Minister of Information with the co-operation of the relevant authorities

Removal of Lawaakamp community to Sandkraal

*5 Mr C J DERBY-LEWIS asked the Minister of Constitutional Development and Planning.

- (1) Whether the removal of the Lawaakamp community to Sandkraal has been completed, if not, when is it envisaged that this removal will be finalized;
- (2) whether the removal of this community was effected or is being effected on a voluntary basis, if not, (a) why not and (b) on what basis was it effected or is it being effected?

†THE DEPUTY MINISTER OF DEVELOPMENT PLANNING

- (1) No, the target date is 31 May 1988
 - (2) Yes
- (a) and (b) Fall away

Communist/Communist-aligned countries: trade relations

*6 Mr C J DERBY-LEWIS asked the Minister of Economic Affairs and Technology

- (1) Whether the Republic maintains trade relations with Communist and Communist-aligned countries, if so,
- (2) whether such trade has any detrimental effects on local industries, if so, (a) what are these effects, (b) how are they justified and (c) what steps are being taken in this regard,
- (3) what is the Government's policy in regard to such trade?

†THE DEPUTY MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY (Dr T G Alani)

- (1) No The Republic of South Africa does not maintain formal trade relations in the form of bilateral trade agreements or other arrangements with the countries in question
- (2) No, not as far as is known.
- (a), (b) and (c) Fall away
- (3) The Government's policy is not to pre-

HOUSE OF ASSEMBLY

scribe to the private sector with which countries trade may be conducted. This principle is also applied in the granting of import and export permits

Booklet *Face to Face with the ANC*

*7 Mr P G SOAL asked the Minister of Defence

- (1) Whether he or any member of the South African Defence Force was in any way involved in the compilation, printing and/or distribution of a booklet entitled "Face to Face with the ANC", if so, (a) who, (b) what was the nature of the involvement, (c) how many copies of this booklet were produced, (d) to whom were copies of the booklet sent and (e) what was the total cost of this involvement,
- (2) whether he will make a statement on the matter?

†THE DEPUTY MINISTER OF DEFENCE

- (1) Yes
- (a) An officer of the South African Defence Force
- (b) Fully involved in the compiling and printing of the booklet
- (c) 60 150
- (d) The booklet was not distributed
- (e) The cost was included in the amount referred to in my reply to question number of 10 of 23 February 1988.

*8 Mr T Langley — Law and Order † [Reply standing over.]

Members: meeting attended at Standerton

*9 Mr J H VAN DER MERWE asked the Minister of Law and Order †

- (1) Whether any members of the South African Police attended a meeting a Standerton on 25 February 1988, further particulars of which have been furnished to the Police for the purpose of the Minister's reply, if so, how many,

- (2) whether the Police made use of any official vehicles on this occasion, if so, what was the total cost involved?

†THE MINISTER OF LAW AND ORDER

- (1) Yes An adequate number of members to deal with the given situation
- (2) Yes The cost involved cannot be ascertained, because these duties were performed during normal police activities.

Uprising against town council of Lekoa

*10 Mr J H VAN DER MERWE asked the Minister of Constitutional Development and Planning †

- (1) Whether an uprising against the town council of Lekoa occurred recently, if so, (a)(i) who rose up against the town council and (ii) when and (b) what were the circumstances surrounding the incident,
- (2) whether any action was taken against the persons concerned, if not, why not, if so, (a) when and (b) what was the nature of this action?

THE DEPUTY MINISTER OF DEVELOPMENT PLANNING.

No uprising occurred recently against the City Council of Lekoa

*11. Prof N J J Olivier — Foreign Affairs [Withdrawn]

*12 Prof N J J Olivier — Defence. [Withdrawn]

Special constables: alteration of salary scales

*13 Mr R M BURROWS asked the Minister of Law and Order

- (1) Whether the salary scales of special constables have been altered at any time since the introduction of the system of special constables, if so, (a) why and (b) what alterations were effected,
- (2) whether he will furnish the House with the salary scales for special constables, if not, why not?

THE MINISTER OF LAW AND ORDER.

- (1) No
- (a) and (b) Fall away
- (2) Yes Special constables are occasional workers who receive a remuneration of

R13,00 per day for each day they perform duty. In addition, they are granted eight paid rest-days per month

Scheme for buying back service in Government Service Pension Fund: alterations

*14 Mr R M BURROWS asked the Minister of National Health and Population Development

- (1) Whether any alterations have been effected since 21 September 1987 to the scheme for the buying back of service in the Government Service Pension Fund, if so, (a) what alterations and (b) what effect will these alterations have on the (i) buy-back scheme and (ii) debt position of the Government Service Pension Fund,
- (2) whether he will make a statement on the matter?

THE MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

- (1) Yes
- (a) Amendment of the formula for the calculation of the cost of buying back service
- (b) (i) An increase in the cost of buying back service
- (ii) The buying back of service will no longer be a contributing factor to the actuarial shortfall in the Fund as the weighted formula will have the effect that the Fund will in future be fully compensated for the cost involved in the buying back of service

KTC squatter camp: wire fences on western and southern sides

*15. Mr J VAN ECK asked the Minister of Law and Order

- (1) Whether a wire fence has been erected on the western, southern and eastern sides of the KTC squatter camp at Nyanga, Cape Town, if so, (a) what type of wire fence and (b) when,
- (2) whether, prior to the erection of this fence, any discussions were held with the (a) residents and/or (b) members of the Masincedane Committee of this Squatter

HOUSE OF ASSEMBLY

(251)

w/maile

15-21/4/88

Charged: Lawyer who said police were drunk

A KING William's Town attorney is being charged for "publishing untrue matter about the police". It is believed to be the first time anyone but a journalist has been charged for this offence.

The trial of John Eldred Smith, a well-known human rights lawyer who has been accused of making an untrue statement to the *Daily Dispatch*, began this week in the East London Regional Court.

Smith has been charged under Section 27 (b) 1 of the Police Act, generally directed at journalists.

A few days later, the *Daily Dispatch* published a report quoting Smith as

By FRANZ KRÜGER,
East London

criticising the police for taking "unnecessarily provocative action".

He alleged that police had fired tear-gas at people standing around peacefully, and that Boesak had been addressed rudely by police who were clearly under the influence of liquor.

Appearing for Smith, Ian Farlam, SC, said his client did not dispute having made the statement, but denied it was untrue. He also indicated the defence intended calling Boesak as a witness

In early police evidence, Captain

Frederik Le Roux testified he had been in charge of the police contingent that evening. He had inspected his men before and after the action, and none of them had been under the influence of alcohol

He said a large crowd of people had arrived in a bus and were dancing and *toy-toying* in the street when he warned them to disperse. The crowd ignored the warning, and he then gave the order to fire teargas.

Under cross-examination, he insisted that although they were only dancing and singing, they had not been peaceful. "They were clearly trying to stir up the situation," he said - elnews

'Wild rats' of the townships

W/Moel 15-2/14/88
A survey of municipal police tells of thefts and violence

A Black Sash study argues that the 'hidden agenda' of municipal police is to divide communities and disrupt political organisations, reports
FRANZ KRÜGER

MUNICIPAL police forces have brought "terror and disorganisation" into Eastern Cape communities, the Black Sash says in a new study.

Entitled "Greenflies. Municipal police in the Eastern Cape", the study is based on affidavits and statements collected by the Albany, Cape Eastern and Border regions of the Black Sash, supplemented by material from the archives of East Cape lawyers.

The title refers to a popular nickname for the force, which is also referred to by township residents as "the wild rats", "the opposers" or "amachaka" (Zulu boys).

The Sash says it embarked on the study as there was concern at the large number of complaints laid against the force, alleging thefts, assaults, evictions, beatings, torture and midnight arrests.

In one case cited, an unnamed resident of Kwazakhele was at home when six policemen kicked his door down and demanded to know where his gun was kept. He explained he did not own one and was accused of being a street committee member.

He was taken to a building where he was handcuffed to a chair and hit with rifle butts. After several hours, "the policemen placed a tyre around his neck and lit it, having poured methylated spirits around the rim".

The man, identified only as Mr MT, managed to throw the tyre on to the floor and put out the flames on his neck with his hands. After several more hours, he was released.

The "hidden agenda" behind the introduction of municipal police was revealed by the "pattern of abuses", the study says.

"They are intended to divide communities and disrupt organisation."

Although they are presented by the government as maintaining law and order, "the main thrust of their activities involve random acts of violence directed at political opponents of the government, both real and imagined. These actions help create a climate of fear," the study says.

By recruiting from within the communities, "the state is able to sow division and by creating another, cheaper police force it has increased its ability to deal with the unrest — using black faces instead of white ones. This distances white forces from the frontline and reinforces the handy myth of 'black-on-black vio-

A case which horrified a court

IN a case study from Port Elizabeth, the Black Sash report recounts the case of five policemen convicted of indecent assault and attempted rape.

The case prompted one of the presiding magistrates to express his outrage at the crimes, and to call for an "investigation into the system" of municipal police.

Three black constables, Leonard Nyamiso Puzi, Cobert Zwani, and Telson Madolo, and two white sergeants, Francois Swanepoel and Keith Hackart, were sentenced to terms of imprisonment between three and 13 years.

According to evidence by their victims, Princess Ntswaki Qaulana and Morris Vuyo Dingani, the two were arrested by council police in October 1986 and taken to the force's offices, where Qaulana was assaulted, smothered with a plastic bag, kicked, stripped naked and sexually as-

saulted. Dingani was similarly treated.

The couple were forced to perform indecent attacks and have sexual intercourse "while the police urged them on with kicks and burning cigarette ends".

"Sgt Swanepoel asked the black constables if they wanted to have intercourse with the victim. They all refused.

"Finally, Qaulana and Dingani were locked up in an outside room and kept without water or food until the following night. Before they were released, Sgt Hackart, Sgt Swanepoel and Const Zwani threatened they would be necklaced if they laid a complaint," the Sash report says.

The magistrates who heard the cases described the treatment they were subjected to as "barbarism of the Dark Ages" and called for an "investigation into the system" of municipal police.

— Elnews

lence'."

From 260 incidents of municipal police activity brought to the attention of Black Sash branches, the study isolates three main trends

Firstly, the municipal police are used to strengthen the power of the community councillors.

"Municipal policemen are used to guard the homes of councillors, to act as their personal bodyguards and to carry out some of their tasks such as the eviction of rent defaulters"

Secondly, they act as auxiliaries of the South African Police, "especially with regard to the work of the security police.

"A number of cases studied describe municipal police arresting and interrogating residents on suspicion of carrying out acts of political violence or of belonging to political organisations"

The third trend outlined involves co-operation between the force and rightwing vigilantes, and the induction of vigilantes themselves into the force.

In Uitenhage, for instance, the municipal police were drawn into the feud between United Democratic Front groups and the Ama-Afrika vigilante group, "and were soon seen to be acting alongside or as backup to these vigilantes".

In one instance cited, four young girls alleged they were abducted by Ama-Afrika and then handed over to the municipal police who "continued to beat them, abuse them and threaten their lives".

The force emerged in Eastern Cape townships in April 1986, although enabling legislation had been passed as far back as 1977. By July 1986,

there were 429 municipal police in the region in 19 townships

They are not a wing of the SAP and therefore do not have full police powers "However, they have 'a special relationship' with the SAP"

They are trained by the SAP, and a commander oversees their operations, but they remain responsible to black local authorities.

They receive training for three months in subjects ranging from criminal law and practical shooting to family planning

Salaries of between R224 and R622 were offered when the force was first introduced. The Sash comments "With unemployment running at an estimated 60 percent in some areas, and an average wage in Grahamstown in the region of R50 per month, the municipal police jobs must appear very tempting."

The individuals recruited were sometimes former "comrades" and generally held political attitudes that were "highly conservative and at times confused".

One policeman is quoted as saying: "This place is like Ouma's house, it is so peaceful since the Emergency I see no problems that can be attributed to the State of Emergency. Except that children get arrested and their parents suffer a lot.

"But now everyone is afraid of going to jail without any reason, no-one is causing trouble"

Another policeman resigned after a month of service. He had joined because he thought "the work would be settling quarrels between people, helping people to find houses, pay rent. I did not know it would involve me in robbery and assault." — elnews

HOUSE OF DELEGATES

†Indicates translated version

For written reply

General Affairs

Bus operators: subsidies

14 Mr K CHETTY asked the Minister of Transport Affairs

- (1) Whether any Indian bus operators were granted subsidies in the 1987/88 financial year, if so (a) how many, (b) what are their names, (c) what was the (i) amount and (ii) nature of the subsidy granted to each of them and (d) in which province was each of these subsidies granted,
- (2) whether any bus operators from the other race groups were granted subsidies in the said financial year, if so, (a) how many in respect of each such race group and (b) what was the total amount of the subsidy per race group,
- (3) what are the criteria used by his Department in the allocation of such subsidies?

The MINISTER OF TRANSPORT AFFAIRS

- (1) and (2) As bus companies are non-racial entities it is not possible to distinguish between subsidies paid to Indian bus operators and to bus operators from other race groups
- (3) The following criteria are taken into account when the subsidisation of commuters is considered
 whether the need exists for workers to be transported from their place of residence to their place of employment,
 the unemployment situation prevailing in the area where employment opportunities exist,
 whether the place where workers are to be transported from is a resettlement area, township or squatter camp,
 whether rail facilities exist for commuting purposes and, if not, what the possibilities are for the provision of such facilities in the near future,
 the financial position of the bus com-

JAWAAN

pany which intends providing the service, and

whether the bus company is capable of providing and maintaining a reliable and efficient service by availing itself of the necessary servicing and repair facilities and infrastructure

After determining what portion of the economic fare the commuter can afford to pay from his wages, the subsidy, being the difference between the economic fare and the portion thereof which is affordable by the commuter, is calculated

Own Affairs

Universities: subsidies

5 Mr MRALJAB asked the Minister of Education and Culture

- (1) What amount was paid in subsidies to each university falling under the control of his Department in each of the latest specified five years for which figures are available,
- (2) whether any cuts were made in these subsidies in each of these years, if so, (a) what cuts and (b) when in each case,
- (3) whether these cuts were made in consultation with each of the universities concerned, if not, why not?

The MINISTER OF EDUCATION AND CULTURE

- (1) The following subsidies were paid to the University of Durban-Westville.
 1987/88 R35 772 000
 1986/87 R35 418 000
 1985/86 R23 744 000
 1984/85 R28 175 165
 1983/84 — Not available — paid by the former Department of Internal Affairs
- (2) Yes
 (a) 2%
 (b) 1986/87 financial year
- (3) No The over-the-board 2% cut in expenditures announced by the Minister of Finance in his budget speech on 17 March 1986 followed a Cabinet decision that the sums included for appropriation in the estimates for 1986/87 be reduced by 2%
 No consultation or negotiation was therefore possible

HOUSE OF ASSEMBLY

†Indicates translated version

For written reply

General Affairs

Lawsuits against Minister

115. Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) (a) How many lawsuits were brought against him in his capacity as Minister of Law and Order in 1987 by members of the public and (b) what (i) were the circumstances of the lawsuits and (ii) was the outcome in each case,
- (2) whether he paid out any money (a) as a result of successful lawsuits brought against him and (b) in out-of-court settlements, if so, what total amount?

The MINISTER OF LAW AND ORDER

- (1) (a) 171 lawsuits, 1 e after summonses were issued and finalized
- (b) (i) Damage to vehicles as result of collisions 102
 Damage to property as result of vehicle collisions 3
 Damage to property as result of police action 1
 Unlawful arrest and detention 26
 Injuries as result of vehicle collisions 7
 Assaults 12
 Shooting incidents (injuries) 9
 Shooting incidents (damage to property) 1
 Bitten by police dog 4
 Loss of maintenance 2
 Unlawful searching 1
 Confiscation of property 2
 Disposal of property 1
- (ii) These lawsuits were settled as follows
 171
 145 cases were settled out of court,

2 cases were decided in favour of the claimants, with cost, 3 cases were abandoned, 21 cases were withdrawn

(a) Yes — R380,00

(b) Yes — R351 032,47 of which R240 877,50 was paid owing to damage which resulted from vehicle collisions

The balance represents claims which were instituted due to other causes as referred to in paragraph 1(b)(i) above

Note Instances settled out of court are mostly those in respect of vehicle collisions where it is obvious that the members of the Force concerned, are the guilty parties. Such settlements before court proceedings are instituted, are cost effective

In other instances notices of contemplated actions were received, but due to the fact that summonses were not issued, these instances are not included in paragraph 1(a)

In other instances summonses were already issued but are not yet finalized. Because the work involved in compiling this information would be voluminous and time-consuming, it is not practically feasible to furnish this information. The increase in the amount of lawsuits can among other things be ascribed to the fact that legal representatives of claimants prefer to issue summonses in order to expedite claims

Civic halls/sports fields/community facilities occupied by members/units of SAP

121 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any members or units of the South African Police occupied any (a) civic halls, (b) sports fields and (c) other specified community facilities in Black townships in 1987 for use by the Police or security forces, if so, (i) how many and (ii) in which towns or cities were these facilities located?

HANNOUW

SAP officer is unwelcome at unrest talks

A TOP-level seminar on the violence which has claimed more than 600 lives in Maritzburg since fighting between Inkatha and the UDF broke out two years ago has been plunged into controversy.

By SHAUN HARRIS

He also says he may still attend the seminar, in which case it may be cancelled or at least see the withdrawal of several key speakers. Those due to speak on many aspects of the Maritzburg violence include top legal and political science academics, organisers for church, community and trade union organisations, journalists and members of the Maritzburg community who have witnessed the violence first hand. But the organiser of the seminar, Mr John Aitchison of the university's Centre for Adult Education, said yesterday no insult was intended. "We believe this is an extremely important seminar, and felt that Brig Buchner's presence would inhibit free debate. I appeal to him to be sensitive on this issue, given the tensions and polarities in the community."

The organiser of the seminar this week told a senior police officer that he was not welcome to attend the gathering, due to be held on the campus of the University of Natal, Maritzburg, tomorrow, because some of the speakers objected to his presence. Brigadier Jac Buchner, head of the security police in the area and an officer involved in the violence in Maritzburg's townships, now says he feels insulted and doubts the sincerity and motives of the seminar organisers.

Brig Buchner says he would not have interfered in the proceedings, and was quite open about who he was when he contacted the organisers. "Since I've been in Maritzburg, I have been very concerned about the violence, and I am continuously looking for possible solutions," Brig Buchner said yesterday. "When I read about the seminar, I thought it would be a good opportunity for me to get some fresh ideas on the violence — so I contacted the organisers, told them who I was, and asked for an invitation."

Invitation

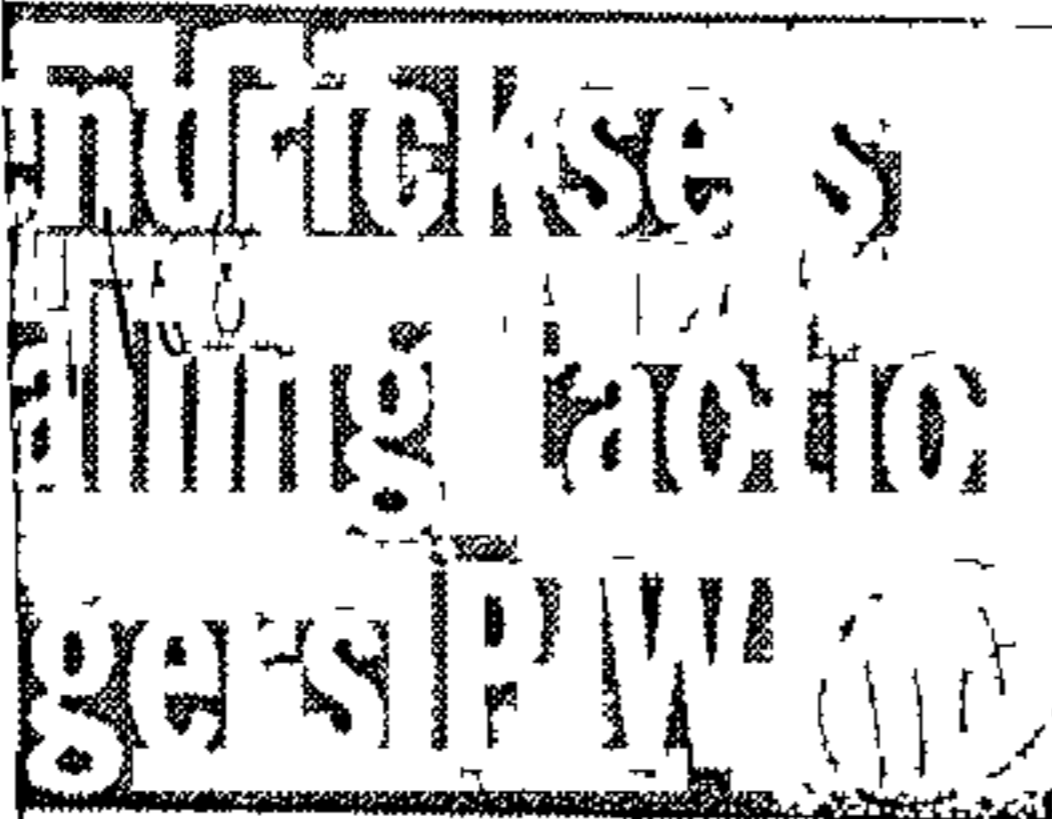
Brig Buchner said he was told he was welcome and a personal invitation was dropped off at his office. "An hour later I received a phone call from Mr John Aitchison, who told me I would not be welcome. He said my invitation was causing problems among some of the speakers and asked me not to attend. I take this as a personal affront — I had no ulterior motives in attending and would not have interfered in any way."

"The police are playing a central role in trying to stop the violence — I now doubt the sincerity and motives of the organisers of the conference. It seems it is for a selected audience only," Brig Buchner said. Mr Aitchison said while the seminar was meant to stimulate public debate on the violence in Maritzburg, it was not a public meeting. "We issued invitations to attend. The papers will be publicised, and the seminar will be reported on by some newspapers."

"But it is not really an open gathering. And under the present climate and state of emergency, a person with the uninhibited powers of Brig Buchner may affect open debate on the violence." Brig Buchner said while he wanted to maintain his dignity and did not want a confrontation with the organisers, he might still attend tomorrow's seminar.

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tactics by the Rev Allan Hendrickse's Lay have robbed President P W Botha of a first-ever joint debate on his parliamentary coming week.

By LESTER VENTER and NORMAN WEST

nal Party's ea- weeks of soul- flowing by-elec- to consolidate wing constituen- ing the Govern- mist image step, it hoped to e for President l with joint der- ing the three rliament e this, the NP LP demand that be followed by ses voting in the r where the de- ce Hendrickse has lled his adver- la, by not allow- et of rules to be ough the par- rocess ointment the comes after to the Cabinet week that it ll push to show g with moder- hnic barriers ke said in an ere is no way o help the Nats acade that the rliament is a that it runs dd so over and are in the sys- le apartheid n it to help the

but we shall not stand in the way of joint debates, because that's what we want — but not at a pace dictated by the Nats". Mr Botha will now need to place special emphasis, according to expectations among politicians, on his second trump. Efforts to get the much-stalled National Council going where a new constitutional deal is to be worked out with black moderates. A Cabinet source said Mr Botha had "no choice" but to deal strongly with the National Council legislation in efforts to demonstrate that reform would meaningfully involve urban blacks.

Demands

To gain at least a degree of credibility for the National Council, the Government plans to meet black demands for elected representatives to serve on the body. Senior Government men said this week black elections were now the focus of the National Council issue. The country's approximately 10-million blacks would elect nine representa- tives to the council.

mer's acclaimed book, Cry the Beloved Country, and Mr Nuffall later retold Dr Paton's account of how he

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THE MINISTER OF LAW AND ORDER

- (a) to (c) No
(i) and (ii) Fall away

Road-blocks: persons shot dead/injured by SAP

122 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (a) What are the names of the persons (i) shot dead and (ii) injured by the South African Police at road-blocks in 1987, (b) on what date was each such person shot dead or injured and (c) what were the circumstances surrounding the shooting in each case?

The MINISTER OF LAW AND ORDER

- (a) and (b)

(i) Madeira Moses Kgasi on 2 September 1987

(ii) None

- (c) I am not prepared to furnish particulars with regard to this death because the inquest is not finalized yet and I do not want to anticipate the administration of justice

Persons joining Police Reserve Force

128 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) How many persons joined the Police Reserve Force at police stations in each province of the Republic in 1987,
(2) how many reservists retired from service in that year?

The MINISTER OF LAW AND ORDER

(1) Cape Province	1 162 persons
Transvaal	1 901 persons
Orange Free State	450 persons
Natal	768 persons
	4 281 persons

(2) 5 735 reservists

Note: Retirements from duty are mainly attributed to reservists who reached the prescribed age limit or became inactive. Several police stations were transferred to the KwaZulu Government. The services of reservists who performed duty at these stations were also terminated.

Teachers detained/restricted

243 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any teachers were (a) detained by the South African Police, and (b) restricted, in terms of the emergency regulations in 1987, if so, how many in each case?

The MINISTER OF LAW AND ORDER

- (a) and (b)

The South African Police do not keep record of detainees' occupations, therefore I cannot reply to the question by the honourable member

Equipment to civilians for private use: investigation

252 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) Whether, with reference to his reply to Question No 26 on 23 June 1987, the investigation into allegations that departmental equipment was supplied to civilians for private use has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed, if so, (i) when and (ii) what were the findings,

(2) whether any persons have been charged in connection with this investigation, if so, (a) who, (b) when and (c) what are the charges in each case, if not, what progress has been made in this investigation;

(3) whether any other action has been taken in connection with this matter, if so, what action,

(4) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

- (1) Yes

(a) and (b) Fall away

(i) 1 September 1987

(ii) A case docket was submitted to the Attorney-General. He declined to institute prosecution and recommended that departmental steps be taken

(2) (a) to (c) Yes. An officer of the South African Police was departmentally charged, tried and convicted on 30 November 1987 on 5 charges of con-

Travelling Regulation 58(29) of the

South African Police Regulations because he used Government property unlawfully or lost it through negligence

- (3) Yes. The officer concerned was transferred and control measures increased

(4) No

Price of diesel fuel: increase

525 Mr C J DERBY-LEWIS asked the Minister of Economic Affairs and Technology

(1) Whether the price of diesel fuel was increased in 1987, if so, what was the extent of the increase,

(2) whether this increase was enacted separately from other fuel price increases or decreases, if so, why?

The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY

(1) Yes, in certain instances. Various changes had an impact on diesel fuel prices which became effective on 1 July 1987, namely,

- (a) a general decrease in the basic price before taxes, levies and transport costs as a result of lower landed costs, and the phasing out of the cumulative overrecovery on diesel by moving into a unit-underrecovery position on diesel and a reduction of the Equalisation Fund levy on diesel,

(b) an increase in rail tariffs with effect from 1 July 1987,

(c) an increase of 2c/l in the National Road Fund Levy at that date; and

(d) a pooling of levies and taxes, inclusive of general sales tax, in a uniform fuel levy together with the introduction of a refund system for certain categories of diesel consumers, and

(e) the restructuring of the price grids

Consumers who did not qualify for rebates on taxes and levies experienced generally a price decrease of an average of 3c/l except in the Northern and North Eastern Transvaal where the elimination of the cross subsidisation of transport costs in these areas had the effect of increasing prices

Certain consumers who obtained rebated diesel for productive purposes also experienced increases as a result of the application of the refund system in as much that general sales tax is not refundable in respect of certain diesel applications

- (2) No

Electric shark barrier programme, Margate: total cost

646 Mr M J ELLIS asked the Minister of Economic Affairs and Technology

(1) (a) What has been the total cost of the electric shark barrier programme at Margate as at the latest specified date for which information is available and (b) what body is responsible for (i) financing and (ii) administering this programme,

(2) whether this programme is to be continued, if not, when was this decision taken,

(3) whether the results of this programme have met the expectations which led to its implementation, if not, why not,

(4) whether he will make a statement on the matter?

The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY.

(1) (a) R1 850 000
(b) (i) and (ii) Council for Scientific and Industrial Research (CSIR)

(2) Yes

(3) The programme comprises an experimental phase. Good results have already been achieved with the preliminary tests. The biological tests on sharks under full operating and different sea conditions still have to be carried out.

(4) No

Coal transported by road to Sasol, Secunda
676 Mr H J COETZEE asked the Minister of Economic Affairs and Technology

(a) Whether he will furnish information on coal transported by road to Sasol in Secunda, if not, why not; if so, how many tons of coal are being so transported per month, (b) what routes are being used for this purpose and (c) for (i) how many and (ii) what specified months has coal been transported in this manner?

Answered

1005

MONDAY, 18 APRIL 1988

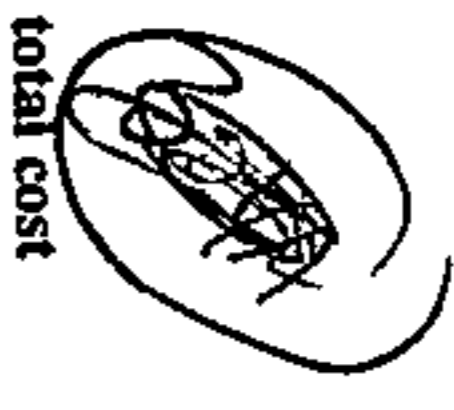
1006

HOUSE OF ASSEMBLY

†Indicates translated version

For written reply.

General Affairs.



Extensions to Parliament: total cost

1 Mr P G SOAL asked the Minister of Public Works and Land Affairs

(1) With reference to his reply to Question No 826 on 22 May 1985, (a) what was the total cost of all phases of the extensions to Parliament as at the latest specified date for which information is available and (b) how is this amount made up,

(2) whether any further expenses are outstanding with regard to this project, if so, what expenses?

The MINISTER OF PUBLIC WORKS AND LAND AFFAIRS

(1) (a) R35 101 352 according to information which was available on 18 March 1988

(b) Contract 1 —
Excavations and basement structure R3 070 818

Contract 2 —
General building work R15 409 289
Site works R311 994

Fire extinguishing and security R1 049 395
Electrical work R2 614 151
Lifts R1 122 887

Sound system (including related building work) R2 717 404
Airconditioning R3 497 550

Benches and chairs R1 056 322
(council-chambers)
Emergency power R357 024
Installation R404 083

Kitchen equipment R92 435
Alterations to existing building
Contractual price R3 400 000
escalation R35 101 352
Total —

(2) It is not yet possible to calculate the final costs of the project. The amount of R35 101 352 is the estimated final costs

Nelspruit police district: illegal immigrants deported/repatriated

96 Mr P G SOAL asked the Minister of Home Affairs

Whether any persons held at police stations in the Nelspruit police district in 1987 on suspicion of being illegal immigrants were deported or repatriated, if so, (a) to which country and (b) when was each (i) deported and/or (ii) repatriated?

The MINISTER OF HOME AFFAIRS

If, by the expressions "deportation" and "repatriation", the hon member had in mind the removal of persons from the Republic in terms of the provisions of the Admission of Persons to the Republic Regulation Act, 1972 (Act 59 of 1972), the answer is in the affirmative. However, such removals only took place after a thorough investigation into the residential position in the Republic of the persons concerned and only when it was established that they were in fact illegal immigrants in the country. It is not possible to furnish the required information as statistics in this regard are not kept by the Department. In order to obtain such information, all the relevant records of my Department's Regional Office, Nelspruit would have to be compared with the records of the Nelspruit Police. The magnitude of the task unfortunately renders it impossible

Christmas cards sent out

607 Mr P G SOAL asked the Minister of Public Works and Land Affairs

(1) Whether (a) he and/or (b) his Department sent out Christmas cards in 1987, if so, (i) what total number of cards was printed, (ii) to whom were they sent, (iii) what was the total cost of producing and distributing these cards, and (iv) who was responsible for printing them, in each case;

(2) whether postage stamps were used to send out these Christmas cards, if not, how were they distributed?

Police confirm baton charge at Mitchell's Plain

(251)

Staff Reporter

Arkus 18/4/88

SCHOOL stayaways and worker protests were expected today over several issues, including the "Sharpeville Six".

At Mitchell's Plain police fired tear gas and baton charged pupils at schools where meetings were due to be held in support of the Six.

Police vehicles were stationed near most schools in Mitchell's Plain and a helicopter circled overhead.

Police surrounded Mondale before 9am, apparently in anticipation of a rally.

A police spokesman confirmed that about 9.55am a police vehicle at Mondale was stoned. Pupils were warned to disperse and when they failed to do so, teargas was used and they were baton charged.

RENT INCREASES

Many township shebeens were closed yesterday and were due to stay shut today in solidarity with calls for the re-opening of the trial of the six people condemned to death in connection with the murder of Lekoa deputy mayor Mr Kuzwayo Dlamini in September 1984.

Mr Dlamini was killed by a mob of residents angered by rent increases.

The Western Cape Students' Congress (Weesco) demanded the unconditional reinstatement of five teachers in the Department of Education and Training who were suspended earlier this year, the release of all student and teacher activists and a stop to "harassment" of teachers and students.

A spokesman for the Congress of South African Trade Unions (Cosatu) said demonstrations were expected at many factories organised by affiliated unions.

The demonstrations were in response to a decision by the Western Cape Joint Shop Stewards' Council for action in all industrial areas to protest against proposed amendments to the Labour Relations Act.

Many trade unions are firmly opposed to the amendments.

Associated issues are the recent restrictions on Cosatu and 17 other organisations, and the Sharpeville Six.

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(b) I refer the hon member to my reply to written question number 112

SWA: parts/areas declared operational areas

*18 Prof N J J OLIVIER asked the Minister of Defence

(1) What parts or areas of South West Africa have been declared to be operational areas for the purposes of section 103*ter* of the Defence Act, No 44 of 1957,

(2) in terms of what proclamation or other legal instrument have such parts or areas been declared to be operational areas,

(3) whether the meeting in Katatura during the course of which Mr Shifidi died, was a meeting held with the intent to commit an act or acts of terrorism as contemplated in section 103*ter* of the said Act?

THE DEPUTY MINISTER OF DEFENCE

As the question relates to matters which will probably be raised in proceedings which have already been instituted in the Supreme Court of South West Africa, the Minister is not prepared to reply to the question

Inaugural meeting of certain forum in Cape Town: address by member of SAP

*19 Mr J J WALSH asked the Minister of Law and Order

(1) Whether a member of the South African Police, whose name has been furnished to the Police for the purpose of the Minister's reply, addressed the inaugural meeting of a certain forum in Cape Town on 23 March 1988, if so, (a) who was responsible for (i) calling the meeting and (ii) drawing up the agenda, (b) what was the purpose of the meeting, (c) who decided which individuals or groups should attend or be represented at the meeting, (d) how many persons (i) were invited to attend and (ii) attended the meeting, (e) to whom was the forum responsible and (f) what is the name of this (i) member and (ii) forum,

(2) whether the (a) member of Parliament

HOUSE OF ASSEMBLY

not include outstanding debts on the Account of the Paymaster-General

*21 Prof N J J OLIVIER — Defence [Reply standing over.]

Sobantu Township: arrest of 218 Black males

*22 Mr M J ELLIS asked the Minister of Law and Order—

(1) Whether approximately 300 persons were arrested in Sobantu Township on or about 23 March 1988, if so, (a) why and (b) how many of these persons were subsequently detained,

(2) whether any of these persons were assaulted by members of the South African Police, if so,

(3) whether any action has been or is to be taken against the policemen involved in such assaults, if so, what action, if not, why not?

THE MINISTER OF LAW AND ORDER

(1) (a) and (b) 218 Black males were taken to a police station for questioning. Eight of these persons were positively connected with serious unrest-related crimes and detained. The other persons were returned to the places from where they were taken

(2) No

(3) Falls away

Ashdown, Pietermaritzburg: arrest of 259 Black males

*23 Mr M J ELLIS asked the Minister of Law and Order

(1) Whether approximately 350 persons living in the Ashdown area near Pietermaritzburg were arrested on or about 21 March 1988, if so, why,

(2) whether any special constables were involved in these arrests, if so,

(3) whether any such constables assaulted any of these persons while they were being held under police guard at a traffic circle, if so, what was the nature of these assaults,

(4) whether any action has been taken against any of the special constables involved in this incident, if so, what action, if not, why not,

(5) whether members of the South African Police conducted a house-to-house search of the area, if so, (a) why and (b) on whose instructions?

THE MINISTER OF LAW AND ORDER

(1) 259 Black males were taken to a police station for questioning. Four of these persons were positively connected with serious unrest-related crimes and detained. The other persons were returned to the places from where they were taken

(2) Yes

(3) No

(4) Falls away

(5) Yes

(a) To trace persons who have committed unrest-related crimes and seize dangerous weapons and also arms and ammunition which are used to commit unrest-related crimes

(b) The Commander of the special unit of the South African Police in the area

Own Affairs

Study of Xhosa language: not compulsory for white pupils in Cape Province

*1. Mr C J DERBY-LEWIS asked the Minister of Education and Culture

Whether he intends making the study of the Xhosa language compulsory for White (a) primary and (b) high school pupils in the Cape Province, if so, when, if not, why not?

THE MINISTER OF EDUCATION AND CULTURE

(a) and (b) No, because other African languages for instance Tswana, are also widely used in the Cape Province. Schools can, however, offer Xhosa if a suitably qualified teacher is available

HOUSE OF ASSEMBLY

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Howard

ment as at the latest specified date for which information is available,

- (2) whether there are any vacancies in respect of these categories, if so, how many in respect of each category as at the latest specified date for which figures are available?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

	(a) White	(b) Black	(2) Vacancies
(1) (i) Regional directors	7	Nil	Nil
(ii) Circuit inspectors of education (Assistant director Area Office)	39	18	3
(iii) Regional inspectors of education (Circuit inspectors)	1	171	11
(iv) Inspectors of Schools	Nil	Nil	Nil
(v) Teachers	2 181 51 794	1 605	

These numbers are as on 31 December 1987

Printing contracts awarded to two companies

825 Mr D J DALLING asked the Minister of National Education.

- (1) Whether his Department awarded any printing contracts in 1987 to two companies, the names of which have been furnished to the Commission for Administration for the purpose of the Minister's reply, or to their associated companies and printing operations, if so, (a) in respect of what publications or printed matter, (b) how many copies of each publication or item were ordered from each company and (c) what are the names of the companies concerned,
- (2) whether these contracts were put out to tender, if not, (a) why not and (b) what was the total amount paid by his Department in respect of each of these contracts;

if so, what was the (i) tender price originally accepted, and (ii) total amount paid out, in respect of each contract;

- (3) whether his Department subsidizes any publications published by the above companies, if so, (a) which publications and (b)(i) why, and (ii) what is the amount of the subsidy, in each case,
- (4) what total amount was spent by his Department in 1987 on printing and publishing involving (a) the above companies and (b) any other specified companies?

The MINISTER OF NATIONAL EDUCATION

- (1) No
- (2) Lapses
- (3) No
- (4) (a) Lapses
- (b) Pretoria Office Supplies — R291,00

Printing contracts awarded to two companies

837 Mr D J DALLING asked the Minister of Education and Development Aid:

- (1) Whether the Department of Education and Training awarded any printing contracts in 1987 to two companies, the names of which have been furnished to the Commission for Administration for the purpose of the Minister's reply, or to their associated companies and printing operations, if so, (a) in respect of what publications or printed matter, (b) how many copies of each publication or item were ordered from each company and (c) what are the names of the companies concerned,
- (2) whether these contracts were put out to tender, if not (a) why not and (b) what was the total amount paid by this Department in respect of each of these contracts, if so, what was the (i) tender price originally accepted, and (ii) total amount paid out in respect of each contract,
- (3) whether this Department subsidizes any

publications published by the above companies; if so, (a) which publications and (b) (i) why, and (ii) what is the amount of the subsidy, in each case,

- (4) what total amount was spent by this Department in 1987 on printing and publishing involving (a) the above companies and (b) any other specified companies?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

(4) (a) Perskor	R 68 078,34 + 12% GST = R76 247,74
(b) Nasionale Pers	R 51 345,00 + 12% GST = R57 506,40
Temco	R 8 494,15 + 12% GST = R9 513,44
Pretoria Printers	R 16 001,00 + 12% GST = R17 921,12
Carton Limited	R 17 238,95 + 12% GST = R19 307,62
Hoofstad Pers	R454 769,61 + 12% GST = R509 341,96
CTP Printers	R 45 093,27 + 12% GST = R50 505,46
Rogalan Printers	R 32 467,50 + 12% GST = R36 363,60
Barlon Forms	R 4 965,00 + 12% GST = R5 560,80
Vartprint Business Forms	R 2 400,00 + 12% GST = R2 688,00
VRB Printers	R 8 263,15 + 12% GST = R9 254,72
INL Printers	R 50 960,24 + 12% GST = R57 075,46
NBK Printers	R 10 662,00 + 12% GST = R11 941,44
Vavio Plastics	R 2 030,00 + 12% GST = R2 273,60
CPC Printers	R 2 281,50 + 12% GST = R2 555,28
Kearlands National Printers	R151 687,08 + 12% GST = R169 889,52

Simondium outpost prison: Industrial school for Black pupils

852 Mr A GERBER asked the Minister of Education and Development Aid:

- (1) Whether his Department purchased the Simondium outpost prison, near Paarl, to be used as an industrial school for Black pupils, if so, (a) for what amount (i) was the prison and (ii) were the grounds purchased, (b) what amount is to be spent on the creation of facilities, (c) how many pupils are catered for at present and (d) from what area will pupils be admitted to this school,
- (2) whether it is the intention to cater for a larger number of pupils in the future, if so, what is planned in this connection,
- (3) whether his Department intends taking any other action in connection with this matter; if so, what action?

(1) No, all contracts for printing are arranged for by the Government Printer;

- (a) lapses,
- (b) lapses;
- (c) lapses,
- (2) not applicable;
- (3) no,

- (a) lapse;
- (b) lapse,

The MINISTER OF EDUCATION AND DEVELOPMENT AID

- (1) Yes (by the Department of Public Works and Land Affairs for use by the Department of Education and Training)
 - (a) (i) Prison R1 337 million
 - (ii) Grounds R0,135 million
 - (b) Approximately R3 442 million will be spent on new facilities, including the renovation of existing buildings
 - (c) 210 pupils
 - (d) countrywide
- (2) The maximum number of pupils in a school of industries is 360 Present planning is not for more than in (c).
- (3) None

83
253

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hon member that this research was done 100% scientifically

†Mr J H VAN DER MERWE That is not what I asked.

†The MINISTER I would like to discuss it with him personally on a confidential basis [Interjections]

†Mr S C JACOBS Mr Speaker, further arising out of the hon the Minister's reply

†Mr SPEAKER Order! I have previously ruled that five supplementary questions are the maximum

Replacement of unserviceable vehicles

*6 Mr C J DERBY-LEWIS asked the Minister of Law and Order

What are the regulations governing the replacement of South African Police vehicles in the event of their becoming unserviceable in the course of a particular financial year?

The MINISTER OF LAW AND ORDER

When a vehicle becomes unserviceable, a board of survey is held and the vehicle is withdrawn from service. Thereafter an endeavour is made to replace the vehicle in the course of that financial year and as soon as possible

*7 Mr C J DERBY-LEWIS — Defence [Reply standing over]

Sandkraal Township, George: resident arrested/detained by members

*8 Mr J VAN ECK asked the Minister of Law and Order

(1) Whether a resident of Sandkraal Township in George, whose name has been furnished to the South African Police for the purpose of the Minister's reply, was arrested and detained by members of the Police on or about 19 March 1988, if so, (a) (i) at what time and (ii) on what date, (b) why, (c) in terms of what statutory provisions, (d) for what alleged offences, (e) how many members of the Police were

involved and (f) what is the name of the person concerned,

(2) whether this person left the custody of the policemen who had arrested him, if so, (a) why, (b) at what time and (c) under what circumstances,

(3) whether any members of the Police subsequently took this person to hospital, if so, (a) (i) at what time and (ii) on what date, (b) why, (c) which branch of the Police was involved and (d) (i) under what circumstances did these members find the person in question and (ii) what was his condition?

The MINISTER OF LAW AND ORDER

(1) to (3)

The arrest, admittance to hospital and death of the person concerned was thoroughly investigated by the South African Police. The Attorney-General instructed that the members of the Force concerned must be prosecuted. These members were suspended, pending their trial. Therefore the requested information is not furnished, because it may anticipate the judicial process.

Sandkraal Township, George: resident admitted to George Hospital

*9 Mr J VAN ECK asked the Minister of Constitutional Development and Planning:

(1) Whether a resident of Sandkraal Township in George, whose name has been furnished to the Minister's Department for the purpose of his reply, was admitted to the George Hospital on or about 19 March 1988, if so, what (a) is the name of this person and (b) was the nature of his injuries,

(2) whether a post-mortem was performed on this person; if so, (a) when, (b) where and (c) what was the cause of death,

(3) whether the post-mortem was performed by a qualified medical doctor; if not, (a) why not and (b) (i) by whom was the post-mortem performed and (ii) what

medical qualifications did this person have?

†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

No
Rest of question falls away

Premises in East London searched by members

*10. Mr P G SOAL asked the Minister of Law and Order

(1) Whether any members of the South African Police conducted a search in February or March 1988 of certain premises in East London, the address of which has been furnished to the Police for the purpose of the Minister's reply, if so, (a) on what date or dates, (b) why, (c) who (i) are the registered owners of the property concerned and (ii) were the occupants of the property at the time of the search and (d) where in East London is this property situated,

(2) whether the Police removed any items from the premises, if so, (a) what items and (b) why,

(3) whether any traces of scheduled drugs were found on the premises, if so, (a) of what scheduled drugs, (b) what is the nature of the traces found and (c) what action was taken as a result,

(4) whether any action has been or is to be taken against (a) the owners or (b) any occupants of this property, if not, why not, if so, (i) what action and (ii) when, (5) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER:

(1) Yes

(a) to (c) The premises at the address which was furnished by the hon member, were searched on 10 February 1988 during the course of a police investigation into an alleged crime. On the grounds of this fact the requested information is not furnished because it may prejudice the investigation

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(2) No
(a) and (b) Fall away

(3) No
(a) to (c) Fall away

(4) (a) and (b) Not at this stage
(i) and (ii) Fall away

(5) No

March held in Pretoria: possible contravention of Act

*11. Mr P G SOAL asked the Minister of Law and Order

(1) Whether, with reference to the reply to Question No 25 on 21 May 1985, the investigation into a possible contravention of section 57(1) of the Internal Security Act, No 74 of 1982, as a result of a march held in Pretoria on or about 30 April 1985 has been completed, if not, (a) why not and (b) when is it anticipated that the investigation will be completed, if so, (i) who took part in the march and (ii) (aa) when was the investigation completed and (bb) what were the findings,

(2) whether any persons have been charged with offences as a result of this investigation, if so, (a) who and (b) with what offences, if not, why not;

(3) whether any further action has been taken in connection with this march, if so, what action, if not, why not,

(4) whether he will make a statement on the matter?

†The MINISTER OF LAW AND ORDER

(1) Yes

(a) and (b) Fall away
(i) a number of members of the public
(ii) (aa) 3 June 1985
(bb) A case docket was submitted to the Senior State Prosecutor for his decision

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entry and if the meat complies with the requirements it is cleared for human consumption. Imported chicken meat must originate from a poultry abattoir in the country of origin which has been approved for export purposes to the Republic by the Chief Meat Hygiene Officer of the RSA. This is in accordance with international practice. Such meat must also be accompanied by a certificate issued by a competent veterinarian of the country of origin in which is certified that —

the meat concerned originates from such abattoir, the chickens from which the meat was derived, were inspected for signs of diseases prior to and after slaughtering; and that the meat in the consignment is fit for human consumption

Chicken meat served on flights of SAA

*2 Mr T LANGLEY asked the Minister of Transport Affairs †

(1) Whether chicken meat formed part of meals served on flights of the South African Airways on 10 March 1988, if so, on which flights,

(2) whether any of this chicken meat was imported from abroad, if so, (a) from which country and (b) what was its country of origin?

The MINISTER OF TRANSPORT AFFAIRS

(1) Yes SA 033, SA 035, SA 234, SA 252, SA 335, SA 345, SA 367, SA 417, SA 421, SA 518, SA 619, SA 620, SA 621, SA 622 and SA 709

(2) No (a) and (b) Fall away

Pietermaritzburg: discharge of special constables

*3. Mrs H SUZMAN asked the Minister of Law and Order

(1) Whether any special constables in the Pietermaritzburg area have been discharged as a result of their alleged involvement in criminal offences, if so, (a) how many, (b) when, (c) for what alleged

offences and (d) in respect of what date is this information furnished,

(2) whether the Police were aware of their alleged criminal offences at the time of their recruitment, if not, why not, if so, why were they employed?

†The MINISTER OF LAW AND ORDER

(1) and (2)

Persons with previous criminal convictions or, if they have known criminal cases pending against them, are not appointed as special constables. The applications of such persons are normally summarily rejected.

A number of special constables in the Pietermaritzburg area were recently dismissed on various dates. Although they had no criminal records at the time of their recruitment, it was ascertained that they had failed to mention the fact that there were criminal cases pending against them. Investigations by the South African Police revealed this information after the training of the special constables had nearly been completed. When they returned to Pietermaritzburg, they were positively connected with the crimes and immediately dismissed.

Upgrading of Bossiesgrif Township, Plettenberg Bay

*4 Mrs H SUZMAN asked the Minister of Constitutional Development and Planning

(1) Whether he intends upgrading the Bossiesgrif Township in Plettenberg Bay, if not, why not, if so, (a) in what way and (b) when,

(2) whether any additional land is required for the purpose of making adequate provision for the accommodation of (a) this township's residents, (b) its overflow population and (c) the squatters currently occupying land adjacent to the main road to Knysna, if not, why not, if so,

(3) whether such additional land has been acquired, if not, why not, if so, (a) where is this land situated, (b) what is the extent thereof and (c) when was it acquired?

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†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) Yes. I refer the hon member to the Press release issued by myself on 15 February 1988.

Rest of question falls away

Advertising campaign in Press promoting Government's proposed economic policy: cost

*5. Mr C J DERBY-LEWIS asked the Minister of Information, Broadcasting Services and the Film Industry

What was the cost of the current advertising campaign in the Press aimed at promoting the Government's proposed economic policy for the Republic as at 1 April 1988 or the latest specified date for which information is available?

†The MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY

R453 413.32 as at 1 April 1988

†Mr P W COETZER Mr Speaker, arising out of the reply of the hon the Minister, I want to ask him whether he is of the opinion that it is essential for an objective image of State policy to be disseminated in view of the fact that the Supreme Court has just found the CP to be responsible for the spreading of libellous untruths

†Mr J H VAN DER MERWE Look who's talking! [Interjections]

†Mr P W COETZER , and also what his opinion is as to what influence the libellous untruths spread against the hon member for Innesdal is having on the propaganda war of the ANC.

†The MINISTER Mr Speaker, the reply to that is that an informed public is a safe public and that it is an age-old technique to divide the population with misinformation and distorted information, just as it has for years already been a proven strategy of the ANC to divide particularly the moderate White population in South Africa through misinformation

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(b) I refer the hon member to my reply to written question number 112

SWA: parts/areas declared operational areas

*18 Prof N J J OLIVIER asked the Minister of Defence

- (1) What parts or areas of South West Africa have been declared to be operational areas for the purposes of section 103ter of the Defence Act, No 44 of 1957,
- (2) in terms of what proclamation or other legal instrument have such parts or areas been declared to be operational areas,
- (3) whether the meeting in Katatura during the course of which Mr Shifidi died, was a meeting held with the intent to commit an act or acts of terrorism as contemplated in section 103ter of the said Act?

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THE DEPUTY MINISTER OF DEFENCE

As the question relates to matters which will probably be raised in proceedings which have already been instituted in the Supreme Court of South West Africa, the Minister is not prepared to reply to the question

Inaugural meeting of certain forum in Cape Town: address by member of SAP

*19 Mr J J WALSH asked the Minister of Law and Order

- (1) Whether a member of the South African Police, whose name has been furnished to the Police for the purpose of the Minister's reply, addressed the inaugural meeting of a certain forum in Cape Town on 23 March 1988; if so, (a) who was responsible for (i) calling the meeting and (ii) drawing up the agenda, (b) what was the purpose of the meeting, (c) who decided which individuals or groups should attend or be represented at the meeting, (d) how many persons (i) were invited to attend and (ii) attended the meeting, (e) to whom was the forum responsible and (f) what is the name of this (i) member and (ii) forum,
- (2) whether the (a) member of Parliament

HOUSE OF ASSEMBLY

and (b) city councillors for the area in question were invited, if not, why not, (3) whether he will make a statement on the matter?

THE MINISTER OF LAW AND ORDER

- (1) Yes
 - (a) (i) and (ii) A prominent person from the private sector
 - (b) To establish a community liaison forum between the private sector and the Joint Management System
 - (c) The person who called the meeting
 - (d) (i) The South African Police did not send out the invitations, therefore, this information is not at their disposal
 - (ii) Approximately 25 persons.
- (e) The forum is not responsible to a specific body, but serves as an organised liaison committee between the community and the Joint Management System
- (f) (i) and (ii) The names which were furnished by the hon member
- (2) (a) and (b) Not in the capacity as member of Parliament or city councillors
- (3) No.

Exemption Board/Board for Religious Objection: cost of administering

*20 Prof N J J OLIVIER asked the Minister of Manpower:

What was the cost of administering the (a) Exemption Board established in terms of section 68, and (b) Board for Religious Objection established in terms of section 72A, of the Defence Act, No 44 of 1957, for the latest specified year for which figures are available?

- The MINISTER OF MANPOWER
- (a) R128 280,38
- (b) R62 186,87

These figures are as at 31 March 1988 and are for the 1987/88 financial year but do

not include outstanding debits on the Account of the Paymaster-General

*21 Prof N J J OLIVIER — Defence [Reply standing over]

Sobantu Township: arrest of 218 Black males

*22 Mr M J ELLIS asked the Minister of Law and Order

- (1) Whether approximately 300 persons were arrested in Sobantu Township on or about 23 March 1988, if so, (a) why and (b) how many of these persons were subsequently detained,
- (2) whether any of these persons were assaulted by members of the South African Police, if so,
- (3) whether any action has been or is to be taken against the policemen involved in such assaults, if so, what action, if not, why not?

THE MINISTER OF LAW AND ORDER

- (1) (a) and (b) 218 Black males were taken to a police station for questioning. Eight of these persons were positively connected with serious unrest-related crimes and detained. The other persons were returned to the places from where they were taken
- (2) No
- (3) Falls away

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Ashdown, Pietermaritzburg: arrest of 259 Black males

*23. Mr M J ELLIS asked the Minister of Law and Order

- (1) Whether approximately 350 persons living in the Ashdown area near Pietermaritzburg were arrested on or about 21 March 1988, if so, why,
- (2) whether any special constables were involved in these arrests, if so,
- (3) whether any such constables assaulted any of these persons while they were being held under police guard at a traffic circle, if so, what was the nature of these assaults,

(4) whether any action has been taken against any of the special constables involved in this incident, if so, what action, if not, why not,

(5) whether members of the South African Police conducted a house-to-house search of the area; if so, (a) why and (b) on whose instructions?

THE MINISTER OF LAW AND ORDER

- (1) 259 Black males were taken to a police station for questioning. Four of these persons were positively connected with serious unrest-related crimes and detained. The other persons were returned to the places from where they were taken
- (2) Yes
- (3) No
- (4) Falls away
- (5) Yes
 - (a) To trace persons who have committed unrest-related crimes and seize dangerous weapons and also arms and ammunition which are used to commit unrest-related crimes
 - (b) The Commander of the special unit of the South African Police in the area.

Own Affairs

Study of Xhosa language: not compulsory for White pupils in Cape Province

*1 Mr C J DERBY-LEWIS asked the Minister of Education and Culture

Whether he intends making the study of the Xhosa language compulsory for White (a) primary and (b) high school pupils in the Cape Province, if so, when, if not, why not?

THE MINISTER OF EDUCATION AND CULTURE

- (a) and (b) No, because other African languages for instance Tswana, are also widely used in the Cape Province Schools can, however, offer Xhosa if a suitably qualified teacher is available

HOUSE OF ASSEMBLY

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CAF 7/1/85 19/4/88.
ZS

Cops clash with students at rally

Staff Reporters

THOUSANDS of chanting University of the Western Cape students yesterday held a protest rally on the campus in support of the Sharpeville Six and against the "crisis" in black schools.

After the rally a policeman was injured when placard-bearing students clashed with riot police at the university's main entrance.

Stones and a bottle containing sand were thrown at the police and a policeman was later admitted to the Jan S Marais Hospital with a broken jaw after being struck by a rock, police said.

In another incident, police confirmed that stones flew and teargas was fired as police confronted scores of pupils converging on Mondale Senior Secondary School in Mitchells Plain where a rally, also in support of the Sharpeville Six, was to be held.

About 800 pupils from many schools in the area arrived at Mondale but the rally was pre-empted when a senior teacher told them to "either go home or back to classes".

Teachers said police arrived at the school in several vehicles just before the rally was due to begin. They allegedly kicked a gate open and entered the school premises to fire teargas.

"I won't say how police got into the school. These allegations (the gate kicking) are always made," said a police liaison officer, Ljeutepant Attie Laubscher.

Cop denies knowledge of interdict

Supreme Court Reporter

A SENIOR police officer yesterday told the Supreme Court he had not been informed that an interdict — restraining the police, the SADF and the witdoek vigilantes from attacking KTC — had been granted.

Lieutenant-Colonel William Oosthuizen was giving evidence in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC.

Lt-Col Oosthuizen, of the Wynberg detective branch, said he and his investigating team had gone to KTC to look for and arrest people in possession of unlicensed firearms.

His task was not to control unrest but men in his Casspir were armed with regulation side-arms, R1 rifles and shotguns containing buckshot.

He had heard rumours that KTC was to be attacked. Asked if he knew of an interdict granted against the police, army, and the witdoeke to restrain them from attacking KTC, Lt-Col Oosthuizen said he was not informed.

He said he and his team had been in the vicinity of KTC on all three days of the fighting. Should he come across someone who was in the process of using a firearm, his orders were to "eliminate" them. He added that he did not see or arrest anyone with an unlicensed firearm.

The hearing continues today.

appeal to be unproductive.

ARGUS 19/4/68

251
277
150

Police occupy centre to prevent meeting

Education Reporter

TEACHERS, pupils and parents were turned away from the Samaj Centre in Rylands when police occupied the building and prevented a Western Cape Teachers Union meeting from taking place.

Police liaison officer Lieutenant Attie Laubscher confirmed today that police occupied the building last night "to prevent the meeting from being held".

The meeting had been called to protest against the "education crisis in the Western Cape" and to express solidarity with detained Manenberg teachers and pupils

Cops' defence closes in murder hearing

CME Times R/408

Own Correspondent (251)

GRAHAMSTOWN — After calling its 11th witness, the defence in the trial of two unrest unit policemen closed its case yesterday — the 67th day of the hearing

Before the Supreme Court were Warrant Officer Leon de Villiers, 37, and Constable David Patrick Goosen, 27, charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice arising out of alleged incidents at Cradock on July 26, 1986

The state has indicated it will apply to reopen its case. The application will be heard today

The last defence witness was Mr Samuel Mhlobo, who testified to seeing Mr Mlungisi Stuurman being trampled in his yard by a policeman

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Daily Dispatch
Correspondent

GRAHAMSTOWN —
After calling its 11th witness, the defence in the trial of two unrest unit policemen closed its case yesterday — the 67th court day of the hearing

Before the supreme court were Warrant-Officer Leon de Villiers, 37, and Constable David Patrick Goosen, 27

They were charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice, arising out of alleged incidents at Cradock on July 26, 1986

The state indicated that it would apply to reopen its case

Yesterday, the cross-examination of a specialist psychiatrist called by the defence, Dr Anton Potgieter, was concluded

21/7 1914/88
**Defence rests case
in trial of two
unrest policemen** (251)

Dr Potgieter repeated his opinion that Const Goosen suffered from a post-traumatic stress disorder

He agreed that whether or not this affected Const Goosen's behaviour when he shot Mr Mlungisi Stuurman next to the Great Fish River, depended on whether or not the court believed Const Goosen's evidence

If he had still been in the "flashback" when the shot was fired, Const Goosen would not have been legally responsible for his action

If the "flashback" had passed, leaving only the

anxiety state, he would have been "in contact with reality" and still reacted by reflex to a sudden movement by Mr Stuurman

The fact that the threat was unreal was irrelevant. It might elicit a fight response or a flight response, Dr Potgieter, said

The sudden movement by Mr Stuurman in Const Goosen's reduced area of perception had elicited a fight response

When Constable Goosen realised he had shot the man, his response changed to one of flight — which was why he did

not even investigate to see if Mr Stuurman was dead

The last defence witness was Mr Samuel Mhlobo, who testified to seeing Mr Stuurman being trampled in his yard by a policeman

Mr Stuurman was then tossed bodily over a fence to where three other policemen were waiting for him

He was beaten with gun butts before being taken away. Mr Mhlobo said he did not see any specific injuries to Mr Stuurman before he was removed, but there was blood flowing from his mouth or nose

He said he could not identify the assailants, but said they were all white and all wore police uniforms

The trial continues today

Policeman denies knowing of order halting KTC action

CAPE TOWN — A senior police officer told the Cape Town Supreme Court yesterday that he had not been told that an interdict restraining the police, the South African Defence Force and the Witdoek vigilantes from attacking the KTC squatter camp had been granted.

This was said by Lieutenant-Colonel William Oosthuizen in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC.

CRIME PREVENTION

Colonel Oosthuizen of Wynberg CID said he had gone to KTC to prevent crime and also to arrest people in possession of unlicensed firearms.

He had heard rumours that KTC was to be attacked because inhabitants of Old Crossroads had been murdered.

Colonel Oosthuizen said he and

his team had been in the vicinity of KTC on all three days of the fighting, and his orders were to identify and arrest people who possessed unlicensed firearms.

Should a team member come across someone who was in the process of using a firearm, he was to "eliminate" the person.

Because of persistent rumours, which he wanted to quash, that police were assisting the Witdoeke, he had asked a police liaison officer, Lieutenant Attie Laubscher, to present him with a list of local and foreign journalists who wanted to go into the area with the police.

Asked if he knew that Major Dolf Odendaal had ordered that journalists were to stop photographing, Colonel Oosthuizen said if that was the case he would have contradicted the order because he had assured journalists they could photograph anything.

The hearing continues — Sapa

SMK
19/4/88

Cops 'unable to prevent fighting'

CAD: Tink 20/4/89

251
Supreme Court Reporter

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A SENIOR police officer told the Supreme Court yesterday that there were not enough police present to stop fighting which broke out in KTC between residents and the witdoek vigilantes in June 1986.

Lieutenant-Colonel William Oosthuizen was being cross-examined in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families.

Responding to Mr H P Viljoen, SC, Lt-Col Oosthuizen conceded that he had seen large numbers of witdoeke move into KTC in the presence of one Casspir.

Even if there had been 10 Casspirs present, he said, police would not have been able to prevent 800 witdoeke from entering KTC.

Police numbers were sufficient if they wanted to shoot to kill, but there were not enough police to try to arrest the witdoeke.

He had seen police use teargas to disperse the vigilantes.

Asked if he would have given an order to shoot if residents of Rondebosch had been attacked and arson committed, Lt-Col Oosthuizen said he would have ordered his men to shoot if he could not do anything else.

He agreed that he felt less responsible towards KTC residents than those of Rondebosch which was a white area. Greater material damage would be caused to Rondebosch, said.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar, and instructed by the legal Resources Centre, appeared for the residents. Mr C D Giesel SC and Mr L Visser SC, with Mr C Y Louw and F D J Brand and instructed by the State Attorney, appeared for the minister.

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engaged to a young
with suicide stain

751
Cape Times 20/4/88

PFP calls for Heunis inquiry

By BARRY STREEK

THE Progressive Federal Party yesterday called for the appointment of a select committee to inquire into a statement by the Minister of Constitutional Development and Planning, Mr Chris Heunis, that the Noordhoek squatters were moved voluntarily.

The PFP MP for Pinelands, Mr Jasper Walsh, gave notice of a motion in the House of Assembly calling for the appointment of the select committee

His motion referred to a judgment delivered by Mr Justice C T Howie in the Cape Supreme Court

Heunis: Times leader 'untrue' PAGE 5

this month that "the Noordhoek squatters were dispossessed by duress", and that the statements under oath by the respondents that the squatters moved voluntarily was "to fly in the face of the evidence".

Mr Heunis's reply, according to Mr Walsh's motion, was "to the effect that on or about December 2, 1987, squatters in Noordhoek packed and loaded their belongings and demolished their structures voluntarily, and thereafter moved voluntarily to Khayelitsha".

To page 5

Cape Times 20/4/88
From page 1

PFP calls for Heunis inquiry

Mr Walsh said in a statement that the court's findings "came as no surprise"

"This was a forced removal, witnessed by members of the public, including a Member of Parliament.

"The onus is on the minister to explain how he came to mislead Parliament in this way"

In a statement to the House of Assembly last night, Mr Heunis said that as his department was not a party to the resettlement action itself, the question was referred to the Cape Provincial Administration, who supplied the information

"My reply to Parliament exactly reflected the information received from the Provincial Administration who had concluded that the squatters had moved voluntarily.

"In its judgment now delivered, the court found that circumstances indicated that this was not the case

"This finding must be accepted unless it is overruled on appeal," Mr Heunis said

He then read out from a statement by the Administrator of the Cape, Mr Gene Louw, that "the CPA officials concerned, who at the time were at the scene, were of the opinion that the removal had taken place voluntarily"

Mr Louw said the court had now found that they had been forcibly removed, which had to be accepted unless it was set aside by a higher court

"I am currently considering appealing against the judgment

"I would like to apologise to the minister for any

inconvenience which this matter has caused," Mr Louw said

Mr Walsh said afterwards that Mr Heunis's explanation was "totally unsatisfactory"

"For him to blame the faulty administration on the CPA is of no concern to me

"Ultimately, he is the minister responsible and I would assume that before replying to a question in Parliament he would satisfy himself that the information was correct

"Someone was responsible for giving the minister incorrect information and it is in the public interest to know who this is

"Was this an attempt to cover up a forced removal, which has now been found to be illegal?" Mr Walsh asked

He also said the appointment of a select committee into the matter remained necessary in spite of Mr Heunis's statement last night, but it was not clear that it would be debated

APPE 7/11/88 20/4/88

Close contact kept with schools — police

POLICE are normally in close contact with Department of Education and Culture inspectors before any official action is taken at schools where disruption has occurred, a police spokesman said yesterday.

The statement follows an incident on Monday when police entered Mondale Senior Secondary School in Mitchells Plain where a rally in support of the Sharville Six was to be held.

Police confirmed using teargas and entering the school premises but said this was only after their vehicles had been stoned and pupils warned to disperse.

The public relations officer for the Department of Education and Culture (DEC) in the House of Representatives, Mr Thinus Dempsey, would not, however, confirm the police statement that police were normally in contact with DEC inspectors.

Cap. Trib 20/4/88

Police face death charge

Political Staff ZSI

MEMBERS of the police force in George are to be prosecuted after the death of a Sandkraal resident following his arrest on March 19, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

"The arrest, admittance to hospital and death of the person concerned was thoroughly investigated by the South African Police," he said in reply to a question from Mr Jan van Eck (Independent, Claremont)

"The Attorney-General instructed that the members of the force concerned must be prosecuted."

They have been suspended pending their trial, he said.

CAP 6 Ten 75 20/4/88 (251) ~~251~~

★ Cap

Acquittal appeal

By RENEE MOODIE

THE state yesterday appealed against last year's Supreme Court acquittal of two policemen charged with murder and attempted murder after the death of a woman and the wounding of three other people

In September last year Warrant Officer Paulus Kruger, 36, and Constable Ernest Villet, 27, were acquitted of murdering Miss Sarah van Wyk, 21, and of attempting to murder three others during unrest in Bellville South in August 1985

Evidence was that the two men hid at the corner of Industry Road and Armada Crescent and fired shotguns seven times at a fleeing crowd

They had been ordered to

eliminate those who acted against the police

In his judgment, Mr Justice C T Howie said he would have found Warrant Officer Kruger guilty on all charges and Constable Villet guilty on the attempted murder charges as their order was so unlawful that a reasonable man would not have felt it was his duty to carry it out

He was overruled by his two assessors who found that the two men had carried out an order which had to be seen in the context of the day's events

Mr H G Klem, SC, for the state, yesterday applied for leave to argue on a question of law before the Appeal Court

He said the judge should have informed the assessors that facts found by them to be true meant the two policemen had caused more damage than was necessary

to carry out their orders and that the defence of acting under orders was not applicable

Mr Dirk Uys, who appeared for Constable Villet, said that when all the court's findings were seen in perspective it was clear that the factual finding by the majority of the court was correct and there was no room for a reversal of the facts by the Appeal Court

Mr A Veldhuizen for Warrant Officer Kruger, said the state had submitted that the question of whether the extent of the order had been overstepped, was a question of law and that the judge's view should therefore be binding

This was incorrect and the question rather was whether the two men had acted reasonably

Mr Justice Howie reserved judgment

Mr Klem was assisted by Mr W Downer

DTD 2014 188

Court allows state to call psychiatrist 251

Daily Dispatch Correspondent

GRAHAMSTOWN — Evidence in the Cradock unrest unit murder case was completed yesterday afternoon, and the trial was postponed to May 2 for argument

Before the Supreme Court here were W/O Leon de Villiers, 37, and Constable David Patrick Goosen, 27, charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice, arising out of alleged incidents at Cradock on July 26, 1986

After the completion of the defence case, the state applied to reopen its case to allow it to call psychiatric evidence and call witnesses in connection with a terrorist incident in February 1986, when Const Goosen was alleged to have had an experience that led to him suffering from the so-called Vietnam syndrome

The application was opposed by the defence on the grounds that the state had ample warning to enable it to investigate these aspects and call witnesses before closing its own case

Mr Justice Zietsman allowed the state to call a psychiatrist, Dr J. P. Verster, but refused to allow it to call evidence in connection with the terrorist incident

Dr Verster said that because he had not had the opportunity to make a clinical evaluation of Const Goosen, he could not dispute Dr Anton Potgieter's diagnosis that Const Goosen suffered from a post-traumatic stress disorder — the Vietnam syndrome

Basing his opinion on the evidence before court, however, he was not convinced that it played any role in the shooting of Mr Mlungisi Stuurman

He said Const Goosen gave a chronological, logical account of events from start to finish, showing he was not out of touch with reality. Also he would have expected that any flash-back or anxiety state would have been precipitated on the Friday night and not the Saturday of the shooting

The situation of Friday night had far more associative factors, yet there was no evidence of any deviation at that time

When he tried to draw inferences from the alleged behaviour of the group after the "accidental" shooting was reported, the judge asked him to confine his opinions to the psychiatric questions. He asked Dr Verster whether there were any particular aspects of Dr Potgieter's evidence he disagreed with

Dr Verster said he agreed with Dr Potgieter's findings in general terms, but had a different interpretation of how Const Goosen may have been affected by the Vietnam syndrome at the time of the shooting

Kitskonstabels dismissed for crime involvement

DID 20/4/88
251

Political Correspondent

CAPE TOWN — A number of Pietermaritzburg kitskonstabels — understood to be 14 — have been dismissed because of involvement in cases being investigated by the police.

The PFP MP for Houghton, Mrs Helen Suzman, yesterday asked the Minister of Law and Order, Mr Adriaan Vlok, whether any had been discharged because of their alleged involvement in criminal offences.

Mr Vlok said nobody was appointed as a special constable if they had previous convictions or if criminal proceedings were pending against them.

"A number of special constables in the Pietermaritzburg area were recently dismissed on various dates.

"Although they had no criminal records at the time of their recruitment, it was ascertained that they had failed to mention the fact that there were criminal

cases pending against them," Mr Vlok said.

"Investigations by the South African Police revealed this information after the training of the special constables had been nearly completed.

"When they returned to Pietermaritzburg they were positively connected with the crime



MRS SUZMAN

and immediately dismissed."

In reply to questions by Mr Mike Ellis, the PFP MP for Durban North, Mr Vlok said that 259 men in the black township of Ashdown near Pietermaritzburg had been taken to the police station for questioning on March 21.

A further 218 had

been questioned in the Sobantu township on March 23.

He said four of the men from Ashdown, and eight from Sobantu were "connected with serious unrest-related crimes and detained."

● Members of the police force in George are to be prosecuted and have been suspended, pending their trial, after the death of a Sandkraal resident following his arrest on March 19.

This was revealed by Mr Vlok in reply to a question by the MP for Claremont, Mr Jan van Eck.

Mr Vlok declined to reply to questions on whether the man was hospitalised, saying this information "may anticipate the judicial process."

However, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said that the Sandkraal resident was not admitted to the George Hospital, on or about March 19.

10.20/4/88 (251)
**Police arrest 1 582
for not carrying ID**

CAPE TOWN — The police arrested 1 852 people last year for not being in possession of an official identity document, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

Mr Vlok, who was replying to a question from Mr Tian van der Merwe (PFP, Green Point), said these people had been arrested in terms of two sections of the Admission of Persons to the Republic Regulation Act.

The police did not

keep records of the race of people charged with this offence and therefore only the total number of people who were arrested could be supplied, he said

Mr Vlok said in reply to another question by Mr Van der Merwe that 894 people, who were in possession of the South African reference books issued before the commencement of the new uniform identification system, were arrested last year on suspicion of being illegal immigrants — DDC

20/1/88

State ^{D/D} appeals against murder charge acquittal of policemen ²⁵

CAPE TOWN — The state appealed yesterday against the acquittal in the Supreme Court here of two policemen charged with murdering a woman and attempting to murder three others during unrest in Bellville South in 1985

Counsel for the state, Mr H. Klem, SC, said the state believed there had been a miscarriage of justice

In September, Warrant Officer Paulus Kruger was acquitted of murder and attempted

murder and Constable Ernst Villet was acquitted of attempted murder when two assessors found they had carried out a superior officer's order

In a minority finding, Mr Justice C T Howie said he believed the order by former Bellville riot unit head, Captain Ockert van Schalkwyk, to shoot those taking part in unrest, was so unlawful that a reasonable man would not have felt duty-bound to carry it out

The state applied yesterday to reserve a question of law before the Appeal Court, arguing that the judge should have told the assessors that the defence of acting under orders was not applicable

It had not been found as fact that the order to "eliminate" meant to shoot to kill

Mr A H Veldhuizen, for Warrant Officer Kruger, said it was clear there had been no guilt or negligence on the policemen's part

~~File #~~

HOUSE OF DELEGATES

†Indicates translated version

For oral reply

General Affairs

Poison-pen letters received by member of Parliament

*1 Mr M RAJAB asked the Minister of Law and Order

- (1) Whether the South African Police have conducted and/or are conducting an investigation into a complaint concerning so-called poison-pen letters received by a certain member of Parliament, whose name has been furnished to the Police for the purpose of the Minister's reply, if not, why not, if so, (a) what was the nature of this complaint and (b) (i) when and (ii) where was it lodged,
- (2) whether any charges have been prepared in this regard, if not, why not, if so, (a) what are these charges and (b) against whom have they been laid,
- (3) whether a politician and a businessman, whose names have been furnished to the Police, have been questioned in this regard, if so, what are their names in each case,
- (4) whether he will make a statement on the matter?

THE MINISTER OF LAW AND ORDER

(1) to (4)

A charge of *crimen injuria* was lodged at Chatsworth Police Station during October 1987 and after completion of the investigation was submitted to the Attorney-General for his decision. This decision is still pending. Therefore the requested information is not furnished, because it may anticipate the judicial process.

SAA: appointment of Indian air stewards

*2 Mr K CHETTY asked the Minister of Transport Affairs

- (1) Whether the South African Airways (a) have appointed and/or (b) intend appointing Indian males as air stewards, if not, why not, if so, when,

HOUSE OF DELEGATES

(1) Whether a certain member of the South African Police, whose name has been furnished to the Police for the purpose of the Minister's reply, was recently transferred from Scottburgh police station, if so, (a) when, (b) why, (c) to which station was he transferred and (d) what is his (i) name and (ii) rank,

(2) whether this member was transferred at his own request, if not, at whose request was he transferred,

(3) whether the cost of this transfer was borne by the State, if not, why not,

(4) whether he will make a statement on the matter?

THE MINISTER OF LAW AND ORDER

(1) Yes

(a) 10 March 1988

(b) to (d) The member of the Force concerned was stationed at Scottburgh from 4 October 1978. He was promoted to the rank of Lieutenant on 1 December 1987. Scottburgh has only one post for a Lieutenant which was already filled by the present Station Commander. Therefore, the member of the Force concerned was transferred to Isipingo to fill a vacancy there.

(2) No. He was transferred to Isipingo because his services were required there.

(3) Yes

(4) Yes. Transfer of members of the South African Police is considered on the grounds of vacancies that arise at individual stations. These vacancies are filled *inter alia* by transferring members of the Force who are over strength at other stations. Such transfers take place only in the interests of the Force and the service supplied to the community.

Furthermore, I wish to point out to the honourable member that the transfer of officers and members of the South African Police is an internal matter which should not be speculated about publicly.

Mr P T POOVALINGAM Mr Chairman, arising out of the hon the Minister's reply, can he give us the assurance that the complaint made by a

stupid woman called Mrs Clarke against manning a lieutenant of colour at the Scottburgh police station, played no part at all in this transfer?

The MINISTER Mr Chairman, as I have indicated this lieutenant had been a member of the Force for about 10 years at Scottburgh police station, where he did exemplary work. I do not know whether the complaint by this lady which the hon member has mentioned, played any role in this case. As I have indicated here this was done in the best interest of the Force and of the public. This is what we take into account with transfers.

Mr P T POOVALINGAM Mr Chairman, we are pleased to accept the hon the Minister's assurance in that regard.

Mr Y MOOLLA Mr Chairman, further arising out of the hon the Minister's reply, and in view of the fact that his reply to the second part of the question was in the negative, and that the person in question had been transferred because his services were needed there, may I enquire from him whether, when a vacancy occurs at one of the police stations, there is an internal application system in the department, or whether departmental transfers are simply effected without members of the Force being given an opportunity to apply for various vacancies?

The MINISTER Mr Chairman, there is no internal application system in use in the department at the moment.

Mr K CHETTY Mr Chairman, further arising out of the hon the Minister's reply, I want to say that as far as I am concerned the transfer of the lieutenant was clearly based on his colour because this appeared in the Press. According to Mrs Clarke the transfer

The CHAIRMAN OF THE HOUSE Order! Does the hon member have a further question arising out of the hon the Minister's reply?

Mr K CHETTY No, Mr Chairman

Mr J V IYMAN Mr Chairman, further arising out of the hon the Minister's reply, can he tell us whether there were no other lieutenants who qualified for that post earlier than the lieutenant in question? Were there no other lieutenants at other police stations who were suitably qualified earlier than the lieutenant in question?

HOUSE OF DELEGATES

The MINISTER Unfortunately, Mr Chairman, I do not know the answer to that question I would therefore request the hon member to table his question, whereupon I shall investigate the matter and furnish him with a reply

Own Affairs

*1 Mr M RAJAB — Education and Culture [Reply standing over]

Retention of Westcliffe Shopping Centre, Chatsworth

*2 Mr MRAJAB asked the Minister of Housing

(1) Whether, with reference to his reply to Question No 3 on 4 June 1987, it is still the intention to retain the Westcliffe Shopping Centre in Chatsworth for use by his Administration, if so, (a) what use is it to be put to by his Administration and (b) when,

(2) whether this centre is in a state of disrepair at present, if so, (a) why and (b) to what extent,

(3) whether his Department was approached by the Durban City Council in connection with the state of this centre, if so, (a) when, (b) what was the nature of this approach and (c) what steps have been or are to be taken by his Department as a result of this approach,

(4) whether he will make a statement on the matter?

The MINISTER OF HOUSING

(1) Yes

(a) Shopping centre

(b) Presently

(2) Yes

(a) Negotiations were taking place for the sale of the complex to a consortium of the tenants and it was felt that the tenants could have repairs and renovations done at a more reasonable price than the Administration, which would result in a lower selling price being determined

(b) It has now become imperative that repairs and renovations be carried out

HOUSE OF DELEGATES

(3) Yes

(a) On 3 September 1986

(b) By letter

(c) During February 1987 it was decided to invite tender of all repairs and renovations to the buildings but the lowest tender according to specification was unacceptable and tenders were accordingly re-invited. These are being adjudicated at present

(4) No

Nelspruit: early Indian relics discovered

*3 Mr K CHETTY asked the Minister of Education and Culture

(1) Whether his Department has been informed that early Indian relics were recently discovered in the Nelspruit area, if so,

(2) whether the cultural significance of these claims has been investigated by his Department, if not, why not, if so, what were the results of these investigations,

(3) whether he will make a statement on the matter?

The MINISTER OF EDUCATION AND CULTURE

(1) Yes

(2) and (3) Yes

The Department has been briefed fully by Dr Hromnk who made the discoveries. His literature has been studied closely and representations have been made to the Town Council of Nelspruit for the preservation of the sites. The Minister of National Education is being approached to proclaim the sites as National Monuments. A visit to the sites is also being planned. Every effort is being made to preserve the sites. No response has been received from the Town Council of Nelspruit.

Mr K CHETTY Mr Chairman, arising out of the hon the Minister's reply, may I ask him whether he is aware of the information furnished by the hon the Minister of National Education in which he clearly stated that the archaeological departments of the various universities had found that

there was nothing there insofar as Indian relics were concerned?

The MINISTER Mr Chairman, I have taken it upon myself, together with a colleague of mine, the hon the Minister of Local Government and Agriculture, to visit the site *in loco* in order to satisfy myself that there is something there. I shall do so together with Dr Rhomnick and, if possible with those who have already submitted reports on it, and then hold discussions with my colleague the hon the Minister of National Education.

Mr Y MOOLLA Mr Chairman, further arising from the hon the Minister's reply, will he indicate to us whether he has anything firm and concrete with regard to the future development and usage of this site, and have the future plans been stopped or are they currently being proceeded with?

The MINISTER Mr Chairman, in answer to that I want to say that the area has been proclaimed for White housing, but I have sent a telegram to the town council to stay development of that particular area, which is a small area, until we have visited the site.

Mr M RAJAB Mr Chairman, further arising from the hon the Minister's reply, will he consider inviting the hon member for Chatsworth Central when that proposed meeting with Dr Hromnk and his department takes place?

The MINISTER I have no objection to that, Sir. Mr Y MOOLLA Mr Chairman, I am somewhat concerned about the reply to my previous supplementary question, that the hon the Minister of Education and Culture, just by making an appeal by letter, cannot in fact stop the local authority. My supplementary question, arising from that is has he approached his colleagues who have the capacity to stop such a development from taking place, because he himself has not been in a position to do so?

The MINISTER Mr Chairman, the answer to that is no. I made a request to meet my colleague, but up till now he has not been able to meet me. I met him briefly two days ago, and he has been informed that I will be visiting the place and I will report back to him for discussions.

The CHAIRMAN OF THE HOUSE Order! This concludes our questions.

HOUSE OF DELEGATES

Howard

HOUSE OF ASSEMBLY

†Indicates translated version

Gazankulu	None
Owagwa	10 690 hectares
KwaZulu	None

For written reply



(c) The required information is not readily available. Certain proposals of the Commission for Co-operation and Development are still to be considered and the decisions on these proposals will affect the extent of the land still to be acquired.

Development Trust and Land Act: land bought

179 Mr P G SOAL asked the Minister of Education and Development Afd.

(1) What was the total (a) area of land which had been bought in each province in terms of the Development Trust and Land Act, No 18 of 1936, as at 31 December 1987 and (b) amount paid for this land.

(3) (a) (i) and (ii) Details of the total area of compensatory land which was added to each self-governing and independent state are not kept in a register and the information is consequently not readily available.

(2) what area of land (a) was bought in each province in 1987, (b) was added to each self-governing territory and independent Black state in that year and (c) remained to be bought in each province at 31 December 1987,

(b) Approximately 2 630 000 hectares comprising land bought by the South African Development Trust and land vested in the said Trust in terms of the Development Trust and Land Act, 1936 (Act 18/1936), as at 31 March 1988.

(3) (a) what area of (i) land had been added to each self-governing territory and independent Black state as compensation for the removal of Black spots and (ii) compensatory land remains to be purchased in each province, and (b) what was that total area of land held by the South African Development Trust, as at the latest specified date for which figures are available?

Prohibition of statements critical of Government
231 Mr S S VAN DER MERWE asked the Minister of Law and Order
Whether, since his reply to Question No 3 on 28 July 1987, any persons or organizations have been prohibited from issuing or making statements critical of the Government, if so, (a) what persons or organizations, (b) when, (c) why, (d) in terms of what statutory provisions and (e) who took the decision in this regard?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

(1) (a) Orange Free State 212 746 hectares
Cape 1 574 202 hectares
Natal 505 895 hectares
Transvaal 3 190 344 hectares

The MINISTER OF LAW AND ORDER

(b) R1 269 710 501

(2) (a) Orange Free State 26 154 hectares
Cape 3 397 hectares
Natal 1 882 hectares
Transvaal 17 645 hectares

(a) to (e) Fall away

(b) Transkei None
Bophuthatswana 17 hectares
Venda None
Ciskei 46 827 hectares
KaNgwane None
KwaNdebele 55 369 hectares
Lebowa None

SAP actions during unrest situations: complaints

249 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) Whether any complaints were received and charges were laid against members of the South African Police in 1987 in con-

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(5)

nection with their actions during unrest situations, if so, (a) when, (b) how many and (c) what were the circumstances surrounding these complaints and charges,

(2) whether these complaints and charges have been investigated, if not, why not, if so, (a) when and (b) what were the findings in each case,

(3) whether any action has been taken against members of the Police as a result, if not, why not, if so, (a) what action and (b) in respect of how many cases?

THE MINISTER OF LAW AND ORDER

(1) Yes

(a) On various dates during 1987

(b) and (c) A number of complaints and charges were received. However, separate records are not kept of those complaints and charges which are unrest-related. In addition, the complaints and charges are lodged at police stations country-wide.

To gather and process this information country-wide is a time-consuming task. Members of the Force who would have carried out the task, already perform long hours of duty under difficult circumstances. They can only perform this task at the cost of other important police functions. Such a task can, in addition, not be accounted for economically. On these grounds the furnishing of the requested information can therefore not be justified.

(2) and (3) Complaints and charges lodged against members of the South African Police are fully investigated. In the case of departmental investigations, the commanding officers of those members decide whether there is sufficient evidence available to institute departmental steps. In the case of criminal charges, the case dockets are referred to the various Attorneys-general for a decision.

I wish to point out to the honourable member that the South African Police maintain strict discipline. Offences are not tolerated and suitable steps are taken without hesitation against members who

commit departmental and/or criminal offences

Unrest-related incidents: persons killed

275 Mr R R HULLEY asked the Minister of Law and Order

How many persons were killed in unrest-related incidents in each month from February 1987 up to and including January 1988?

THE MINISTER OF LAW AND ORDER

I refer the honourable member to my reply to written question 244 which I also regard to be a sufficient answer to this question.

Drug peddling: persons detained/charged/convicted

279 Dr M S BARNARD asked the Minister of Law and Order

(1) Whether any persons were detained in 1987 for interrogation in terms of section 13 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, No 41 of 1971, if so, (a) how many and (b) for what period was each detained,

(2) whether any of these persons were subsequently (a) charged with and (b) convicted of peddling drugs, if so, how many in each case,

(3) whether any of the persons arrested in 1987 are still in detention for interrogation, if so, (a) how many and (b) for what period has each been so detained?

THE MINISTER OF LAW AND ORDER

(1) Yes

(a) 54 persons

(b) To gather and process this information country-wide is a time-consuming task. Members of the Force who would have carried out the task, already perform long hours of duty under difficult circumstances. They can only perform this task at the cost of other important police functions. Such a task can, in addition, not be accounted for economically. On these grounds the furnishing of the

requested information can therefore not be justified

(2) (a) and (b) Yes, as far as can be ascertained, 46 persons were charged of which 10 persons were thus far convicted

(3) No

(a) and (b) Fall away

Overseas visits

562 Mr P G SOAL asked the Minister of Law and Order

(1) Whether he or the Deputy Minister of Law and Order undertook any overseas visits in 1987, if so, (a) which countries were visited and (b) what was the purpose of each visit,

(2) whether he or this Deputy Minister was accompanied by any representatives of the media on these visits, if so, (a) what were the names of the journalists involved, (b) which newspapers or radio or television networks did they represent, (c) to which countries did each of these persons accompany him or this Deputy Minister and (d) why,

(3) whether any costs were incurred by the Ministry of Law and Order as a result, if so, what total amount in that year?

THE MINISTER OF LAW AND ORDER

(1) No

(a) and (b) Fall away

(2) and (3) Fall away

Christmas cards sent out

595 Mr P G SOAL asked the Minister of Law and Order

(1) Whether (a) he and/or (b) the Ministry of Law and Order sent out Christmas cards in 1987, if so, (i) what total number of cards was printed, (ii) to whom were they sent, (iii) what was the total cost of pro-

ducing and distributing these cards, and (iv) who was responsible for printing them, in each case,

(2) whether postage stamps were used to send out these Christmas cards, if not, how were they distributed?

THE MINISTER OF LAW AND ORDER

(1) (a) and (b) Yes

(i) 300 cards from existing stock were used

(ii) The State President, Members of the Cabinet, Ambassadors, Members of Parliament, Directors-General of the different departments and the General Staff of the South African Police

(iii) R410,00

(iv) The South African Police

(2) No By official mail

Own Affairs

Primary/high schools in RSA. White pupils enrolled

117 Mr A GERBER asked the Minister of Education and Culture

How many pupils were enrolled in White (a) primary and (b) high schools in the Republic in each year since 1980?

THE MINISTER OF EDUCATION AND CULTURE

	(a)	(b)
1980	573 172	358 341
1981	578 137	359 727
1982	580 121	366 455
1983	576 387	378 816
1984	565 094	391 731
1985	551 202	401 414
1986	530 088	404 493
1987	518 881	401 568
1988	512 964	397 971

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CAPE Times (251)
2/14/88

Top cop sorry for anti-LRC statement

BRIGADIER Ronnie van der Westhuizen, former Western Cape Divisional Commissioner of Police, has apologized for statements he made last year about the Legal Resources Centre.

In a statement received by the Cape Times yesterday, he said he regretted an error he had made, and added that he had not intended to question the integrity or motives of the LRC.

On August 7 last year, Brigadier Van der Westhuizen was trying to defuse a protest by some 4 000 women at the Nyanga offices of the Office for Community Services.

Court battles

He told a Cape Times journalist on the scene that Mr Prince Gobingca — a former vigilante from Crossroads who had had a fall-out with Mr Johnson Ngxobongwana — had “run to the LRC ... to get an interdict”.

People were angry that the money they had for housing had to be used in court battles, he added, according to the report.

In his subsequent statement, the brigadier said it had been pointed out to him that the LRC had never acted on behalf of Mr Gobingca.

“I accept this to be the position and regret the error,” he said.

He said it had not been his intention to question the integrity or motives of the LRC.

Shooting: Cops won't be tried

From LOUISE FLANAGAN

EAST LONDON. — The Transkei attorney-general will not prosecute two policemen implicated in the fatal shooting of an alleged ANC guerrilla who died while crossing the border over a year ago.

An inquest magistrate found the policemen did not have the right to shoot Ngwenduna Vanda and referred the case to the Attorney-General to investigate possible criminal charges.

The magistrate ruled Vanda had been shot after he had been disarmed.

However, Attorney-General Chris Nel said last week he had refused to prosecute as the two policemen had been acting in self-defence or the deceased had tried to resist arrest.

Vanda was shot near the Telle Bridge border post in the Sterkspruit area in December 1986, while illegally crossing the border

from Lesotho to Transkei.

Transkei authorities tried to cover up the incident at the time and Vanda was buried in a pauper's grave at Sterkspruit. Details only emerged five months later when a man who was detained in the incident was released.

Bonisle Qabaka had arranged to travel to Transkei with Vanda, who was known in Lesotho under a different name. Qabaka told lawyers for Vanda's family that when they reached the border post Vanda, who was to take up a teaching post in Transkei, had said he would walk across the border as his passport had expired.

They arranged to meet on the other side of the border. Instead, Qabaka said in an affidavit: "I was accosted by a number of policemen who approached my car with pointed firearms, shouting that I should come out of the car and saying I was a terrorist."

He was shown Vanda's body and then held under Transkei, and later South African, security laws. On his release he contacted Vanda's family.

Pressure from lawyers for Vanda's family resulted in the exhumation of the body and an inquest in July last year.

In an unusual finding, inquest magistrate D E Moses found Constables Ishmael Commando Dzai and Nelson Nceba Solombela had been responsible for Vanda's death and they did not have the right to shoot him.

Moses said police evidence had been contradictory but it had been proved beyond reasonable doubt that Vanda had been fatally shot after he had effectively been disarmed.

He said that despite operating in dangerous circumstances the police did not have the right to shoot a man they had disarmed. — *ET-NEWS*

Parliament bomb was a limpet

Sowetan

21/4/88

251

IT HAD been established that Tuesday night's explosion in Cape Town was caused by a mini-limpet mine, the Minister of Police, Mr Adriaan Vlok, said in a statement yesterday.

He had no doubt that the bomb was planted near Parliament to obtain the maximum propaganda effect.

He wanted to stress however that the bomb was not planted in the grounds of Parliament.

It was obvious that the ANC and its communist masters had failed in

inciting the masses to follow their line of thought and were trying desperately to intimidate gullible people through dastardly and violent acts.

"While I wish to give the assurance that the police are doing everything in their power to track down the culprits, I again wish to appeal to all members of the public to assist the police in fighting this callous menace by keeping their eyes and ears open for any strange objects or actions," he said. — Sapa.

months. It also promised...
his action has been settled. *Chc Tins 22/4/88*

Action against SAP offenders

Political Staff

CRIMINAL or departmental offences by members of the police force would not be tolerated, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

The police maintained strict discipline, he said in reply to a question from Mr Tian van der Merwe (PFP, Green Point).

"Offences are not tolerated and suitable steps are taken without hesitation against members who commit departmental and/or criminal offences."

Complaints and charges against members of the police were fully investigated, he said.

However, although complaints were received and various charges laid against members of the police last year in connection with their actions during unrest situations, he could not give any details.

"Separate records are not kept of those complaints and charges which are unrest-related.

"In addition, the complaints and charges are lodged at police stations country-wide.

"To gather and process this information country-wide is a time-consuming task.

"Members of the force who would have carried out the task already perform long hours of duty under difficult circumstances.

"They can only perform this task at the cost of other important police functions.

"Such a task can, in addition, not be accounted for economically," Mr Vlok said.

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Minister...

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Howard

HOUSE OF ASSEMBLY

Indicates translated version

For written reply

General Affairs

Johannesburg: applications for exemptions from Group Areas Act

4 Mr P G SOAL asked the Minister of Constitutional Development and Planning

- (1) Whether, during 1987, his Department received any applications for exemptions from the provisions of the Group Areas Act, No 36 of 1966, in respect of residential areas in Johannesburg, if so, (a) how many such applications had been (i) granted and (ii) refused as at the latest specified date for which information is available and (b) what were the reasons for (i) granting and (ii) refusing each application,
- (2) whether any action was taken against (a) owners and (b) occupants of residential property in Johannesburg in terms of the provisions of the said Act during the above-mentioned period, if so, (i) in respect of the owners or occupants of which properties, (ii) what action was taken, (iii) who initiated the action, (iv) who decided what action should be taken, (v) why was action taken and (vi) what was the outcome of the action in each case?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

- (1) No The rest of the question falls away
- (2) (a) Yes, (b) Yes,

- (i) It is not deemed desirable to divulge the required information as it might lead to embarrassment of owners and occupants
- (ii) Notices were issued on the parties concerned in terms of section 41 of the Group Areas Act
- (iii) Action arose from complaints lodged with the Police by the public

Howard

TRANSVAAL

- (1) (a) (i) 24 763 (ii) 3
- (b) 21 463 (99-year leasehold) (as at 31 December 1987) 3 (freehold)

(2) Increase

NATAL

- (1) (a) (i) 979 — with the option to convert to freehold title (ii) None
- (b) 416 (as at 31 December 1987)

(2) Increase

Nine development areas' housing backlog 163 Mr P G SOAL asked the Minister of Constitutional Development and Planning

- (a) What is the extent of the housing backlog for Black in respect of each of the nine development areas in the Republic and (b) in respect of what date is this information furnished?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(a) Region	A — 36 454	B — 9 977	C — 50 409	D — 52 716	E — 142 000	F — 44 895	G — 1 039	H — 354 792	J — 10 468
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(b) December 1987

Black townships: township constables deployed 483 Mrs H SUZMAN asked the Minister of Constitutional Development and Planning

- (1) (a) How many township constables were being employed in Black townships as at the latest specified date for which information is available, (b) what training are these constables given prior to being deployed and (c) where are they trained,
- (2) whether any fire-arms issued to township constables have been used in the commission of any crimes, if so, (a) how many as

at the latest specified date for which information is available and (b) what were the circumstances surrounding the use of such fire-arms in each case?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

The execution provisions of section 34 of the Black Local Authority Act, 1982 (Act No 102 of 1982) in terms of which the municipal police function was assigned to the various provincial governments on 1 October 1986 and according to information received from them, the following replies are furnished

- (1) (a) 9 119
- (b) A twelve week training course for law enforcement officers under the supervision and guidance of the South African Police is presented

- (c) Tladi Training College at Soweto
Kalehong Training College at Germiston
Sebokeng Training College at Vanderbijlpark
Mtombolwazi Training College at Port Elizabeth
Mokutu Training College at Zeerust
Ningizima Training College at Durban

(2) When law enforcement officers go on duty they are issued with fire-arms. It cannot be confirmed that these fire-arms were used in the committing of crime

(a) and (b)

A number of cases against law enforcement officers, where fire-arms were used, were reported, *inter alia* —

- Murder
 - Attempted murder
 - Armed robbery
 - Contraventions of the Weapons and Ammunition Act, 1969 (Act 75 of 1969)
- To gather this information, will be a time-consuming and counter-productive task which cannot be economically accounted for. On account of this, the furnishing of the required information is not justifiable
- Overseas visits
- 567 Mr P G SOAL asked the Minister of Water Affairs

251

ARGUS 22/4/88 (251)

The reasons for Stellenbosch raid

IN response to a letter to you from Mrs A Gagiano (The Argus, April 5), I would like to offer the following comment.

The population of Kaya Mandi has grown since 1984 when it was 4 500 to 10 088 in November 1987. This figure has risen since then.

Various requests were received from the permanent residents of the hostel, where only unmarried men were housed, for action to be taken against undesirable people.

The following complaints were raised by the residents.

The incidence of murder, robbery, assault and rape.

Illegal dealing in liquor and drugs.

Illegal possession of firearms and dangerous weapons.

The dealing in stolen property was often raised. This property was sold in neighbouring states.

Prostitution.

Groups and members of factions from surrounding areas seeking a safe port and setting up movements in the hostels.

Paying tenants in hostels rebelling against the nightly businesses of dealers and prostitutes.

Incidents had come up of guns being offered in exchange for drink and drugs.

On January 10 a municipal policeman was seriously wounded when shot with a 9mm calibre gun while he was investigating a charge of illegal dealing in firearms.

During the crime prevention operation the following arrests were made.

For trespass, 142 black men, 301 black women and six coloured women, a total of 449; one man for possession of an unlicensed firearm; one woman for possession of possible stolen property; one white man was arrested after four warrants had been issued for his arrest in connection with four charges of drunken driving.

Possession was taken of the following exhibits.

One 6,35mm Berretta pistol with six rounds; two hi-fi loudspeakers, an amplifier, a hot brush and an electric drill, 449 bottles of beer; 133 litres of wine; nine bottles of gin; five bottles of brandy; two bottles of whisky; one bottle of vodka.

Of those arrested, 437 paid admissions of guilt namely 131 men, 300 black women and six coloured women. On

March 28, 11 men and a woman appeared in the Magistrate's Court in Stellenbosch on a charge of trespass. The case against one of the men was withdrawn while the others were found guilty.

During the operation, pamphlets in both official languages as well as Xhosa, were handed to the residents to explain the aim of the operation and to apologise for any possible inconvenience the law abiding residents might have.

It is a pity that the writer became emotionally involved in a police action that was aimed at criminals and crime and was to the benefit of the residents of Kaya Mandi and the general public.

No charges against the police were laid by any of those arrested or residents of Kaya Mandi. Everyone was treated humanely and with the necessary respect.

(Captain) G M H
BOONZAAIER

(For Divisional Commissioner of Police, for the Boland)

Paarl

AR 645 22/4/88 (251) 307/8/85

KTC arson: No police action 'inexplicable'

Staff Reporter

A SENIOR police officer told the Supreme Court it was "inexplicable" that police had not taken action against witdoek vigilantes setting fire to shacks in KTC.

Lieutenant-Colonel William Oosthuizen was being cross-examined yesterday in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 KTC families.

Mr H P Viljoen, SC, showed the court a video clip of events in KTC in June 1986 showing police arresting an Anglican priest, the Rev John Freeth, and ignoring a group of witdoeke crossing the road about 100m away and entering a shack next to one already burning.

Lieutenant-Colonel Oosthuizen agreed that it could be assumed the witdoeke entered the shack to set it alight.

Mr Viljoen said the policemen "bundled" Mr Freeth into a van and drove away instead of stopping the vigilantes.

Lieutenant-Colonel Oosthuizen said he would have taken action against the witdoeke had he been present.

He agreed that it was inexplicable that the police had not taken action.

Mr Viljoen referred to the minutes of a meeting on the morning of the first day of violence in KTC, which was attended by senior officers from various departments, including security police, railway police and the army and representatives from the departments of Constitutional Development and Information.

It was noted in the minutes that Lieutenant-Colonel Oosthuizen told the meeting that "blacks

from the city are going to march to Pollsmoor (prison) to free Mandela"

Mr Viljoen asked him why he had not mentioned rumours that KTC was going to be attacked.

Lieutenant-Colonel Oosthuizen said he had not taken the rumours seriously.

He had not mentioned the rumours or thought it necessary that precautions should be taken, in spite of an interdict granted by the Supreme Court restraining the police, army and witdoek leaders from aiding or participating in attacks on KTC, because "such rumours were seldom true".

(Proceeding)

Police to 'force' striking pupils back to class

W/K AKG 6/63
23/4/88
251
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Education Reporter

POLICE say they are "tired" of seeing pupils milling around at schools in Mitchell's Plain and will in future force pupils into classrooms.

In a letter to principals this week, the regional inspector of the Department of Education and Culture, Mr D J Rabie warned that police believed some pupils were not interested in following normal programmes and were disrupting schools.

"Police will enter schools if they see pupils milling around and physically force them back into their classrooms," the letter said.

"Police will remain at these schools until teachers can continue with their normal programme.

"Thereafter these schools will be kept under observation."

Not all schools got the letter.

One principal said they received the same message by telephone.

Law and order

In a letter to staff, a headmaster of a high school in Rocklands said principals were informed that police would not allow any pupil to leave school without permission or to be on the premises without supervision.

"Police will not consult principals on their action to ensure that law and order is maintained," said the letter.

"Pupils will be arrested for any unlawful activity.

"If necessary police will enter the premises, classrooms and corridors to enforce law and order," staff were told.

The Cape Teachers' Professional Association deputy president, Mr Randall van den Heever, today appealed for "sensitivity and circumspection on the part of the authorities with regard to the simmering unrest in our schools".

There was anger and frustration at the repression and victimisation of community leaders, teachers and students, he said.

"Police interference and high-handed action by the Department of Education and Culture officials will serve exacerbate an already explosive situation."

A department liaison officer, Mr Thinus Dempsey, said: "We are in control of our schools. Police need permission from principals before they can enter any school.

"But our hands are tied under the emergency regulations. The department feels the same about the police's plans as the Press feels about the media restrictions."

The South African Police and the Department of Education and Culture had close contact about the situation at schools and the police were ready to act against intimidation, said Lieutenant Attie Laubscher, police liaison officer for the Western Cape.

Kitscops' use of firearms reported

Cape Times 23/4/88
251

Political Staff

INSTANCES where special township constables had used firearms, including cases of murder, attempted murder and armed robbery, had been reported, the Minister of Constitutional Development and Planning, Mr Chris Heunis, confirmed yesterday

However, although law-enforcement officers were issued with firearms when they

went on duty, "it cannot be confirmed that these firearms were used in the committing of crime"

In reply to a question from Mrs Helen Suzman (PF, Houghton), he said it would be a time-consuming and counter-productive task, which could not be economically accounted for, to gather information about the circumstances of each of these cases

Mr Heunis did not specify how many such cases had been reported "A number of cases against law-enforcement officers, where firearms were used, were reported, including murder, attempted murder, armed robbery and contraventions of the Weapons and Ammunition Act," he said

At present 9 119 township constables were employed in black townships All had been

on a 12-week training course under the supervision and guidance of the police

He had received his information from the various provincial governments, which were in charge of municipal police, Mr Heunis said

Supervising the functioning of the municipal police was assigned to the various provincial governments on October 1, 1986

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Acquittal appeal fails

AN APPEAL by the state against a Supreme Court acquittal of two policemen on murder and attempted murder charges was yesterday dismissed.

In September last year Warrant Officer Paulus Otto Kruger, 36, and Constable Ernest Villet, 27, were acquitted of murdering Miss Sarah van Wyk, 21, and three others during unrest in Bellville South in August 1985.

They said they had been ordered by Captain Ockert van Schalkwyk to "eliminate" those who acted against the police.

In his judgment, Mr Justice C T Howie said he would have convicted W/O Kruger

on all charges and Const Villet on the attempted murder charges as the order was so unlawful that a reasonable man would not have felt duty-bound to carry it out.

He was overruled by his two assessors who found that the order had to be seen in the context of the day's events.

Mr H G Klem SC, for the state, applied for leave to argue on a point of law before the Appeal Court. He said the judge should have informed the assessors that facts they found to be true meant that the two policemen had caused more damage than was necessary and that the defence of acting under orders was not applicable.

Mr Justice Howie yesterday said the

court had unanimously found that W/O Kruger was ordered to eliminate rioters, that he and Capt Van Schalkwyk believed drastic steps were needed, that they knew the shots would be fired from close quarters to at least inflict serious injuries.

On a question of fact, the assessors found that the policemen's actions were consistent with the order given. There was no factual finding that they had caused more damage than necessary.

On a question of law, Mr Justice Howie said he had found that the order was unlawful but on the factual finding he decided in relation to the policemen's state of mind, it was clear they had accepted the order as lawful.

Appeal by state against SAP acquittal dismissed

CAPE TOWN — An appeal by the state against a Supreme Court acquittal of two policemen charged with murder and attempted murder after the death of a woman and the wounding of three others was dismissed yesterday

In September last year Warrant Officer Paulus Otto Kruger, 36, and Constable Ernest Villet, 27, were acquitted of murdering

Miss Sarah van Wyk, 21, and three others during unrest in Bellville South in August 1985.

Evidence was that the two men hid at the corner of Industry Road and Armada Crescent and fired shotguns at a fleeing crowd on the orders of an officer, Captain Ockert van Schalkwyk

In his judgment yesterday, Mr Justice C. T

Howie, said the court had unanimously found that W/O Kruger was ordered to eliminate rioters, that he and the officer who gave the order believed drastic steps were needed, that they knew the shots would at least inflict serious injuries

The assessors found that the actions of the policemen were consistent with the order given.

D/D 23/4/88 (251)

Black Sash report reveals complaints about police

JOHANNESBURG — Municipal police form part of the state's efforts to fill the vacuum left by the disruption of community organisations and to coerce support for "responsible" black local authorities

According to a recent Black Sash publication, this is the "common thread" revealed in a detailed study of 260 incidents of municipal police activity brought to the attention of Black Sash branches in the Eastern Cape between April 1986 and July 1987

Entitled Greenflies, Municipal police in the

Eastern Cape, the publication was compiled by members of the Black Sash in response to "concern by human rights campaigners over alleged municipal police attacks"

The report is based on affidavits and statements and is supplemented by material from lawyers archives

The Sash says that besides the imposition of the states of emergency, the state developed other strategies to disrupt the pattern of black community loyalties

Early in 1986, alongside vigilante groupings, municipal policemen

and the hastily-recruited black police auxiliaries known as "kitskonstabels" began to emerge

"By mid-1987, reports from township residents were alleging that municipal police were guilty of large-scale abuses of power"

In Duncan Village, the Sash says the use of legal strategies has paid off for residents

No fewer than 63 complaints had been made to the South African Police in Duncan Village between November 1986 and June 1987

It was also revealed

that 195 complaints had been made about municipal police activity throughout the Eastern Cape, while none had been made in the other three provinces

The Sash says township residents use various names of their own for the force "magodolos" (the opposers), "amangundwane" (the wild rats), amachaka (Zulu boys) and "impukane eluhlaza" (greenfly)

"Reactions in the various townships range from suspicion to open hatred and violent reprisal," the report said

Murderers' families 'in deep water'

ASD
THERESE ANDERS

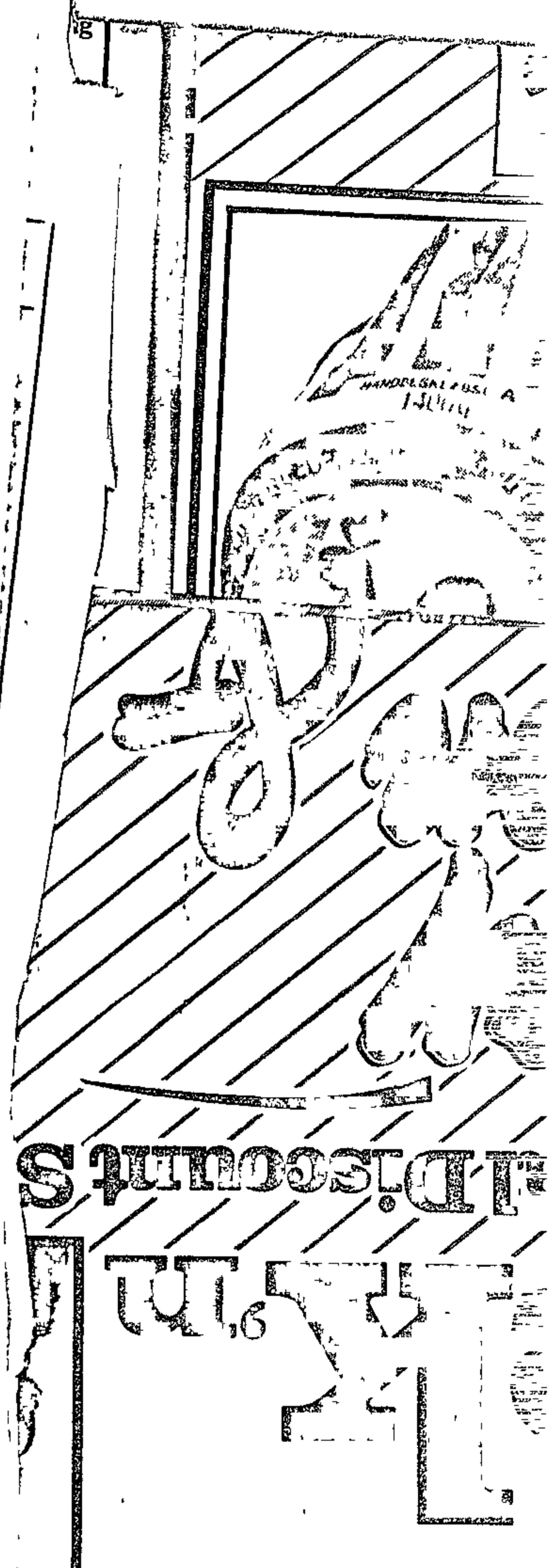
The wife of the Minister of Law and Order has spoken in public about convicted murderers Captain Jack le Grange and Sergeant Robert van der Merwe.

Referring to the policemen, who have both received double death sentences, Mrs Corrie Vlok said "It is an extremely heartbreaking situation"

"These are two colleagues of our men. Therefore it effects us also," she told a gathering of about 300 policewomen and police wives at an SAP 75th anniversary tea in Middelburg on Thursday.

Mrs Vlok said the two men had wives and children who were now in "very deep water".

She asked the women present to think of and pray for the Le Grange and Van der Merwe families and to "let us be thankful that we still have men who come home and provide".



S. J. DISCOUNTS

W. J. ...

Commemorative services held for SA Police

DID 25/4/88
(251)

Daily Dispatch Reporter
EAST LONDON — A church service commemorating the 75th anniversary of the South African Police was held in the Nederduitse Gereformeerde Kerk Moe-dergemeente church here yesterday.

A chaplain from Pretoria, the Reverend Brigadier Basie van Eden, delivered the sermon and said that policemen must conquer the evil they see every day with good.

Brigadier Van Eden said that the police system had become "the dumping ground of society" and "a place of misplaced hatred", but that they should never let evil defeat them.

Brigadier Van Eden said that policemen were placed on the "firing ground" daily and saw death in all shapes and forms and in maintaining law and order, evil should never be returned with evil.

He said this was a message from God and the advice was for all members of the community.

After the service, a short tribute was paid to the South African Police force for its 75 years of service and the South African Police anthem, Altyd Getrou, was sung by a school choir.

● Police services were held countrywide yesterday to pay tribute to colleagues killed in the line of duty

Sapa reports the venue of the largest service was the lawns of Pretoria's Union Buildings where almost 3 000 policemen gathered

Led by Major-General Stoffel Colyn and the Hammanskraal Police College choir, the service was followed by a wreath-laying ceremony.

Dignitaries included the Speaker in the House of Assembly, Mr Louis le Grange, the Minister of Law and Order, Mr Adriaan Vlok, and the Commissioner of Police, General Hen- nie de Witt.

In Johannesburg, members of the Sowetan police contingent gathered to honour 10 colleagues killed on active duty during the past year.



Brigadier D. P. Badenhorst and his wife, Margaret, who were among the congregation at an SA Police service in East London yesterday.

Cops used firearms — Heunis

sawetan 25/4/88

HOUSE OF ASSEMBLY — A number of criminal cases had been reported in which firearms were allegedly used by constables employed by black townships, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said last week in a written reply to a question from Mrs Helen Suzman (PFP Houghton).

Among them were murder, attempted murder, armed robbery and contraventions of the Arms and Ammunition Act

(251)

It would be a time-consuming and counter-productive task to gather information on the circumstances of each case, he said

9 119 employees

Mrs Suzman had asked whether any firearms issued to these constables had been used in the commission of crimes

There were 9 119 constables being employed in black townships — Sapa



VARIOUS police divisions countrywide yesterday held commemoration services of the deaths of policemen. In Soweto

more than 300 policemen and their families attended a service at the Protea police station hall. The Soweto SAP choir and

orchestra under Captain Bernard Mathope Mashapu performed. Among police officers who attended the service was the divisional

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commissioner of Soweto police, Brigadier J J Viktor, Brigadier A Venter and Captain Rev W van Niekerk, who delivered

the sermon. Thirty-three cops based in Soweto died last year. Of these, 10 died on duty while the rest died of other causes.

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Education: Fear of chaos, confrontation

By DENNIS CRUYWAGEN
Education Reporter

THE response of the authorities to the education crisis "is a recipe for chaos and confrontation" according to a group of "concerned educationists" who include the heads of the universities of Cape Town and the Western Cape

They said in a statement that an explosive situation had developed steadily at coloured

and black schools in the Peninsula this year

Signatories to the statement are University of Cape Town vice-chancellor, Dr Stuart Saunders, University of the Western Cape rector Professor Jakes Gerwel, Peninsula Technikon rector Mr Franklin Sonn, acting chairman of the Western Cape region of the Institute of Race Relations Sir Richard Luyt, and Moulana Ebrahim Moosa, national director of the Muslim Youth Movement

Schools told of police threats to take action

Education Reporter

THE Department of Education and Culture confirmed today it had instructed school inspectors to tell principals of a police threat to force pupils into classrooms

"Yes, we instructed all chief inspectors to tell principals of the police threats," said Mr Thinus Dempsey, liaison officer in the department

"We did it in the interest and safety of our pupils"

Mr Dempsey said police told the department last week that they would enter schools where pupils were milling around, physically force them into classrooms and remain on school premises until teachers resumed normal programmes

DIRECTIVE

"I want to make it clear that we did not draw up the new measures, neither did we ask the police for assistance. We do not co-operate with the police. They informed us of their plans

He said Mr DJ Rabie, regional inspector of schools in Mitchell's Plain who told principals in the area of police threats, had not acted of his own accord

"He followed our directive"

The instructions were similar to those the department gave to inspectors and principals to explain police powers when the state of emergency was extended in 1985, he said

Attendance at schools in Athlone and Mitchell's Plain was low yesterday and some schools were empty

They said the frustrations and grievances of pupils, teachers and parents have been met with silence from the authorities and education departments had reacted aggressively

They said "Today, the security forces are effectively threatening to occupy schools in the name of 'law and order'"

"We want to say clearly education cannot happen at gunpoint. The response of the authorities is a recipe for chaos and confrontation that destroys all hope of normal schooling and undermines a meaningful educational process"

They called for an end to the harassment of teachers and pupils, the release of detainees and for democratic organisations to be allowed to meet freely

MINIMUM

They urged the Department of Education and Training to reinstate suspended teachers.

Their demands were the minimum basis for negotiation and peace in schools, they said

At a press conference called by the group, Mr Sonn said it would be useless and a waste of time for the group to speak to education authorities "because they do not control schools"

The major issue was the Government's refusal to allow pupils and teachers to express themselves, he said

Dr Saunders said it was unacceptable that more than 1 000 black pupils had been refused admission to high schools this year

Professor Gerwel said "Who is running education now the education authorities or the Joint Management Centres? It is educationally unacceptable to try to teach at the point of a gun"

Proclamation renews removal issue

8/dec/88
27/11/88

Oukasie now an emergency camp

OUKASIE township near Brits was yesterday proclaimed an "emergency camp", opening the way, according to observers, to the removal of the 10 000-strong community to a town 25kms away

Transvaal Administrator Willem Cruywagen proclaimed the area an emergency camp in terms of a government gazette issued yesterday

Cruywagen said last night the camp was a means of controlling the situation to ensure no more squatters would be allowed into the overcrowded area. He said officials would get information on who exactly was living there and their houses would be marked.

It was impossible to say how long the emergency camp would be in force, he said, but he denied it would lead to the removal of those people

But the legal advisor to the Brits community, Geoff Budlender of the Legal Resources Centre, said the move was likely to be a precursor to the removal of the 10 000-strong community to Lethlabale on the Bophuthatwana border

This was despite the assurance last month by Constitutional Development and Planning Minister Chris Heunis, who told Parliament only those Oukasie residents who asked to be moved of their own free will would be resettled at Lethlabale.

Budlender said government had "dis-established" Oukasie as a township in

DIANNA GAMES

1986 and yesterday's legislation would seem to be a temporary measure to control the situation with a plan to go ahead with removal

Oukasie residents were told in December 1985 that they were to be removed. The plan met with vigorous opposition from residents who formed the Brits Action Committee

Heunis said earlier this year that government had never said there would not be any more forced removals.

"After all, people will squat illegally and you cannot accept they will stay there forever. What government said was there would be no forced removals for political reasons," he said.

The official reason given for the possible removal of Oukasie has been that it is a slum and it is not economically viable to upgrade it.

But according to Black Sash regional chairman Ethel Wall, the real reason is that Oukasie is 2km from the elite white area of Brits, a CP stronghold.

Newspaper reports have suggested Lethlabale may be incorporated into Bophuthatwana.

However, legislation tabled in Parliament last month by Education and Development Aid Minister Gerrit Viljoen said Lethlabale was no longer earmarked for incorporation into any neighbouring homeland

Mellors 'aimed to get Chikane'

22/11/88

DANIEL SIMON

25/11/88

DENZIL Bruce Mellors would have preferred SA Council of Churches head Reverend Frank Chikane as a hostage rather than the receptionist, the Johannesburg Regional Court was told yesterday

This was disclosed by SAP investigating officer Sergeant Felix Tiedt, in evidence for the State opposing Mellors's bail application

Mellors's court appearance follows the hostage drama at Khotso House on April 11, when he allegedly held SACC secretary Beverly Fasser hostage at gunpoint in protest against Bishop Desmond Tutu's "communist ties" and the Methodist Church's call against border duty

He faces five charges kidnapping, a charge under the Explosives Act, possession of an unlicensed firearm, possession of ammunition and theft of a firearm.

Tiedt told the court that, after questioning Mellors, he found the accused "very involved in politics". He also said Mellors had deep religious convictions

In evidence, Mellors said he had gone to Khotso House on April 11 to obtain information about certain rumours he had heard

He said he had taken a firearm for self-protection The court ruled in Mellors's favour and granted him R2 500 bail Further conditions to the bail were that Mellors must report to the Brakpan police station every day, may not communicate with State witnesses, or enter Khotso House The case was postponed to May 27



Whether an estimate has been made of the cost to the South African Defence Force of the administration, salaries, commissariat and other specified services required to maintain the system of national service as instituted by sections 22 and 44 of the Defence Act, No 44 of 1957, if not, why not, if so, (a) what is the estimated total amount involved and (b) in respect of what financial year was it made?

THE MINISTER OF DEFENCE

Yes

- (a) R705 million per annum for salaries, training accommodation ammunition, internal charges, clothing, rations, transport, medical and administration
- (b) 1987/88

New Questions

Immigrations after graduation: reclaiming of university subsidies

*1 Mr C J DERBY-LEWIS asked the Minister of National Education

- (1) Whether he is giving consideration to the introduction of legislation which will enable the State to reclaim amounts paid in terms of university subsidies from graduates who leave the country immediately or soon after their graduation, if so, when is it anticipated that such legislation will be introduced if not, why not,
- (2) whether he will make a statement on the matter?

†THE MINISTER OF NATIONAL EDUCATION

- (1) No The extent and nature of this problem does not warrant the introduction of such legislation The country has benefited considerably over the past few years and still benefits by the immigration of trained manpower which did not cost the taxpayer anything The introduction of measures related to the subsidising of universities, in order to inhibit emigration will in all probability evoke a very sharp reaction from other countries to the disadvantage of South Africa
- (2) No

*2 Mr C J DERBY-LEWIS — Defence
[Withdrawn]

HOUSE OF ASSEMBLY

Manning of police stations: international standards

*3 Mr C J DERBY-LEWIS asked the Minister of Law and Order

- (a) What are the international standards regarding the manning of police stations in (i) urban and (ii) rural areas and (b) how do our police stations compare in this regard?

THE MINISTER OF LAW AND ORDER

- (a) and (b)
- As far as could be ascertained from available research, international standards regarding the manning of police stations in urban and rural areas do not exist Therefore a comparison cannot be made with police stations in South Africa

Courtsroom of Wynberg magistrate's court: presence of SAP

*4 Mr J VAN ECK asked the Minister of Law and Order +

- (1) Whether any members of the South African Police were present in a courtroom of the Wynberg magistrate's court on 15 March 1988 at the time of the appearance of a number of detainees in terms of section 29 of the Internal Security Act, No 74 of 1982, if so, (a) why and (b) how many,
- (2) whether any of these members were dressed in plain clothes, if so, why,
- (3) whether any of the members in plain clothes took their seats in that part of the court which is usually made available to members of the public, if so, (a) why and (b) how many?

†THE MINISTER OF LAW AND ORDER

(1) to (3)

In this question the hon member for Claremont refers to certain court proceedings at the Wynberg magistrate's court on 15 March 1988 It is astonishing that he abuses this forum, Parliament in view of the fact that he himself attended these proceedings During these court proceedings 11 alleged terrorists appeared on serious charges as a result of large-scale acts of terror, including various explosions, which occurred in the Western Cape

It is the statutory responsibility of the South African Police and also an internationally accepted practice that the police of a country must at all times ensure the safety of court officials, members of the public and the accused in a court All the more when persons are tried on charges of serious crime and people flock together at that court, as in this instance

During such police actions use is made of the services of the Uniform Branch, Security Branch and Criminal Investigation Branch Members of the Uniform Branch perform duty in uniform, while members of the Security Branch and Criminal Investigation Branch perform duty in plain clothes Surely the hon member is aware of these facts

The presence of the South African Police at these court proceedings was in accordance with their statutory responsibility and requires no further explanation

15 March 1988, shortage of seating in courtroom of Wynberg magistrate's court

*5 Mr J VANECK asked the Minister of Justice

Whether with reference to the appearance in the Wynberg magistrate's court of a number of detainees in terms of section 29 of the Internal Security Act, No 74 of 1982, on 15 March 1988, there was a shortage of seating in the courtroom concerned if so (a) to what factors is this shortage ascribed and (b) how many (i) relatives of the detainees and (ii) members of the public are estimated to have obtained seats?

THE MINISTER FOR ADMINISTRATION AND PRIVATISATION (for the Minister of Justice)

I refer the hon member to my letter dated 25 March 1988 in which I informed him about the matter

[Remainder of reply laid upon the Table with leave of House]

26-08-1988

Mr J Van Eck LP
Volksraad
Posbus 15
KAAPSTAD
8007

Geagte meneer Van Eck

VERHOOR TE WYNBERG OP 15 MAART
1988

Dankie vir u brief van 15 Maart 1988

Die Landdros van Wynberg is gevra om op die aangeleentheid in te gaan Volgens 'n telefoniese verslag van hom ontvang, blyk dit dat die Hoogeregshof kort vanweë in Wynberg gesit het Wanneer dit gebeur, verskuif die Streekhof en word die hofnommers verander Ongelukkig het daar in die proses dieselfde nommers op twee van die howe se deure verskyn Sommige lede van die publiek wat die verrigtinge in die saak van die 11 beskuldiges wou volg, het blykbaar as gevolg hiervan aanvanklik in die verkeerde hof beland Die probleem is beryds agtergekom en die publiek wat in die verkeerde hof was, is toe ingelig oor waar die saak sou aankom

In daardie stadium was die korrekte hof al amper vol en was daar nie meer veel sitplek beskikbaar nie Na verneem word was van die aanwesiges wel polisiebeamptes waarvan sommige n belang by die saak gehad en ander teenwoordig was om toe te sien dat die verrigtinge ordelik verloop Die hofbeamptes het uit hulle pad gegaan om plek te laat maak vir ten minste n aantal van die familielede van elke beskuldigde

U was op die toneel en sal daarom eers-handse kennis hê van die gedrag van die skare en die beskuldiges in en om die hofsaal Volgens koerantberigte het dit erg toegegaan Die polisie het die taak om te sorg dat die howe in veiligheid kan funksioneer en dat die verloop van die hofproses nie fisies ontwrig word nie Dit val tot n groot mate ook op hulle weg om uiteindelik toe te sien dat hofbevele uitgevoer word Hulle rol in die instandhouding van ons howe en dus aan n beskafde beregtingsstelsel word gereeld oor die hoof gesien Dit is hulle wat sterf as die malmens-bomme om ons howe ontplof

Ek is nie bereid om die gemene monewe wat u aan die aanwesige polisiebeamptes in u brief toedig te onderskryf nie

Die uwe
H J COETSEE, LP
MINISTER VAN JUSTISIE

Umdlots/Richards Bay new road

*6 Mr W J HEINE asked the Minister of Transport Affairs +

HOUSE OF ASSEMBLY

Whether his Department is involved in the construction of a new road between Umdloti and Richards Bay, if so, (a) what works in respect of this road have been completed, (b) in what phases is it envisaged to build the road and (c) what is the estimated total cost of the road?

The DEPUTY MINISTER OF TRANSPORT AFFAIRS

Yes

(a) The first carriageway of the envisaged dual carriageway road between Ballito-ville and New Guelderland

(b) As 12 separate contracts commencing in the 1988/89 financial year to complete a dual carriageway road between Umdloti and New Guelderland and a new single carriageway road between New Guelderland and Murrledal on the existing road a short distance north-west of Richards Bay

(c) The total estimated further cost of the road is R376 561 000

Richards Bay - new police station complex

*7 Mr W J HEINE asked the Minister of Law and Order +

Whether it is the intention to erect a new police station complex at Richards Bay, if so, (a) what buildings will the planned complex comprise (b) what is the estimated total cost of these buildings and (c) when are building operations expected (i) to commence and (ii) to be completed?

+The MINISTER OF LAW AND ORDER

Yes

(a) to (c) It is envisaged that the construction of a new police complex, comprising a district head office police station, mortuary and single quarters at an estimated cost of R68,5 million will according to expectation commence early in 1994. The preliminary construction period is 12 months. However I wish to point out to the hon member that the expected date of commencement of the project may be changed as a result of various factors *inter alia* the availability of funds

Instructions that no further action be taken against squatters

*8 Mr S C JACOBS asked the Minister of Law and Order

Whether he or any person representing him has issued any instructions to the effect that no further action be taken against squatters, if so, (a) when, (b) to what areas do these instructions apply and (c) on whose authority was this decision taken?

The MINISTER OF LAW AND ORDER

(a) to (c)

As the result of a notice of motion by the Vlakfontein Residents Committee in the Supreme Court, on 22 October 1987 an undertaking was given that the South African Police would take no further action against the Vlakfontein Squatters, pending the outcome of the notice of motion. On 4 December 1987 this undertaking was extended to also include the areas of Vereeniging, Grasmere and Fintown. The notice of motion is still pending.

+Mr S C JACOBS Mr Chairman

+Mr J H VAN DER MERWE [Inaudible]

+Mr S C JACOBS arising out of the hon the Minister's reply, will he tell us whether he is considering amending the Prevention of Illegal Squatting Act in such a way that squatters will not be able to continue living where they are living illegally?

+The MINISTER Mr Chairman, the hon member is supposed to be a lawyer

+Mr J H VAN DER MERWE But you are supposed to answer the question!

+The CHAIRMAN OF THE HOUSE Order! This is the second time within a short while that the hon member for Overaal has made a loud remark of that kind across the floor of the House. It will not be permitted. The hon the Minister may continue.

+The MINISTER Mr Chairman the hon member for Losberg is supposed to be a lawyer. So he should know that Act does not fall under me. It is the responsibility of the hon the Minister of Constitutional Development and Planning, and I think he must put his question to that hon Minister.

+Mr J H VAN DER MERWE Mr Chairman, on

a point of order. Hon Ministers are not supposed to be sarcastic about questions put by Opposition members [Interjections.] That is exactly how the hon the Minister of Law and Order has just acted. He told the hon member for Losberg that he as a lawyer ought to know better.

+The CHAIRMAN OF THE HOUSE Order! That is not a point of order. There is also no such written rule or even a convention of which I am aware. The fact of the matter is that the attitude of one hon member towards another is determined by the behaviour of the hon members in question.

+Mr J J S PRINSLOO Mr Chairman, further arising out of the hon the Minister's reply, is the notice of motion of the residents of Vlakfontein also applicable to those in the Vereeniging area? If not, why was this undertaking extended to Vereeniging?

+The MINISTER Mr Chairman as I said, on 4 December it was also extended to squatters in other circumstances in other areas and that notice of motion must have been applicable. That is why it was extended.

Letters by Department to Central Mechanization Committee/Commission for Administration

*9 Mr D J DALLING asked the Minister of Education and Development Aid

(1) With reference to the report of the Advocate-General in terms of section 5(1) of the Advocate-General Act No 118 of 1979, on the purchase of the Ivis interactive video system by his Department, which was tabled in the House of Assembly on 29 March 1988, who on behalf of his Department wrote the (a) detailed reply to the Central Mechanization Committee mentioned in paragraph 6 12 and (b) letter dated 26 March 1986 to the Commission for Administration mentioned in paragraph 6 17 of the said report.

(2) whether in the light of the findings made by the Advocate-General in his report in paragraphs 6 18 to 6 24 in general and paragraph 6 23 in particular, he has requested explanations in regard to the writing of the above-mentioned two letters, if not why not, if so what explanations were offered in each case

(3) whether he intends taking further action

pursuant to these explanations, if not, why not, if so, (a) what action and (b) when?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

(1) (a) and (b) The departmental letters referred to were handled in the normal way, namely that the draft letters were written by the Deputy Director Computer Assisted Education (Mr T P Metrowich) and checked and controlled by the Chief Director Education Development Services (Dr H A Moeke) and then submitted to the Deputy Director-General (Dr D H Meiring) for approval and signature. Where necessary the above-mentioned three persons together edited and revised the draft letters.

(2) Yes

The Director-General and the Deputy Director-General supplied explanations in a personal interview immediately after the release of the Advocate-General's report, as well as in the form of documentation and written input which was submitted to the Advocate-General.

The Advocate-General found (para 6 18) that the sertifikaat van die Departement is heel waarskynlik korrek met betrekking tot die rydstip waarop die sertifikaat gegee is. Although the Advocate-General found further that there possibly was one other firm in command of the technological expertise and skills to develop a similar interactive video system, the situation in fact was that at that juncture no other firm actually had suitable courseware available. Without courseware, any system is useless. Even at this stage such courseware is not yet available from any other firm.

(3) No

Non-White students accommodated in Hippokrates/France van Zijl hostels

*10 Mr A GERBER asked the Minister of Constitutional Development and Planning +

(1) Whether the Hippokrates and France van Zijl hostels of the University of Stellenbosch are situated in a White group area, if so,

1207

TUESDAY, 26 APRIL 1988

HOUSE OF DELEGATES

1208

Indicates translated version

For written reply

General Affairs

Independent Black States/self-governing territories: repatriations

3 Mr M RAJAB asked the Minister of Home Affairs

How many persons were repatriated to the (a) independent Black states and (b) self-governing territories from the Republic in (i) 1985, (ii) 1986 and (iii) 1987?

The MINISTER OF HOME AFFAIRS

Prior to 1 July 1986, repatriations and removals of Blacks from the Republic in terms of the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945), the Aliens Act, 1937 (Act 1 of 1937) and the Admission of Persons to the Republic Regulation Act, 1972 (Act 59 of 1972) were the responsibility of the former Department of Co-operation and Development and the Department of Constitutional Development and Planning, respectively. Since the abolition of influx control with effect from 1 July 1986 and the consequent repeal of

Howard

the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945) from the same date, the removal of Blacks from the Republic in terms of the provisions of the Aliens Act, 1937 (Act 1 of 1937) and the Admission of Persons to the Republic Regulation Act, 1972 (Act 59 of 1972) has become the responsibility of the Department of Home Affairs

Citizens of the self-governing areas are also South African citizens and as such are not subject to the provisions of the latter two acts

Except for removals to the independent Black states during the period 1 January 1986 to 30 June 1986, no statistics for the period prior to 1 July 1986 are available in the Department. My reply to the hon member's question, therefore, is as follows

- (a) (i) No statistics available
- (ii) 146 for the period 1 January to 30 June. No persons removed during the remainder of the year
- (iii) None
- (b) (i) No statistics available
- (ii) No statistics for the period 1 January to 30 June, available. No persons removed during the period 1 July to 31 December
- (iii) None

1209

WEDNESDAY, 27 APRIL 1988

1210

HOUSE OF ASSEMBLY

Indicates translated version

For written reply

General Affairs

Emergency regulations: requests for permission to publish articles

135 Mr D J DALLING asked the Minister of Law and Order

(a) How many requests for permission to publish articles dealing with matters covered by the emergency regulations have been received by the South African Police since 6 February 1987. (b) on how many occasions was permission refused. (c) what was the reason for refusing permission to publish in each case and (d) in respect of what date is this information furnished?

The MINISTER OF LAW AND ORDER

- (a) 61 requests
- (b) 45 occasions
- (c) The articles or portions thereof fell within the ambit of the provisions of Regulations 3(1) of the Regulations promulgated by virtue of the Public Safety Act 1953 (Act 3 of 1953) in Government Gazette 10772 of 11 June 1987
- (d) 29 February 1988

554 Mr J VAN ECK asked the Minister of Law and Order

(1) Whether two persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply, are being detained, if so, (a) on what date were they detained and (b) (i) why and (ii) in terms of what statutory provisions are they being detained.

(2) whether they are to be released if so, when, if not.

(3) whether they are to be charged if not, why not if so, in terms of what statutory provisions?

Howland

The MINISTER OF LAW AND ORDER

- (1) No, not persons with the names furnished by the honourable member
- (a) and (b) Fall away
- (2) and (3) Fall away

Banned/subversive organizations

787 Mr C J DERBY-LEWIS asked the Minister of Law and Order

Whether he will furnish the House with the names of organizations which are listed by the South African Police as (a) banned and (b) subversive, if not, why not, if so, (i) what are their names in each case and (ii) in respect of what date is this information furnished?

The MINISTER OF LAW AND ORDER

- (a) The South African Police did not ban any organization and does not possess over such authority
- (i) and (ii) Fall away
- (b) No legislation exists whereby the South African Police can list an organization as subversive, neither is such a list kept by the South African Police. When an organization involves itself with subversive activities, action is taken against such an organization in terms of the applicable security legislation
- (i) and (ii) Fall away

Members: transfers for promotion

791 Mr C J DERBY-LEWIS asked the Minister of Law and Order

Whether it is the policy of the South African Police that members stationed at a particular command for a specific period must be transferred once that period has expired in order to become eligible for promotion, if not, what is the policy in this regard if so, what is the (a) duration of this period and (b) reason for this policy?

The MINISTER OF LAW AND ORDER

No

In the South African Police promotion from the rank of constable up to and including the rank of lieutenant, takes place after the successful completion of the National Diploma in

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Police Administration, which is presented by the Technikon RSA

Thereafter, promotion takes place on the grounds of merit and on the successful completion of management courses at different levels

Transfer does not necessarily follow as a result of promotion, although it is often a factor which is considered. However, various other factors are also considered for this purpose. *inter alia*

— where the services of the member concerned are needed most,

— available vacancies,

— changes in the numerical strength,

— the transferability of the member concerned

However, the policy of the South African Police regarding transfer and promotion is by no means inflexible, as it can be adapted in order to best serve the interests of the Force

Special constables assaulted/killed/injured

25
813/ Mrs H SUZMAN asked the Minister of Law and Order

Whether any special constables (a) have been assaulted by (i) members of the public and (ii) other special constables, (b) have been (i) killed or (ii) injured by (aa) members of the public and (bb) other special constables, (c) have had their houses or property damaged or destroyed and (d) have had members of their families (i) injured and (ii) killed since their recruitment, if so how many in each category as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER

(a) to (c)

To gather and process this information country-wide is a time-consuming task. Members of the Force who would have carried out the task, already perform long hours of duty under difficult circumstances. They can only perform this task at the cost of other important police functions. Such a task can, in addition, not be accounted for economically. On these grounds the furnishing of the requested information can therefore not be justified

Sturwald

Intimidation Act: persons arrested/charged with offences

854 Mr P G SOAL asked the Minister of Law and Order

Whether any persons have been (a) arrested for and (b) charged with offences under the Intimidation Act, No 72 of 1982, since its promulgation, if so, how many in each case in each specified year?

The MINISTER OF LAW AND ORDER

Yes

	(a)	(b)
1982	34	30
1983	52	48
1984	86	71
1985	362	293
1986	696	545
1987	792	536

Aid granted to self-governing territories' precautions

962 Mr C J DERBY-LEWIS asked the Minister of Education and Development Aid

Whether his Department has taken and/or intends taking any precautions aimed at eliminating the possibility of misappropriation and/or embezzlement in respect of aid granted to self-governing territories, if not, why not, if so, (a) what precautions and (b) when?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

(a) Yes The undermentioned precautions are in operation in self-governing territories

(i) Internal auditing Internal financial control is vested in full in the departmental head who is appointed as accounting officer in accordance with section 15 of the Exchequer and Audit Act, 1975 (Act No 66 of 1975). His duties and responsibilities are defined by the Financial Regulations and Treasury Instructions which are promulgated in accordance with sections 38(1) and 39 of the said Act

(ii) External examinations Provision is made in the Department of Finance of each self-governing territory for a division financial- and stores-inspections. The main function of this division is to ensure that the control measures as prescribed by the Financial Regulations and Treasury instructions are strictly adhered to by all the departments of the self-governing territory

(iii) Full-time and comprehensive auditing by officials of the office of the Auditor-general in accordance with the Exchequer and Audit Act, 1975 (Act 66 of 1975) which is also applicable to self-governing territories. In accordance with section 35 of the National States Constitution Act, 1971 (Act 21 of 1971) the Auditor-general of the RSA is also the Auditor-general of the self-governing territories unless a Legislative Assembly decides differently. Thus far, the six self-governing territories accepted this ruling. The Auditor-General submits a report to each Legislative Assembly who in turn refers it to the

(iv) Over and above the aforementioned precautions, officials of the Department of Development Aid are also in contact with the officials concerned in the self-governing territories to advise them where problems are foreseen or where it is sometimes necessary to prepare additional directions or manuals and to make recommendations to ensure financial regularity

(b) The above precautions came into operation when the National States Constitution Act, 1971 (Act 21 of 1971) became applicable to the relevant self-governing territory

Sturwald

Sturwald

Howard

1215

WEDNESDAY, 27 APRIL 1988

1216

HOUSE OF REPRESENTATIVES

†Indicates translated version

For oral reply

Own Affairs

Questions standing over from Wednesday, 30 March 1988

*2 Mr W J DIETRICH — Education and Culture [Reply standing over]

*3 Mr W J DIETRICH — Education and Culture [Reply standing over]

1217

WEDNESDAY, 27 APRIL 1988

1218

HOUSE OF DELEGATES

†Indicates translated version

For written reply

General Affairs

quested information can therefore not be justified

Phoenix Natal. establishment of new police district

32 Mr K CHETTY asked the Minister of Law and Order

(1) Whether it is the intention of the South African Police to establish a new police district in Phoenix Natal, if so, (a) why and (b) when, if not, why not,

(2) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) No, because up until now the necessity for a separate police district has not been identified

(a) and (b) Fall away

(2) No

Divisional Commissioner in Natal appointment of Indians

37 Mr K CHETTY asked the Minister of Law and Order

(1) Whether he intends to appoint an Indian as a divisional inspector to the Office of the Divisional Commissioner in Natal if so (a) when and (b) where in Natal will he be based, if not why not,

(2) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) No At this stage such an appointment is not under consideration mainly as a result of functional and organisational reasons

(a) and (b) Fall away

(2) No

Indians joining Police Reserve Force

38 Mr K CHETTY asked the Minister of Law and Order

(1) (a) How many Indians joined the Police Reserve Force in 1987 and (b) how many Indian police reservists (i) retired and (ii) dropped out from the said force in that year,

(2) (a) what is the highest rank held by an

Howard

25

Ex-policeman gets suspended sentence for Natal killing ²⁵¹

Star 2/14/84 Own Correspondent

DURBAN — Colin Malcolm Sparks (24) was found guilty of culpable homicide by Mr Justice Shearer and two assessors in Scottburgh Circuit Court yesterday and sentenced to three years' imprisonment, suspended for five years.

The former policeman was charged with the murder of Mr Antonio Dominico Iellamo, who was shot and killed on the Harding-Deemount road in September last year. Mr Iellamo died from shock following haemorrhaging from a gunshot wound of the lung and heart.

Summing up, Mr Justice Shearer said the case was unusual in the sense that all the witnesses had been telling no less than what they knew.

However, there were conflicts and in particular in the evidence of a young boy and various other witnesses. The conflict related to what was said at the scene of the shooting, the judge said.

It was clear that at one time Sparks and a Miss Charmain du Plessis had some form of relationship, but it did not emerge that the relationship was a romantic involvement.

He said it was common cause that the bullet struck Mr Iellamo in the chest and he died as a result of the wound. Sparks then held the pistol upwards and ran to the police van and called for the police to make arrangements for medical attention.

Mr Justice Shearer said the other question which they had to consider was whether the actions of Sparks were accompanied by intention sufficient to bring home a charge of murder.

One needed to ask whether at the time of firing the particular shot the accused appreciated whether death might result. Such an intention was normally proved when the State made a well-founded case.

Sparks had been described by his colleagues as a quiet, reserved and reticent person. There was no past incident which involved quick temper.

He said it seemed that Sparks, through no fault of his own, was placed in a situation where he was not able to take logical and appropriate action when he was attacked by Mr Iellamo.

However, the use of excessive force rendered his reaction unlawful and culpable homicide was an appropriate verdict.

Police brutality claims: Vlok hits out at Van Eck

Cape Times 28/4/88 (25) 27/2/86

Political Staff

THE Independent MP for Claremont, Mr Jan van Eck, had used the privilege of Parliament to propagate untested, biased and exaggerated allegations against the police in a speech about a crime-prevention operation in Stellenbosch, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

"A wrongful impression has been created by a Member of Parliament and I feel obliged to put the record straight," Mr Vlok said in a statement.

Mr Van Eck had claimed that heavily armed police and defence force members with dogs had barged into homes and arrested residents, including women dressed in flimsy nightclothes, for not having so-called "bed cards".

He had also claimed that a number of babies, including a five-day-old, were kept in jail without food or water. They were expected to drink toilet water.

Some babies had fainted, Mr Van Eck had said.

Mr Vlok said he regarded these

allegations in an extremely serious light and he had asked for a detailed report which he had now received

Mr Vlok said that before the operation, police received numerous complaints of serious crimes in Kaya Mandi, including murders, serious assaults, robbery, theft, drug abuse, prostitution and the possession of firearms and dangerous weapons.

"The situation had become unbearable for law-abiding residents and on one occasion police had even been fired upon while attending to a complaint

"As a result, a crime-prevention operation drive was launched and more than 400 people were arrested

"All were allowed to clothe themselves decently and were taken to the Stellenbosch police station where all but 12 people were released after paying admission-of-guilt fines"

Some of those held had been sought in connection with offences including drunken driving, possession of stolen property and stolen firearms

"At no time were those arrested held in a prison. They were not denied food or water

"Running water was available to them at all times, and mothers with babies were given food and were the first to be released after paying admission-of-guilt fines."

Mr Van Eck said last night that he stood by his allegation that men, women and children, including a five-day-old baby, were terrorized by heavily armed members of both the police and defence force when the hostels in Kaya Mandi were raided between three and four morning in the morning of March 26.

"I reject his statement that this was a crime-prevention operation, in view of the fact that 443 of the 449 people arrested that night were only charged with the 'crime' of illegally sleeping in the single-sex hostels, including women who were sleeping with their husbands.

"To use the South African Police and the South African Defence Force's so-called 'Dad's Army' for this kind of operation is contemptible and an act of provocation."



Mr Jan van Eck



Mr Adriaan Vlok

Case Times
28/8/88

Issue of (F251)
articles (204)
refused (203)

Political Staff

THE police had turned down 45 of the 61 requests it had received since February last year to publish articles dealing with matters covered by the emergency regulations, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Replying to a question from Mr David Dalling (PFP, Sandton), Mr Vlok said permission had been refused because the articles or portions of them fell within the ambit of the provisions of the regulations promulgated in terms of the Public Safety Act.

He also told Mr Clive Derby-Lewis (CP, indirectly elected) that the police did not ban any organization and did not have such authority.

"When an organization involves itself with subversive activities, the action is taken against such an organization in terms of the applicable security legislation," Mr Vlok said

Kitscop ²⁵¹ deaths: No figures

Political Staff

THE Minister of Law and Order, Mr Adriaan Vlok, yesterday said he could not give details about how many special constables, who are known as kitskonstabels, had been injured or killed by members of the public or other special constables.

Mrs Helen Suzman (PFP, Houghton) wanted to know how many special constables had been injured or killed, how many had their homes damaged or destroyed and how many of their families had been killed or injured.

Mr Vlok said the gathering of this information was a time-consuming task, and could be undertaken only at the expense of other more important police functions. He added that the task could not be economically justified.

Mr Vlok also said that 232 Indians had joined the reserve force last year, but 103 had retired and 111 dropped out.

CARL TINTS 28/4/88
251 212
307 14

Vigilante orders from SAP van

Supreme Court Reporter

A POLICE video film taken on the first day of fighting in KTC showed a witdoeke vigilante say over a police public address system that people were needed at KTC

The video, shown in the Supreme Court, Cape Town, was to enable Mr Clifford Dikeni, a lecturer in African languages at the University of Cape Town, to translate what was said in Xhosa into English.

Mr Dikeni is a witness in the R312 000 damages claim by the Methodist Church and 21 families against the Minister of Law and Order arising from the destruction of most of KTC by witdoeke.

The minister has agreed to pay R200 000 of the claim, should the action succeed.

Mr Dikeni was yesterday shown a scene where a witdoek addressed others in Xhosa through a police van's public address system. Major Dolf Odendaal, second in charge of the riot squad, was in the background.

"Where people are needed is at KTC, at Mahobe Drive, at the plastic/canvas shelters and at the centre."

'Well done'

The camera then pans across to the devastated satellite camps at Crossroads. The scene, filmed at the bottom of Mahobe Drive, showed many witdoeke and a police van and Casspir in the background.

A speaker said in Xhosa. "If we get somebody who has died here or who has been stabbed, well .. amongst you that person has to be buried because we didn't sign for that. Thank you. Where people are needed is at KTC."

Another scene shows scores of witdoeke massing in the road near shacks while a white police van cruised slowly. In the background smoke and flames could be clearly seen.

A voice said in Xhosa — which Mr Dikeni said sounded like a white man's voice because of the pronunciation. "Do not resist asseblief tog. Just go to your homes .. don't go in there .. get out of that place .."

"You have done your job, well done! Go home .

Go, you have done your duty."

The hearing continues on Monday

251



B/day 28/4/88

Police turn down 45 requests to publish

Political Staff

POLICE had turned down 45 of the 61 requests it had received since February last year to publish reports dealing with matters covered by the emergency regulations, Law and Order Minister Adriaan Vlok said yesterday.

Vlok, who was replying to a question from David Dalling (PFP Sandton), said 61 requests to publish material were received between February 7 last year and February 29 this year, and permission was refused on 45 occasions.

He said permission had been refused because the articles or portions of them fell within the ambit of the provisions of the regulations promulgated in terms of the Public Safety Act.

He also told Clive Derby-Lewis (CP indirectly elected) the police did not ban any organisation and did not possess such authority.

"No legislation exists whereby the South African Police can 'list an organisation as subversive', neither is such a list kept by the SAP.

"When an organisation involves itself with subversive activities, the action is taken against such an organisation in terms of the applicable security legislation," Vlok said.

No details are kept on kitskonstabels

Political Staff

LAW and Order Minister Adriaan Vlok said yesterday he could not give details about how many special constables, known as kitskonstabels, had been injured or killed by members of the public or other special constables.

Helen Suzman (PFP Houghton) wanted to know how many special constables had been injured or killed, how many had had their homes damaged or destroyed, and how many of their families had been killed or injured.

However, Vlok said to gather and process this information countrywide was a time-consuming task and members of the police, who already performed long hours of duty under difficult circumstances, could only perform this task at the cost of other important police functions.

In addition, the task of gathering this information could not be economically justified, Vlok said.

He also said, in reply to a question from Kasaval Chetty (Solidarity, Chatsworth Central), that 232 Indians joined the police reserve force last year, but 103 Indian members of the force had retired and a further 111 dropped out.

151

28/4/88

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**Officer:
SAP had
informer
in ANC
Offices**

BETHAL — As recently as March this year, the South African Police had an informer at the African National Congress offices in Lusaka.

Warrant/Officer Nic Deetlefs, of the SAP security branch, testified in the Bethal terror trial yesterday that photographs of ANC documents handed in to the court as an exhibit had been taken by a police informer at the ANC's Lusaka offices

In his testimony W/O Deetlefs said that it was not possible for the police to procure the originals of the documents as they had no official access to the ANC's offices.

Because of an objection raised by counsel for the defence Mr H. K. Naidu, on the admissibility of the photographs, the documents have not as yet been admitted as evidence.

W/O Deetlefs said that as the documents were obtained secretly, it would not be in the interests of state security nor in the public interest to divulge the exact method that had been used, nor the identity of the police informer.

The accused, Mr Acton Mandla Maseko, Mr Simon Dladla and Mr Ebrahim Ismail Ebrahim, have pleaded not guilty to charges under the Terrorism Act and of high treason.

The judge is Mr Justice J Daniels, assisted by two assessors — Sapa

Minister defends (251) police record ^{SKW} 25/4/88

By Craig Kotze

An unblemished record was not easy to obtain for any police force — even less so for the SAP which had to deal with politically related crime, the curbing of which affected international relations and the economy, the Deputy Minister of Law and Order, Mr Leon Wessels, said in Johannesburg yesterday

At a SAP medal parade at Arthur Bloch Park, Mayfair, Mr Wessels said curbing politically motivated crime also affected relations between the authorities, citizens and population groups

The ceremony was part of the celebrations planned by Witwatersrand police for this year's 75th SAP anniversary. It was Mr Wessels' first public speech since his appointment recently

Mr Wessels said the potential for violence, especially in politically motivated crime, was always present.

"Criminals seldom submit to arrest and the judicial process. It has, in fact, almost become a matter of course that policemen in charge of investigations are charged with assault or other crimes allegedly perpetrated in the execution of their duties"

Such charges were investigated rigorously

"The SAP, as the State's institution charged with the maintenance of law and order, cannot afford to harbour criminals in its own ranks"

In spite of attempts to discredit it, the SAP was lauded by "its own abiding public and other police forces of the world"



A policeman holds the SAP flag aloft at the medal parade, which was addressed by the Deputy Minister of Law and Order, Mr Leon Wessels.

ARCUS 29/4/88
(JSE)

NATIONAL/INTERNATIONAL

d Police to probe claim of SADF killings

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PRETORIA. — Following a report in a Johannesburg daily newspaper, the Minister of Law and Order, Mr Adriaan Vlok, has ordered an investigation into allegations made at a Free the Children Alliance commission held at the University of the Witwatersrand last Saturday.

A statement issued by the police said the newspaper mentioned that Mrs Margaret O'Neil told the meeting a 12-year-old boy was shot dead at a Soweto school by security forces. She had also mentioned an incident in which a teenage girl was necklaced, while her brother was shot dead by security forces.

FULL SPEECH

Police said Mrs O'Neil had furnished them with a statement and handed them a copy of her full speech.

She had said the schoolboy was shot dead because "he made the mistake of running to pick up a schoolbook which he had left in the middle of the playground", said the statement.

It was alleged the teenage girl was an informer, and that her brother was killed four days after her, in front of their mother.

OR
CC
ANT

Assurance from police on schools

AR 565
29/4/88
152

By TOS WENTZEL
and DALE LAUTENBACH
Political Staff

POLICE today undertook not to "beat children back into schools" or to act against class boycotters.

This follows a meeting yesterday between the Minister of Law and Order, Mr Adriaan Vlok, and the Rev Allan Hendrickse, chairman of the Ministers' Council in the House of Representatives.

A spokesman for Mr Vlok today confirmed Mr Hendrickse's talks with the Minister.

He said the department's attitude was that the police would not beat children back into schools or act against those who boycotted school.

INTIMIDATORS

However, the police would act against intimidators outside schools to ensure the safety of other schoolchildren, the spokesman said.

These were the assurances given to Mr Hendrickse.

The meeting followed a widespread stayaway from Cape Flats schools on Wednesday.

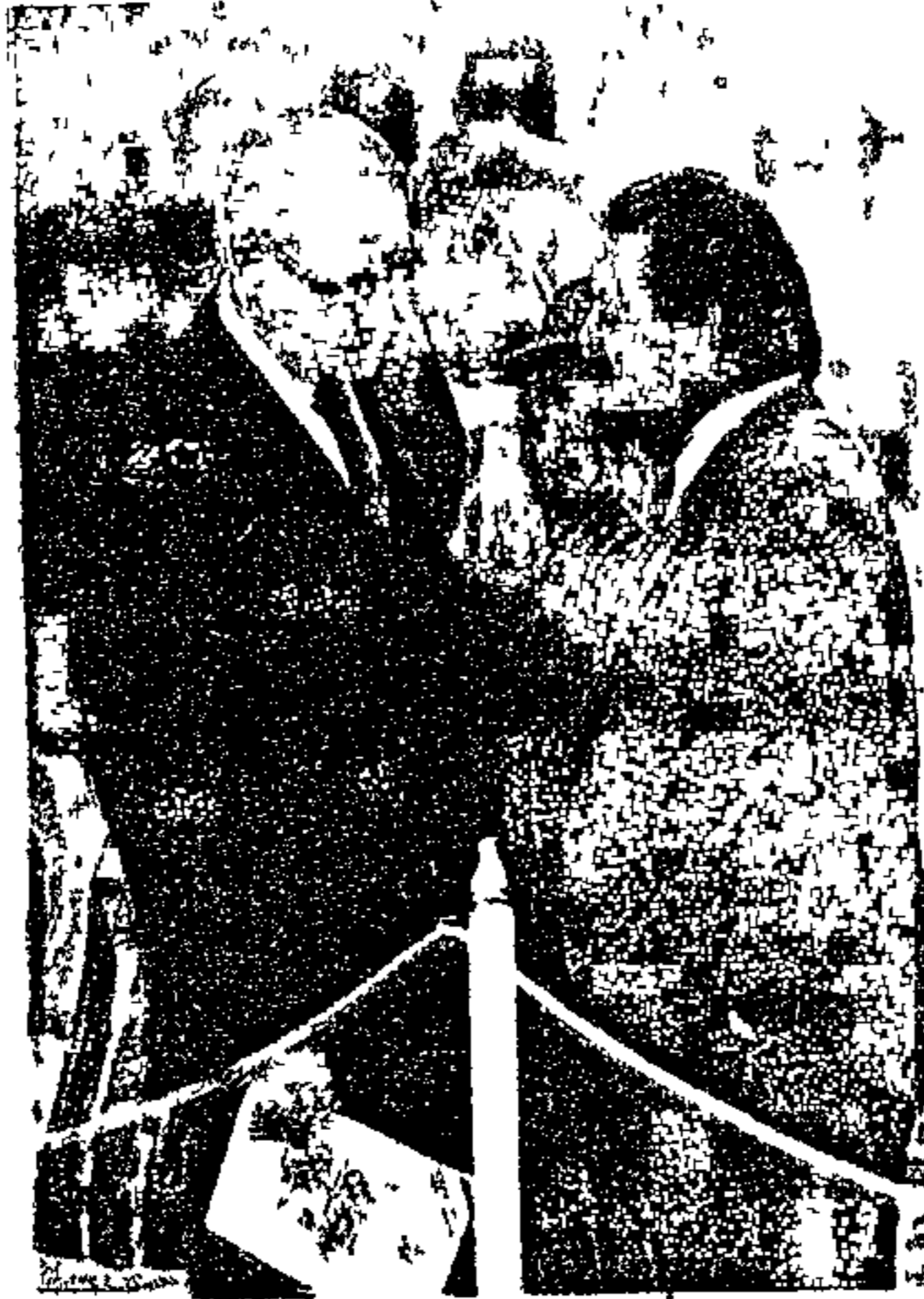
It was the culmination of a three-day protest by pupils against developments at schools, including letters to Mitchell's Plain principals from a Department of Education and Culture school inspector warning that police would "enter schools if they see pupils milling around and physically force them back into their classrooms".

REFRAIN

During debate on his budget vote in the House of Representatives, Mr Hendrickse, who also holds the education portfolio, said attendance at Western Cape schools was between 83 and 94 percent yesterday.

He announced that in talks with Mr Vlok and Deputy Law and Order Minister Mr Leon Wessels he had "asked the police to refrain from entering school premises and to maintain a low profile in the situation being exploited by irresponsible persons."

He gave pupils the "assurance of addressing grievances" but made a



Picture: LEON MÜLLER, The Argus

MINISTERS MEET: Mr Adriaan Vlok and the Rev Allan Hendrickse deep in conversation at a military function on the Grand Parade yesterday. Later, Mr Hendrickse announced he had an agreement from Mr Vlok that police would stay off Cape Flats school premises.

"special appeal to them to prepare for the future and for participation in new structures and a new South Africa by using the present facilities, inadequate as they may be, to implement the belief in education for liberation".

He said yesterday's attendance figures were Athlone 86 percent "in spite of a 10,3 percent attendance at one school", Bellville 90 percent with 56 percent at Bellville South Senior Secondary, Mitchell's Plain 83 percent with 58 percent at Glendale Senior Secondary and 62 percent at Bergsig Laan Senior Secondary.

STRESS

Attendance in Paarl was 94 percent and in Wynberg 91 percent.

"It's not as alarming as people would like to think," he said.

He said he wanted to emphasise that there was no agreement or co-op-

(Turn to page 3, col 1)

Assurance on schools

(Continued from page 1)
erative arrangement between his department and the police

The warning issued by his department was done sincerely and in the interests of the students' well-being, he said.

● As reported in the late final edition of The Argus, police took no action yesterday when challenged by pupils to enter the grounds of Cathkin High School in Heideveld.

Police, who arrived when youths burnt tyres in the street near Cathkin, looked on as teachers escorted pupils off the premises and closed the school.

Back to School

8/14/88
SMT 7:15
152

Police 'won't interfere' — Hendrickse

By ANTHONY JOHNSON
and CHARL DE VILLIERS

THE government yesterday agreed to keep police from entering school premises as pupils returned to their classes in their thousands.

Labour Party leader Mr Allan Hendrickse, who is also the Minister of Education and Culture in the House of Representatives, said last night that the undertaking had been given to him by the Minister of Law and Order, Mr Adriaan Vlok.

The move follows a huge protest stayaway at black and coloured schools in the Peninsula after an official warning which said that police would physically enforce classroom attendance.

Mr Hendrickse said Mr Vlok yesterday gave him an undertaking that police would not enter school premises unless requested to do so by principals.

'Intimidation'

Mr Vlok could not be reached last night. However, a spokesman for the minister, Brigadier Leon Mellet, said police at no stage had said that they would force children to go to school. The controversial warning had not been issued by the police.

"The police's task is only to secure the safety of those who wish to go to school but are prevented from doing so by intimidation."

Earlier, Mr Hendrickse said in Parliament that he had asked the police to "refrain from entering school premises, and particularly to maintain a low profile in the situation being exploited by irresponsible persons."

A circular telling principals that police could act against pupils not attending school had been sent in the interests of pupils and had been "blown out of proportion", he said.

Teacher organizations and education authorities yesterday welcomed the "good" attendance figures at the Peninsula's coloured and black schools in the wake of the three-day protest.

Mr Tinus Dempsey, spokesman for the Ministers' Council in the House of Representatives, described the return to school by an estimated 60 000 to 70 000 pupils as "wonderful"

To page 3

From page 1

Schools

Though no official comment from the Department of Education and Training (DET) could be obtained, a reliable source close to the department said there had been a "magnificent return" by students following the "poor attendance" in black schools over the past week.

Speaking in the House of Representatives earlier, Mr Hendrickse had accused the Cape Times of "exploiting" a "difficult situation" in reporting that black and coloured classrooms in the Peninsula had been "virtually empty" on Wednesday.

He said attendance at coloured schools in the Peninsula had been between 83% and 94%.

Later Mr Hendrickse acknowledged that he had been mistaken and had quoted yesterday's attendance figures, not those for Wednesday.

Mr Dempsey described the Cape Times report on Wednesday's widespread absenteeism in the Peninsula — estimated as high as 90% — as "very close to the mark".

Sporadic incidents of unrest connected with the schools protest were reported by eyewitnesses yesterday, including the setting up of "burning barricades" in Athlone and the gutting of a bus in Bonteheuwel.

Police spokesmen could not confirm the incidents last night.

In a related response to the schools protest, a spokesman for the Western Cape Teachers' Union (Wectu) last night said the organization was "most impressed at the disciplined return to schools by the majority of pupils."

Wectu had, however, warned of the impending "crisis" earlier in the year because of the "harassment, detention and dismissal of its members at Manenberg Senior Secondary School and the locking out of students at black schools", he said.

Though there was high attendance at most schools throughout the Peninsula yesterday, a small number still had relatively few pupils in classes, including Uitsig, Ravensmead and Florida senior secondary schools.

Cathkin High School was closed yesterday after teachers advised students to go home.

CAPE 29/4/88 (251) 152

BLACKSCHOOLS

29/4/88
151

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~~SMF 7mks~~

From page 1

Schools

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To page 3

More patrols for Hillbrow

Sqwetan

29/4/88

meeting

251

By MZIKAYISE EDOM

POLICE are to increase the number of patrols in Hillbrow, Johannesburg, in a bid to stamp out crime and vagrancy, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said in Johannesburg this week.

Mr Meyer, who was accompanied by the Deputy Minister of Law and Order, Mr Leon Wessels and Jeppe MP, Mr Henne Bekker, was on a visit to Hillbrow on Wednesday night at the invitation of several

organisations, including traders, property owners, estate agents, residents and the local branch of the National Party

Representatives of the organisations were disappointed by the Minister's failure to address the Group Areas question during a three-hour meeting he held with them at a Hillbrow hotel

Mr Meyer was also accompanied by Nation-

al Party city councillors and officials of various government departments. The Minister of Health and Welfare Services in the House of Assembly, Mr Piet Badenhorst, did not attend the meeting as planned

The anti-Group Areas Act organisation, Actstop, which has been fighting the evictions of blacks in white areas, was not represented at the

He stressed that he had come to listen to local organisations on the problems in the area and not to announce any steps to be taken by the government, especially on the Group Areas Act

Addressing a Press conference attended by more than 30 local and foreign newsmen after the meeting, Mr Meyer said it was clear that solutions had to be found for a wide range of problems in Hillbrow



Mr ROELF Meyer

Steward

HOUSE OF DELEGATES

The MINISTER OF LAW AND ORDER

†Indicates translated version

For written reply

General Affairs

Indians: applications to join Police force

46 Mr K CHETTY asked the Minister of Law and Order

- (1) Whether any applications to join the Police Force were received from Indians living in (a) Port Elizabeth, (b) East London, (c) Cape Town and (d) Johannesburg during the latest specified period of 12 months for which figures are available, if so, how many were (i) successful and (ii) unsuccessful in each case,
- (2) whether Indian policemen are stationed in each province of the Republic, if not, (a) why not an (b) in which provinces are there no Indian policemen,
- (3) whether he intends taking any steps in this regard, if so, (a) what steps and (b) when,
- (4) whether he will make a statement on the matter?

(1) Yes

(a) (i) and (ii) None

(b) (i) None

(ii) One

(c) (i) Three

(ii) Six

(d) (i) Two

(ii) None

(2) No

(a) and (b)

Up until now Indian members have not been stationed in the Orange Free State because until recently Indians did not reside in those communities

(3) Yes

(a) and (b)

Indian members of the Force will be transferred to the Orange Free State in proportion to the increase of the Indian population in that province

(4) No

Steward

HOUSE OF ASSEMBLY

†Indicates translated version

For written reply

General Affairs

East London hunger strike in prison

434 Mrs H SUZMAN asked the Minister of Justice

- (1) Whether any detainees and/or prisoners in the East London Prison went on a hunger strike in January 1988, if so, (a) how many detainees and/or prisoners were involved and (b) what (i) was the duration of and (ii) were the reasons for the hunger strike,
- (2) whether any complaints have been received by the East London Prison authorities concerning the (a) food and (b) medical care given to detainees and prisoners, if so, (i) when were these complaints received, (ii) what was the nature of the complaints in each case and (iii) what action was taken in response to them,
- (3) whether he will make a statement on the matter?

The MINISTER OF JUSTICE

(1) (a) and (b) (i) and (ii)

Detainees in terms of the Emergency Regulations

No

However, thirty-one detainees in terms of the Emergency Regulations refused the meals served to them from lunch on 25 January 1988

Five of the thirty-one detainees took dinner on 27 January 1988. Another detainee refused his meals from breakfast on 28 January 1988. The five who took dinner on 27 January again refused breakfast on 28 January 1988. All the detainees took breakfast on 29 January 1988 and thereafter continued taking their meals regularly. The detainees refused to give a reason for their actions during this time and stated that they are not on a hunger strike

Sentenced prisoners and prisoners awaiting trial

Yes

A sentenced prisoner at East London Prison refused the meals served to him from 5 January 1988 up to and including lunch on 8 January 1988. The reason he gave for his hunger strike was that the doctor had not prescribed the "right" medical treatment for his complaints. However, he thereafter consulted two other doctors on five occasions

(2) Yes

In terms of Prisons Regulation 103 the Head of a Prison shall see every prisoner daily, investigate every complaint and request submitted by a prisoner and, as far as possible, dispose thereof. All these complaints and the manner of disposal are recorded and any complaint and request which cannot be disposed of by the Head of the Prison is submitted to the Commanding Officer without delay for his attention and disposal

Furthermore, Judges of the Supreme Court also visit prisons, and complaints and requests may also be submitted on these occasions

The honourable member did not indicate for which period the information is required, but for the purpose of answering the question, complaints regarding medical care/food submitted during January 1988 by an average of 1 183 prisoners and 52 detainees incarcerated in the East London Prison during that month, are furnished

Complaints by sentenced prisoners and prisoners who were awaiting trial:

None

Complaints by detainees in terms of Section 29 of Act 74/1982

None

Complaints by detainees in terms of the Emergency Regulations 88.01.20

COMPLAINT A detainee alleged that the bread was stale

DISPOSAL The Head and the Assistant

Head of the Prison investigated the matter personally and found the complaint to be without any substance. No other prisoner or detainee had complaints in this regard

The detainees in terms of the Emergency

Handwritten signature: Howard

(1) Whether, with reference to his reply to Question No 19 on 12 April 1988, the investigation into the alleged failure of a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, to report the presence of a trained ANC terrorist to the police in terms of section 54(4)(c) of the Internal Security Act, No 74 of 1982, has been completed, if not, why not, if so, whether any (a) charges are to be laid and/or (b) other action is to be taken in this connection, if so, what charges and/or action,

(2) whether he will disclose the nature of the information regarding the contravention of the said Act on which the Police were acting at the time of this person's detention, if not, why not, if so, what was this information?

(3) whether the trained ANC terrorist has not yet been apprehended

†The MINISTER OF LAW AND ORDER

(1) No, because the trained ANC terrorist has not yet been apprehended

(2) and (3) Fall away

Ashdown area, Pietermaritzburg: two persons killed

*29 Mr R M BURROWS asked the Minister of Law and Order

(1) Whether two persons, whose names and probable political affiliations have been furnished to the South African Police for the purpose of the Minister's reply, were killed in the Ashdown area of Pietermaritzburg on or about 4 April 1988, if so, (a) when were they killed and (b) what are their names and political links,

(2) whether these persons were part of a group of passengers who had alighted from a police vehicle, if so, (a) what was the size of this group and (b) why were these persons being transported,

(3) whether this group of persons was dropped in their home area, if not, (a) in which area are their homes situated, (b) what is the distance between the home area and the point at which they were dropped and (c) why were they dropped at that point,

(4) whether any complainants have been re-

Handwritten signature: Howard

ceived in regard to the transport arrangements made by the Police in such cases, if so, (a) from what persons or bodies and (b) when,

(5) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) 4 April 1988

(b) The names that were furnished by the hon member The South African Police does not have information regarding their political affiliations

(2) and (3) As a result of reciprocal attacks on Ashdown and Mpumaza residential areas by opposing groups of persons, the South African Police separately took a number of persons from each group to a police office for questioning. After the questioning had been completed, the persons who were eliminated as suspects were returned to the places from which they had been taken. The two persons involved requested that they be dropped off at a shop in Plessislaer. Their request was acceded to

(4) Yes

(a) and (b) From the hon member himself, as well as from a delegation of the KwaZulu Government after this incident had taken place

(5) Yes Six persons are presently being detained in connection with this incident

*30 Mr R M BURROWS — Administration and Privatization [Reply standing over]

Scottburgh police station: transfer of officer

*31 Mr R M BURROWS asked the Minister of Law and Order

(1) Whether the officer who was second in command of the Scottburgh police station was transferred recently, if so, (a) why and (b) to which post was he transferred,

(2) whether he or the South African Police received a complaint from a certain person, whose name has been furnished to the Police for the purpose of the Minister's reply, regarding this police officer's ap-

pointment, if so, (a) what was the (i) basis of this complaint and (ii) response thereto and (b) what is the name of the complainant,

(3) whether the Police have any information on the political links of the complainant, if so, what are they,

(4) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) and (2) I refer the hon member to my reply to oral Question No 3 in the House of Delegates on 21 April 1988, as well as my reply to questions arising from that reply, which I regard as sufficient

(3) No

(4) No

Mr R M BURROWS Mr Chairman, arising from the hon the Minister's reply, could he put this House in possession of that answer since it has not yet been circulated through Hansard?

†The MINISTER Mr Chairman, I am not in control of Hansard distribution. However, I shall accommodate the hon member and make copies of my reply available to him

Mr R M BURROWS Mr Chairman, arising from the reply of the hon the Minister in the House of Delegates, will he take questions in this House in respect of an answer that he has given in another House on this particular matter?

†The MINISTER Mr Chairman, I think the hon member should first read my replies, then he can ask me the supplementary questions, otherwise he may ask things that have already been said in the replies

Mr D J DALLING Mr Chairman, on a point of order. The hon the Minister knows full well that it is quite impossible to ask questions arising from the answer if the answer is circulated in the manner which he suggests. Could we therefore request that the hon the Minister accommodate this side of the House and gives us the answer that he gave to the House of Delegates?

The CHAIRMAN OF THE HOUSE Order! It is completely in the hon the Minister's discretion as to whether he wants to answer supplementary questions or not. I leave it at that

Mr R M BURROWS Mr Chairman, on a point

of order. The hon the Minister has given an answer that he has answered this particular question in another House. It is absolutely impossible for any of us in this House to have had sight of that particular answer. We are asking the hon the Minister to answer this question in this House so that we can ask questions arising from it. It is not a matter of whether he chooses to answer them or not. We do not even have the ability to ask any questions arising from that answer

The CHAIRMAN OF THE HOUSE Order! As I understand from the hon member this question was answered in another House and the reply has not yet been circulated. The hon member has asked his question here and the hon the Minister has referred him to the answer which he gave in the other House

Mr R M BURROWS Mr Chairman, again on a point of order. As far as I am aware, having had sight of the question asked in another House, I certainly believe there are parts of this question which were not asked in the other House

The CHAIRMAN OF THE HOUSE Order! It is for the hon the Minister to decide how to answer the question. I cannot take it further than that

†The MINISTER Mr Chairman, I gave a full reply in the other House and it was about the [Interjections] It seems to me that the hon members are not interested in hearing what I have to say to them. I am not eager to speak. If they do not wish to listen to what I have to say, I shall keep quiet. In the other House I gave a full reply, because it was about a matter affecting the members of the other House. It was about an Indian lieutenant and I made a full reply available there. [Interjections] I am sorry that the hon member does not have that detailed information here now, but I suggest that he reads it. He can ask further questions afterwards. I shall make my reply available to him in respect of his supplementary questions

Land sold to Elicorp Property Developers

*32 Mr D J N MALCOMESS asked the Minister of Transport Affairs

(1) Whether, with reference to his reply to Question No 7 on 12 April 1988 on the sale of a piece of South African Transport Services land for the development of the Clarendon Gardens project in East Lon-

Trojan Horse:
A-G refuses to prosecute

MCCW
3/5/88
251

By STEPHEN WROTTESELEY
Crime Reporter

THE Attorney-General of the Cape, Mr Neil Rossouw, has declined to prosecute policemen in two cases arising out of the killing of people during unrest on the Cape Flats.

One involves the so-called "Trojan Horse" incident in which three people died when police popped up from boxes on the back of a lorry and opened fire during the height of the unrest in Athlone in 1985.

In March this year, a Wynberg magistrate found a police lieutenant and his task force responsible for the killings, and found negligence was involved.

In the second case, Mr Rossouw has declined to prosecute Brigadier Martinus Mans, former district commandant of Bellville, and Captain Okkie van Schalkwyk, former head of the district's riot unit.

After the two policemen were acquitted of murder following an unrest incident in Bellville in 1985, police said the case had led to charges of defeating the ends of justice and perjury being investigated against the officers.

Commenting on the Trojan Horse decision, Mr Rossouw said the Criminal Procedures Act allows for a private prosecution by persons who prove "substantial and peculiar interest" when the attorney-general declines to prosecute.

Mr Rossouw said that before to his decision not to prosecute, he had received indications there might be a private prosecution.

INTERNATIONAL

4/5/88

251

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Trojan Horse: Families of shot boys to be paid compensation

Staff Reporter

THE families of two boys killed in the "Trojan Horse" incident in Athlone three years ago are to be compensated for their funeral expenses by the Minister of Law and Order, Mr Adrian Vlok.

In a letter the Minister informed attorneys acting for the families of Michael Miranda, 11, and Shaun Magmoed, 16, that he would pay for their funeral expenses and legal costs.

Attorney Mr Gary Jansen said today that each family

would get about R900.

Yesterday the Attorney-General of the Cape, Mr Niel Rossouw, said he had declined to prosecute the policemen involved in the Trojan Horse incident in which three people died after police hidden in boxes on the back of a lorry opened fire in Athlone in 1985.

In March an inquest court ruled that a police lieutenant and his task force were responsible for the killings and that negligence was involved.

Mr Jansen said the families

of the two boys would decide at the weekend about a private prosecution.

FOR SUBSCRIPTION INQUIRIES — TELEPHC

DID 415188

Cape A-G will not prosecute police officers

251

CAPE TOWN — The Attorney-General of the Cape, Mr Neil Rossouw, has declined to prosecute policemen in two cases arising out of the killing of people during unrest on the Cape Flats.

One involves the so-called "Trojan Horse" incident in which three people died when police popped up from boxes on the back of a lorry and opened fire during the height of the unrest in Athlone in 1985.

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After the two policemen were acquitted of murder following an unrest incident in Bellville in 1985, police said the case had led to charges of defeating the ends of justice and perjury being investigated against the officers.

Commenting on the Trojan Horse decision, Mr Rossouw said the Criminal Procedures Act allows for private prosecutions by persons who prove "substantial and peculiar interest," when the attorney-general declines to prosecute.

Mr Rossouw said that before his decision not to prosecute, he had received indications there might be a private prosecution — Sapa

Killers attempt to escape gallows

By Joe Openshaw

Convicted double murderers and former policemen Jack la Grange (40) and Robert van der Merwe (30) continue today their bid to escape the gallows

Yesterday, Mr Justice Irving Steyn heard argument in the Rand Supreme Court by Mr Bill Maritz *pro deo* for Van der Merwe and Mr Broekies Bruwer for La Grange

The two were found guilty last month without extenuating circumstances of murdering Mr Bennie Alex Ogle of Ennerdale on September 18 last year, three hours later attempting to kill Mr Ernest Molokoane of Soweto; and on October 4 murdering Mr Peter Pillay of Eldorado Park.

Van der Merwe, a former member of the Brixton Murder and Robbery Squad, is applying for leave to appeal against the judge's finding of no extenuating circumstances in the murder of Mr Pillay, against sentence of death for the murder of Mr Ogle and sentence of 10 years for attempted murder.

La Grange, former head of the East Rand Murder and Robbery Squad, is applying for leave to appeal against conviction and sentence on both counts of murder and of culpable homicide.

CONFESSED

Van der Merwe confessed to murdering Mr Ogle and shooting Mr Molokoane with a 22 automatic and said he had been asked to do so by La Grange, who told him he had instructions from head office to eliminate them because they were members of the ANC and drug dealers

He also confessed to shooting Mr Pillay five times in the head with a 32 revolver.

La Grange denied he had anything to do with the killings

Mr Maritz said the court had been wrong when weighing up the facts to say Van der Merwe misused his power as a policeman in luring Mr Molokoane out of his home on September 29.

Not enough emphasis had been placed on the fact of Van der Merwe's subjective belief that he was executing a plan of action

Mr Bruwer asked for a special entry in the record that the secret tapes used as evidence against La Grange were unfair.

He also asked for an entry that a taped recording of a conversation La Grange had had with his counsel after his arrest had been obtained illegally and was a breach of privilege

DD 4/5/88

La Grange bid for leave to appeal (251)

JOHANNESBURG —

The former head of the East Rand Murder and Robbery squad, Captain Jack La Grange, and Sergeant Robert van der Merwe, who were sentenced to death twice for the murder of two drug dealers, applied for leave to appeal in the Rand Supreme Court yesterday.

Both policemen were sentenced to death for the murders of Mr Bennie Ogle and Mr Peter Pillay

They received 10 year

prison sentences for the attempted murder of Mr Ernest Malakoane

La Grange has asked for leave to appeal against his sentence on all three charges

Van der Merwe has applied for leave to appeal against his sentence for the murder of Mr Ogle, the attempted murder of Mr Malakoane, and that there were no extenuating circumstances regarding the murder of Mr Pillay

The application continues today. — DDC

Policemen to appeal against death sentence

12/5/48 SUSAN RUSSELL (S) 12/1/48
FORMER East Rand Murder and Robbery squad head Jack la Grange and police sergeant Robert van der Merwe, who were sentenced to death twice for the murder of two drug dealers, applied for leave to appeal in the Rand Supreme Court yesterday.

Both policemen were sentenced to death for the murders of Bennie Ogle and Peter Pillay last year.

They received 10-year prison sentences for the attempted murder of a third man, Ernest Malakoane.

La Grange has asked for leave to appeal against his conviction and sentence on all three charges.

Van der Merwe has applied for leave to appeal against his sentence for the murder of Ogle and attempted murder of Malakoane. He has also asked for leave to appeal against the court's finding that there were no extenuating circumstances surrounding his involvement in the murder of Pillay.

Man gets death four times

SUE RUSSELL

A MAN who sodomised and murdered a 13-year-old girl has been sentenced to death four times. He will be hanged at dawn. He can browse through the Gold or any other sector by pressing one

A-G declines to prosecute policemen over killings

Star 4/5/88

251

Own Correspondent

CAPE TOWN — The Attorney-General of the Cape, Mr Niel Rossouw, has declined to prosecute policemen in two cases arising from the killing of people during unrest on the Cape Flats.

One case involves the "Trojan Horse" incident in which three people died when police opened fire in Athlone in 1985.

In the other case, Mr Rossouw has declined to prosecute Brigadier Martinus Mans, former dis-

trict commandant of Bellville, and Captain Okkie van Schalkwyk, former head of the district's riot unit.

After the trial of two policemen acquitted of murder following an unrest incident in Bellville, police announced that charges of defeating the ends of justice and perjury were being investigated.

Mr Rossouw said it was normal in such cases for departmental inquiries to be held.

Credit curbs put the brake on economy

By Michael Chester
Economic signals have been switched from green to amber by the package of credit curbs announced yesterday by the Government, said representatives of big business today.

The Association of Chambers of Commerce and Industry commented: "Against the background of mounting evidence recently that a degree of 'overheating' in the South African economy was emerging, it is clear that early action on the part of the authorities was unavoidable." *5/5/88*

Assocom chief executive Mr Raymond Parsons said: "What is important is whether the

economy can be kept on an even keel as a result of the latest fiscal and monetary measures. The economic signals have now changed from green to amber."

Dr Azar Jammie, director of the Econometrix research unit, said: "The Government had no alternative to credit restrictions, but the package is a sad indictment on the overall state of the economy."

"It seems that every time economic growth gets going, the brakes have to be slammed on."

One encouraging aspect was that the Reserve Bank clearly intended slowing down the money supply, which should favourably affect inflation.

Blast damages SAP hostel, grenade flung into house

By Craig Kotze
Crime Reporter *251*

An explosion rocked the SAP single quarters in Kagiso township near Krugersdorp early this morning, causing extensive damage but injuring no-one.

And in another apparently insurgency-related incident, a hand grenade was flung into a private home in Mamelodi near Pretoria. No-one was injured but the house was damaged, police said.

A Pretoria police spokesman said the Kagiso blast happened 45 minutes after midnight.

The device used had not yet been identified but an intensive investigation was underway to

find the bombers. It was not yet known who was responsible.

Forensic experts visited the scene this morning, said the spokesman.

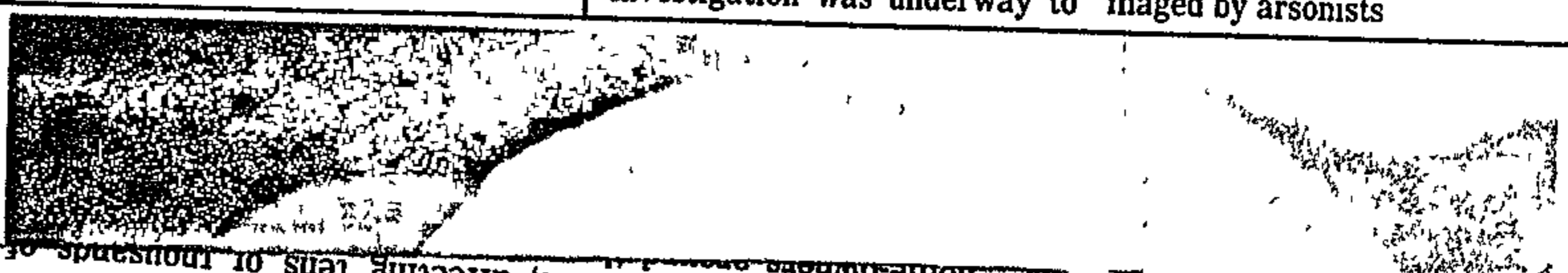
The explosion was one of several unrest incidents reported by police over the past 24 hours.

Also in Kagiso, a private house was damaged by arsonists.

On the East Rand, a delivery vehicle was damaged when it was set alight in kwaThema.

At Mitchells Plain in the Western Cape a private vehicle was damaged by stone-throwing youths. Two were arrested.

At Zwide in the Eastern Cape, a school classroom was damaged by arsonists.



home-owning... tens of thousands of...

La Grange appeal bid: judgment ⁽²⁵¹⁾ expected today

Stey
5/15/88

By Joe Openshaw

Judgment will be given in the Rand Supreme Court today in the application for permission for leave to appeal by two former policemen, Robert van der Merwe (30) and Jack la Grange (40), who last month both received a double death sentence for murdering Mr Bennie Ogle and Mr Peter Pillay.

Mr Justice Irving Steyn has listened to argument since Monday by Mr Bill Maritz, *pro deo* for Van der Merwe; Mr Broekies Bruwer, for La Grange, and Mr Klaus von Lieres, for the State, who is opposing both applications.

The two former policemen were found guilty of murdering Mr Ogle, of Ennerdale, on September 18 last year, three hours later attempting to kill Mr Ernest Molokoane of Soweto, and on October 4 of murdering Mr Pillay, of Eldorado Park.

Van der Merwe, a member of the Brixton Murder and Robbery Squad, is applying for leave to appeal against the judge's finding of no extenuating circumstances in the murder of Mr Pillay, against sentence of death for the murder of Mr Ogle and sentence of 10 years for the attempted murder of Mr Molokoane.

La Grange, former head of the East Rand Murder and Robbery Squad, is applying for leave to appeal against conviction and sentence for both counts of murder and of culpable homicide.

Van der Merwe confessed to murdering Mr Ogle and shooting Mr Molokoane with a .22 automatic and said he had been asked to do so by La Grange.

He also confessed to shooting Mr Pillay five times in the head with a .32 revolver after La Grange had told him that head office considered Mr Pillay dangerous because he was an ANC contact, a drug dealer and a threat to their clandestine operations.

through negotiation

Indecency arrest: Cop reprimanded

CPA 2/17/85 5/5/85

Political Staff

251

THE policeman who arrested a Sharpeville mother who was breast-feeding her baby at the Vereeniging police station in November last year was severely reprimanded by the Commissioner of Police, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Mr Vlok, who was replying to a question from Mr Willie Dietrich (LP, Bethelsdorp), said he wanted to point out that "shortly after this unfortunate and isolated incident had taken place, the matter was personally dealt with by the Commissioner of the South African Police.

"He severely reprimanded the member of the force concerned and immediately issued appropriate instructions to prevent a recurrence of similar incidents," Mr Vlok said.

DD 6/5/88
La Grange: application dismissed

JOHANNESBURG — Only a petition to the Chief Justice and a plea to the state president for clemency stand between former policemen Jack la Grange and Robert van der Merwe and the gallows after they lost their application for leave to appeal against double death sentences yesterday

(251)
Their application was dismissed in

the Rand Supreme Court yesterday by Mr Justice Irving Steyn

Both men were given double death sentences in March for the murder of two drug dealers, Bennie Ogle and Peter Pillay, in September and October last year.

They also each received 10 years imprisonment for the attempted murder of Soweto businessman, Mr Ernest Malakoane. — DDC

Body recovered from dam

Teenager says policemen killed his companion

By Jo-Anne Collinge

Police are investigating the possible murder of a kwaThema teenager who was last seen plunging into a dam while policemen fired shots over his head, according to an affidavit lodged with lawyers.

More than a week after the incident, which took place on April 24, police recovered a body from the dam and identified it as Mr Lucky Khanye (19).

Police are now investigating charges of murder and attempted murder, according to their Division of Public Relations in Pretoria.

The last person to see Mr Khanye alive was Mr Ntsizwa Sithole, also aged 19. The two teenagers were both at a kwaThema shebeen prior to the incident. Both were also allegedly forced to dive into the dam while shots were fired into the air over their heads.

Mr Ntsizwa reported the matter to the police after hearing that his friend had never returned home.

A police statement confirmed an investigation was underway "A man reported a case of assault to the South African Police on April 29 and alleged that he and a friend were assaulted by

three men who he has reason to believe are members of the South African Police"

Mr Ntsizwa also gave an affidavit to his lawyers, stating: "While walking home (from the shebeen) a yellow police van came to stop next to us. Two white policemen alighted.

"Both policemen ordered us to get into the back of the van. They punched both Lucky and me in the face.

"The police drove around the township with us and later drove out of the township. It was very dark. We did not know where we were being taken to. The van stopped next to a dam near Nyan-yathu Street, kwaThema

"The police hit both of us with fists and ordered us to go into the dam. We walked into the dam. The police ordered us to walk further into the dam. One of the policemen fired shots over our heads.

"I was holding Lucky at the time. He broke loose and ran further into the dam.

"The police kept on firing shots into the air and threatened to kill us. Lucky disappeared. I saw the police going to the van and driving away."

Call for retrial of Sharpeville Six

Defence counsel for the Sharpeville Six handed in affidavits to the Pretoria Supreme Court yesterday asking for their retrial on the basis that a witness, or witnesses, had come forward with new evidence.

Mojalefa Sefatse (32), Reid Mokoena (24), Oupa Diniso (32), Duma Khumalo (28), Francis Mokgesi (30) and Theresa Ramashola (26) were sentenced to death for the murder of Lekoa deputy mayor, Mr Kuzwayo Dhlamini, on September 3/1984. He was killed by a mob enraged by rent increases.

Their defence counsel was given until Monday to give notice of an application for a retrial.

According to the registrar of the court, Mr P J van Zyl, the next step would be a reply to the affidavits.

CALL TO CROSS-EXAMINE WITNESS

The six won a reprieve from the gallows on March 17 and again on April 18.

In documents handed in to court on April 15, the attorney for the defence, Mr Prakash Diar, applied for a reopening of the trial for further cross-examination of a State witness, Mr Josef Maneti, who alleged he had been forced by the police to give evidence against two of the accused.

Mr Diar said that in view of Mr Maneti's evidence, other witnesses might also be called.

The case has evoked international outcries against South Africa.

In mid-March, West German Chancellor Helmut Kohl appealed to President Botha to spare the lives of the six people on death row. "I strongly request you not to ignore this appeal," he said.

The Canadian Department of External Affairs also called on the Government to grant a month's stay of execution to provide time for "further legal consideration". — Sapa.

Explosion rocks SAP building

251

By Craig Kotze,
Crime Reporter

An explosion rocked the SAP single quarters in Kagiso township, near Krugersdorp, early yesterday morning, causing extensive damage but injuring no-one.

The device used has not yet been identified but an intensive investigation is under way to find the bombers.

In another apparently insurgency-related incident, a hand grenade was thrown into a private home in Mamelodi, near Pretoria. No-one was injured but the house was damaged, police said.

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La Grange's appeal application rejected

Star 6/5/64 By Joe Openshaw (251)

Applications for leave to appeal against the double death sentences imposed on two former policemen convicted of murder, Robert van der Merwe (30), and Jack la Grange (40), were refused in the Rand Supreme Court yesterday.

The two will now petition the Chief Justice, counsel for the condemned men said after the hearing.

Mr Justice Irving Steyn, in refusing the application for leave to appeal, said he could see "no prospect at all of these appeals succeeding".

BREACH OF PRIVILEGE

He also dismissed as "frivolous and absurd" an application by Mr Broekies Bruwer, for La Grange, that a special entry be made in the record that recorded tapes — ruled admissible as evidence — of conversations between Van der Merwe and La Grange were irregular, illegal and unfair, and that there had been a breach of attorney-client privilege because a conversation between La Grange and his legal team had been listened to and taped by police.

He refused on the same grounds Mr Bruwer's request for a special entry to the effect that the court had erred in not granting a request for La Grange to be examined by a psychiatrist for a report on his state of mind before sentence was passed, and refused to consider an entry that police had tapped La Grange's home telephone without the permission of the Postmaster-General.

The judge found no medical grounds for a psychiatric report. La Grange, he said, had denied taking part in the murders and being present when the crimes were committed. What his state of mind was at the time was therefore irrelevant.

DEATH SENTENCES

The two ex-policemen were found guilty without extenuating circumstances of murdering Mr Bernie Ogle of Ennerdale on September 18, three hours later attempting to kill Mr Ernest Molokoane of Soweto and on October 4 murdering Mr Peter Pillay of Eldorado Park.

Van der Merwe, a member of the Brixton Murder and Robbery Squad, had applied for leave to appeal against the judge's finding of no extenuating circumstances in the murder of Mr Pillay, against the death sentence for the murder of Mr Ogle and the ten-year sentence for the attempted murder of Mr Molokoane.

La Grange, former head of the East Rand Murder and Robbery Squad, applied for leave to appeal against conviction and sentence for both counts of murder and of culpable homicide.

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Defence raises time factor

GRAHAMSTOWN — The state witnesses themselves proved that the two Unrest Unit policemen could not have committed some of the acts attributed to them, defence counsel, Mr C Jansen, SC, claimed in the Supreme Court here yesterday.

He said the state alleged that W/O Leon de Villiers, 37, and Constable David Patrick Goosen, 27, were guilty of assaulting Mr Michael Qhina by stabbing him. But Mrs Nompe Qhina had stated that they had reached the hospital by 1.30 am on July 26, 1986. The radio log at the Ops Room showed that the Unrest Unit squad had not entered the Cradock township until 2.20 am that night.

It was impossible that the accused were responsible for Mr Qhina's injury

Dealing with the state argument of common purpose — that W/O De Villiers and Const Goosen had led a team of inebriated, inexperienced youngsters on a "black bashing" expedition, and consequently were jointly responsible for whatever happened — he said there was a great deal of uncertainty about whether the term "moering tools" was used, and not a tittle of evidence that either accused ever suggested that people should be assaulted

The defence will continue its argument on Monday.

Earlier, the Attorney General, Mr J A van S. D'Oliveira, SA, had asked the court to convict the two accused of murdering Mr Lungile Stuurman by shooting him, murdering Mr Andile Plaatjies, assaulting Mr Qhina, and attempting to defeat the ends of justice — DDC

Contagious livestock abortion causing concern in Ciskei

Daily Dispatch Reporter BISHO — Contagious abortion in livestock in Ciskei is causing concern in the Ciskei Department of Agriculture

A statement issued by the Agricultural Media Information Services said the veterinary division of the department had conducted many tests to diagnose the cause of retained after-birth and abortion in cows and heifers

The results of the tests indicate that all cows and heifers in Ciskei should be vaccinated against the disease

The head of the veterinary division, Mr A M Mbontsi, said the disease was "complicated and we do not know where it started".

"All our new stock is brought in from South

Africa, but I do not think that this is where the disease came from, as it is prevalent on the free range animals in Ciskei, which are locally bred

Mr Mbontsi said the vaccination of all cows and heifers was the first phase. There were between 80 000 and 90 000 cattle in Ciskei of which 40 000 to 50 000 were cows and heifers

"The cost of the vaccine is 60c an application, but there is a shortage of the vaccine in Ciskei at the moment

"Once we get fresh supplies, it will take two weeks to complete the vaccination programme," he said

"We have developed a special ear dye for the animals that have been vaccinated which stops revaccination

"The next phase is the castration of all bulls in the country that have not been supplied through the Ciskei Government and vaccinated"

"Bulls can spread the disease quickly through a herd of cows and it is sometimes difficult to stop the bulls from wandering from an enclosed field

"The vaccine is not a total immunisation against the disease but at least it will bring the disease under control"

The South African state veterinarian here, Dr Bruce Anderson, said contagious abortion was prevalent throughout Southern Africa and was controlled in South Africa in conjunction with cattle tuberculosis

DAILY DISPATCH, FRIDAY, MAY 6, 1988 — 7

Co-operation needed between opposition parties says Worrall

Daily Dispatch Reporter

QUEENSTOWN — Some basis of co-operation between different political parties and organisations within the creative opposition was definitely necessary, the leader of the Independent Party (IP), Dr Denis Worrall, said here yesterday

He said this had been confirmed at the seven public meetings which he and the former leader of the now defunct New Republic Party, Mr Pat Rogers, had addressed on the Border and in the Eastern Province this week

"The Independent Party is drawing supporters from across the political spectrum — including from within the National Party

"Consequently there is clearly a need for us



DR WORRALL

all, the IP, Labour Party, Progressive Federal Party and the National Democratic Party, to get our act together, but two things are extremely important

Firstly, this must be done across the colour line and, secondly, we

must not lose sight of the strategic objective which is to provide an alternative home for disenchanted Nationalists"

This is something that could not be rushed, and talk and speculation of imminent pacts was unrealistic, Dr Worrall said

Dr Worrall and Mr Rogers, who is the party's co-ordinator in the Border and Eastern Province regions, addressed a lunch-time meeting here, attended by 80 people

He said a concerted effort would be made to establish branches of the IP in the area. The party policy of a non-racial, democratic country with a free market economy was gaining tremendous support, Dr Worrall added

Govt sending security ^{DID 6/5788} forces to do its dirty work in schools — MP ²⁵⁷

Political Correspondent

CAPE TOWN — The government was sending in the security forces to do its political dirty work in black schools instead of addressing the legitimate political demands of the community, the independent MP for Claremont, Mr Jan van Eck, said yesterday.

Mr Van Eck said the Department of Education and Development Aid had refused to negotiate with parent/teacher/student associations at black schools because it refused to relinquish any of the government's control over black people.

The security forces had done the department's political dirty by repressing movements such as the National Education Crisis Committee (NECC) and the Democratic Teachers Union (DETU) — organizations which the minister should have been negotiating with, Mr Van Eck said.



MR VAN ECK

The security forces had also been used to prevent parents, teachers and students from meeting to discuss an end to the crisis, he said.

“When various parent/teacher associations’ wanted to meet on January 14 this year at Nonzwakaze Church in Guguletu for the purpose of explaining the new registration process, the South African Police blocked the entrance to

the church.

“When the parent/teachers associations’ again wanted to meet on January 20 at the same church for the purpose of encouraging parents to register all students, the South African Police again barred the entrance

“This police action is fundamental to the present crisis.

“Had these meetings been allowed to take place there would probably not have been the crisis we are now faced with, as well as the fact that about 1 000 students are locked out of the schools.”

The National Party MP for Pretoria Central, Mr G. C. Oosthuizen, strongly criticised Mr Van Eck for his association with racial causes and said the government had a duty to ensure that pupils were able to go to school as well as a duty to protect the community.

Howard

1341

MONDAY, 9 MAY 1988

1342

HOUSE OF ASSEMBLY

†Indicates translated version

For written reply

General Affairs

5
nr

Police Force of self-governing territory' persons detained/removed from RSA

39 Mr P G SOAL asked the Minister of Law and Order

(1) Whether any persons were (a) detained in South Africa by persons other than members of the South African security forces and (b) removed by these persons from South African territory since 27 May 1987, if so, (i) how many as at the latest specified date for which information is available and (ii) by whom were they detained,

(2) whether permission had been obtained from the South African Police prior to such action being taken, if not, (a) in respect of which cases and (b) what action was taken by the Police as a result,

(3) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) and (2) No, but by members of a police force of a self-governing territory

However, because the revolutionary onslaught is also aimed at the self-governing territories, I do not consider it to be in the interest of the safety of those territories to divulge information regarding the actions by the police forces of those territories

(3) Yes According to the Regulations promulgated in terms of the Public Safety Act, 1953 (Act 3 of 1953) by Proclamation R96 of 11 June 1987, "Security Force" is defined as follows

(a) the South African Police referred to in the definition of "the Force" in section 1 of the Police Act 1958 (Act 7 of 1958),

(b) any part of the said South African Police of which the control organisation and administration have been transferred to the government of a self-governing territory.

(c) any police force established by or under a law of a self-governing territory,

(d) the South African Defence Force referred to in section 5 of the Defence Act, 1957 (Act 44 of 1957), or

(e) the Prisons Service established by section 2 of the Prisons Act, 1959 (Act 8 of 1959), and also any part of any such force or any combination of two or more of such forces or of parts of such forces

In the unreported case *Mathebe vs The Minister of Law and Order of KwaNdebele in Pretoria* on 22 December 1987, the judge ruled that notwithstanding this definition, the KwaNdebele Police do not have jurisdiction or powers of arrest outside the borders of KwaNdebele. This ruling is at present on appeal and will be heard by the Appeal Court, Bloemfontein

National servicemen: attempted suicide/suicide
1023 Mr J H VAN DER MERWE asked the Minister of Defence +

(1) Whether any cases of (a) attempted suicide and (b) suicide in respect of national servicemen were reported in the past two years, if so, how many in each category in each of these years,

(2) whether these suicides and attempted suicides have any common cause, if so, what is this cause?

The MINISTER OF DEFENCE

(1) The honourable member is referred to the replies to written questions number 187 of 1987 and 152 of 1988 in this House

(2) No

Representatives at economic summit conference
1032 Mr C J DERBY-LEWIS asked the State President

Whether, he will furnish information on the persons who attended the economic summit conference held in 1987 if not, why not, if so (a) how many persons represented (1) the

9/15/03
251

A RAND Supreme Court judge, Mr Justice Irving Steyn, last week refused leave to appeal to two former policemen, Robert van der Merwe and Jack la Grange.

Both men had asked for leave to appeal against their double death sentence and 10 years' imprisonment each on two charges of murder and one of attempted murder

La Grange also asked for leave to appeal against his conviction

Last bid

An application by La Grange that a special entry be made in the court records in connection with several alleged irregularities was also refused

La Grange and Van der Merwe's legal representatives are to make a last attempt to save them from hanging by submitting a petition to the chief justice asking for leave to appeal — Sapa

ARGUS 10/5/88

COURTS

(25)

(28)

Claim police burnt shacks 'unthinkable'

Supreme Court Reporter

IT would have been against a policeman's culture and training to take sides in the conflict in KTC in June 1986, the Supreme Court has heard.

This was said under cross-examination by the former Commissioner of Police, General Petrus Johannes Coetzee, in the R200 000 Supreme Court damages claim by 21 KTC residents and the local Methodist Church against the Minister of Law and Order

General Coetzee said it was "unthinkable" that police would take part in the burning down of shacks in KTC because it clashed with the entire culture and "milieu" of the police.

It was the duty of the police to act against people who violated the rights of others.

But, he said, their actions in an unrest situation would be no different from those when involved with everyday combating of crime in other spheres

"In essence, the attitude of the police to an ordinary criminal was no different to a 'comrade'," General Coetzee said.

"Policemen deal with offenders every day. They don't develop a dislike for them. Their training teaches them that even criminals have rights"

Mr Henri Viljoen SC (for the plaintiffs). What is the attitude of black officers and young men in the field to people who kill and injure their colleagues? Speaking humanly, they just cannot remain unscathed. They must be hostile towards these people... doesn't this allow antagonism to build up?

Murder, robbery

General Coetzee Exactly the same problems affect all other policemen, in murder and robbery for instance, but it doesn't knock them off their stride. The force does not get thrown off balance by this type of thing.

Mr Viljoen Is a reference to the comrades in the police

force a reference to the enemy?

General Coetzee No The extremely gruesome necklace murders — committed mostly by comrades or anti-government activists — may affect the young impressionable policeman, but the force is not negatively affected by them

The general said the burning of the Crossroads satellite camps in May 1986 was so serious that he made his one and only visit to the area then

He had ordered the barbed wire fence to be erected in Mahobe Drive to keep the two sides apart as he did not think a "mere" police presence would achieve this aim. The fence was not to keep people away from their burnt-out homes.

⊙ The plaintiffs have alleged that the police assisted in, alternatively failed to prevent, "witdoek" attacks on June 9, 10 and 11 1986, which destroyed KTC

The Minister has denied complicity

(Proceeding)

is he prepared to disclose to Parliament that part of the report which contains the findings on Mr Riaan Eksteen — the matter has had country-wide repercussions?

†The MINISTER Mr Speaker, it does not even go without saying that there is a part of the report which deals with Mr Eksteen

Former director-general of SABC: resignation

*8 Mr S C JACOBS asked the Minister of Information, Broadcasting Services and the Film Industry †

(1) Whether he or his predecessor received, either directly or indirectly, any requests and/or instructions in connection with the resignation of the former director-general of the SABC, if so, (a) (i) from whom and (ii) when, (b) what was the purpose of the requests and/or instructions and (c) (i) (aa) when, (bb) where and (cc) to whom did he convey the requests and/or instructions and (ii) what was the purpose of his words to such person or persons,

(2) whether he was in touch with the Board of the SABC before 20 April 1988 about the resignation of the said director-general, if so, (a) when and (b) what was the purpose of this conversation,

(3) whether he intends discussing, either directly or indirectly, the question of the successor in the post of director-general of the SABC with the (a) State President and (b) Board of the SABC, if not, why not, if so,

(4) whether he will convey the standpoints of the State President in this connection to the Board of the SABC,

(5) whether he will make a statement on the matter?

The MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY

(1) No

(a) to (c) Fall away

(2) No

(a) and (b) Fall away

(3) Because of the nature of the importance of the post of the director-general of the SABC I will discuss the matter directly

with various persons and institutions as every second person enquires about it I never discuss a subject indirectly with anybody

(4) The conveying of messages between the State President and the Board of the SABC does not fall within the responsibilities of the Minister concerned

(5) No

†Mr SPEAKER Order! The hon member for Port Elizabeth Central raised a point of order earlier, and the hon the Minister is now dealing with questions which relate to it I rule that the point of order in connection with Question 1, which was put to the State President, is not a valid one, and that the hon the Minister's reply is within the prescribed rules

†Mr S C JACOBS Mr Speaker, arising out of the hon the Minister's reply on behalf of the State President, is he saying that the aspects with which the hon the State President dealt in his speech, cover all the questions put in Question 1?

†The MINISTER Mr Speaker, it is evidently

†Mr S C JACOBS Not "evidently"! Is it the case?

†The MINISTER That is evidently the purpose of the hon the State President's reply which I gave on his behalf

Utilization of graduate members of SAP according to their qualifications

*9 Mr L DE BEEER asked the Minister of Law and Order †

Whether graduate members of the South African Police Force who have qualifications relating to police work, are being used according to their qualifications, if not, why not, if so, what percentage of such members are being so used?

†The MINISTER OF LAW AND ORDER

Yes, as far as possible, all graduate members are appropriately employed However, instances may occur where graduates, as a result of exceptional reasons, are not appropriately employed As far as can be ascertained, there are at present no such instances

Tapping of telephone conversations

*10 Mr L DE BEEER asked the Minister of Communications †

(1) Whether he will furnish information on the tapping of telephone conversations, if not, why not, if so,

(2) whether during the latest specified period of 12 months for which figures are available his Department granted permission for the tapping of telephone conversations of members of the House of Assembly, if so,

(3) whether he will furnish any further information in this connection, if not, why not, if so, (a) in respect of which members, (b) when, and (c) at whose request was such permission granted, in each case?

The MINISTER OF NATIONAL EDUCATION (for the Minister of Communications)

(1) No, because it will not be in the country's interest to furnish the information It is pointed out to the hon member that the provisions of section 118A of the Post Office Act are at all times being strictly complied with and that no application for a telephone interception is granted for any other reason than for the maintenance of the security of the Republic,

(2) and (3) fall away

Hospital board of Witbank: new members

*11 Mr W J D VAN WYK asked the Minister of Constitutional Development and Planning †

Whether any new members were appointed to the hospital board of Witbank during the latest specified period of 12 months for which information is available, if so, (a) what are their names and (b) on whose recommendation were they appointed?

†The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

This information was furnished by the Transvaal Provincial Government

Yes

(a) Mr G F C Voss was reappointed

Mrs M E Mantz

(b) Mr P P Broodryk, Chairman of the Witbank Hospital Board

KwaNdebele/Lebowa, one self-governing territory

*12 Mr W J D VAN WYK asked the Minister of Constitutional Development and Planning †

(1) Whether the self-governing territories of KwaNdebele and Lebowa have intimated to him or his Department that they are considering becoming one self-governing territory, if so,

(2) whether it is still the intention to add the irrigation area Rust de Winter to KwaNdebele, if so, why,

(3) whether he will make a statement on the matter?

The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) KwaNdebele did not intimate that they are considering becoming one self-governing territory with Lebowa Lebowa, however intimated to me that they are considering the possibility of holding discussions with KwaNdebele regarding possible amalgamation

(2) It is still the intention to add the Rust de Winter area to KwaNdebele The Rust de Winter area was promised to KwaNdebele as compensatory land for Kalkfontein, Gewerfontein and Bloedfontein

(3) No

Certain person in employ of SADF

*13 Mrs H SUZMAN asked the Minister of Defence

Whether a certain person, whose name has been furnished to the South African Defence Force for the purpose of the Minister's reply, is currently in the employ of the Defence Force, if so, (a) in what capacity is he employed, (b) for how long has he been employed, (c) what is his rank, (d) what are his functions and duties, (e) where is he stationed at present and (f) what is his name?

†The DEPUTY MINISTER OF DEFENCE

(a) to (f) With the information furnished the person could not be identified as an employee of the SA Defence Force

Certain person in employ of SAP

*14 Mrs H SUZMAN asked the Minister of Law and Order

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Whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, is currently in the employ of the Police, if so, (a) in what capacity is he employed, (b) for how long has he been employed, (c) what is his rank, (d) what are his functions and duties, (e) where is he stationed at present and (f) what is his name?

The MINISTER OF LAW AND ORDER

No, not as far as could be ascertained

(a) to (f) Fall away

Damages arising out of civil cases brought by detainees: payable by policemen found guilty

*15 Mrs H SUZMAN asked the Minister of Law and Order

Whether members of the South African Police have been informed that any damages arising out of civil cases brought against them by detainees will henceforth be payable by the policemen found guilty by the courts, if so, (a) (i) in what manner, (ii) when and (iii) why and (b) what are the details of the information so conveyed to them?

The MINISTER OF LAW AND ORDER

No. However, at the time of their employ and from time to time thereafter, the attention of members of the Force is drawn to the contents of Chapters W3 1 and 4 1 of the Treasury Instructions as contained in the Financial manual for Government officials

After payment of a civil claim by the State, the matter is referred to the State Attorney who decides whether or not the member/members of the Force concerned must be held responsible for the expenditure of the State

Such recoveries from members of the South African Police are made in terms of the provisions of section 34 of the Exchequer and Audit Act, 1975 (Act 66 of 1975)

Rooi Els/Betty's Bay/Kleinmond proclamation as nature area

*16 Mr R R HULLEY asked the Minister of Constitutional Development and Planning

Whether with reference to his reply to Question No 6 on 28 July 1987 his Department or the Cape Provincial Administration still intends to proclaim the Rooi Els/Betty's Bay/

HOUSE OF ASSEMBLY

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Kleinmond area as a nature area, if not, why not, if so, (a) what are the boundaries of the proposed nature area, (b) what steps (i) have been and (ii) remain to be taken in this regard and (c) when is it anticipated that the proclamation in question will be issued?

The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

This information was furnished by the Cape Provincial Government

Since the reply to Question No 6 for 28 July 1987 the Cape Provincial Government has renounced its intention to reserve the Rooi Els/Betty's Bay/Kleinmond area as a Nature Area. The reasons are

(a) Provision is made in clause 16 of the Draft Bill on Environment Conservation as published under Government Notice 353 of 1987 for the declaration of "Protected Natural Environments". If this concept is accepted, it will result in a better dispensation for private landowners, which is supported

(b) After the Environment Conservation Act (presently in the form of a Draft Bill as mentioned above) is promulgated the area in question will be declared as a "Protected Natural Environment"

Mr D J N MALCOMESS Mr Speaker, arising out of the hon the Deputy Minister's reply does the fact that he prefaced his answer by saying that the information was supplied by the provincial administration mean that the hon the Minister washes his hands of all responsibility for the correctness of the answer?

Spouses of Black members of SAP membership of Polmed

*17 Mr L DE BEER asked the Minister of Law and Order

Whether the spouses of Black members of the South African Police Force who are married according to the provisions of the Republic's legislation on marriages qualify to be members of the medical aid scheme of the South African Police (Polmed), if not, why not?

The MINISTER OF LAW AND ORDER

No, unfortunately not yet at this stage. Black members of the Force receive a monthly allow-

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ance for this purpose. However, in-depth negotiations with the Commission for Administration and the Secretary to the Treasury are in progress to bring about the provision of comprehensive medical benefits for Black members of the Force

Defence Force vehicle, transportation of personnel

*18 Mr S S VAN DER MERWE asked the Minister of Defence

Whether the South African Defence Force owns a vehicle with the registration number R113-912, if so, (a) what is the make of the vehicle and (b)(i) for what purposes and (ii) where is it being used?

The DEPUTY MINISTER OF DEFENCE

Yes

(a) Isuzu KB 21

(b) (i) For the transport of personnel (ii) Mamelodi, Soshanguwe, Atteridgeville and KwaNdebele

Eskom: under control of Department

*19 Mr M J ELLIS asked the Minister for Administration and Privatisation

(1) Whether Eskom now falls under the control of his Department, if so, (a) why and (b) to what extent,

(2) whether any other statutory corporations or institutions have been referred to his Department with a view to privatisation, if so, which corporations or institutions?

The MINISTER FOR ADMINISTRATION AND PRIVATISATION

(1) Yes. The Ministerial responsibilities for Eskom as set out in the Eskom Act 1987 (Act 40 of 1987) have however been entrusted to me by the State President

(a) Because the Government has decided to investigate the possible privatisation of Eskom

(b) As indicated above

(2) The Ministerial responsibilities for Iscor and Foskor have also been entrusted to me with a view to the possible privatisation of these corporations

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Prohibition of issues of 8 and 22 April 1988 of Scope

*20 Mr J J S PRINSLOO asked the Minister of Home Affairs

Whether the distribution of the issues of 8 and 22 April 1988 of a certain magazine, the name of which has been furnished to the Minister's Department for the purpose of his reply, was prohibited recently, if so, (a) in terms of what statutory provisions, (b) what is the nature of the material in each of these two issues on the grounds of which they were prohibited and (c) what is the name of the magazine concerned?

The MINISTER OF NATIONAL EDUCATION (for the Minister of Home Affairs)

Yes

(a) to (c) The hon member is referred to *Government Gazettes* Nos 11256 and 11271 of 11 and 19 April 1988, respectively, in which notice was given that the 8 April 1988 and 22 April 1988 issues of *Scope* had been found undesirable within the meaning of section 47(2)(a) of the Publications Act, 1974. In terms of that section a publication is deemed to be undesirable if it contains matter which is indecent or obscene or is offensive or harmful to public morals

*21 Mr J H VAN DER MERWE — Public Works and Land Affairs [Reply standing over]

Njongo Primary School, Khayelitsha: petition from parents of pupils

*22 Mr K M ANDREW asked the Minister of Education and Development Aid

Whether the Department of Education and Training recently received a petition from parents of pupils at the Njongo Primary School in Khayelitsha, if so, (a) on behalf of how many persons was the petition submitted and (b) what was (i) the purpose of the petition and (ii) his response thereto?

The DEPUTY MINISTER OF TRANSPORT AFFAIRS (for the Minister of Education and Development Aid)

Yes

Two contradictory petitions were received on 20 and 29 April 1988 respectively

(a) According to preliminary indicators there are serious doubts concerning the degree to which these petitions reflect the views of *bona fide* parents

HOUSE OF ASSEMBLY

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is he prepared to disclose to Parliament that part of the report which contains the findings on Mr Riaan Eksteen — the latter has had country-wide repercussions?

†The MINISTER Mr Speaker, it does not even go without saying that there is a part of the report which deals with Mr Eksteen

Former director-general of SABC: resignation

*8 Mr S C JACOBS asked the Minister of Information, Broadcasting Services and the Film Industry †

(1) Whether he or his predecessor received, either directly or indirectly, any requests and/or instructions in connection with the resignation of the former director-general of the SABC, if so, (a) (i) from whom and (ii) when, (b) what was the purpose of the requests and/or instructions and (c) (i) (aa) when, (bb) where and (cc) to whom did he convey the requests and/or instructions and (ii) what was the purpose of his words to such person or persons,

(2) whether he was in touch with the Board of the SABC before 20 April 1988 about the resignation of the said director-general, if so, (a) when and (b) what was the purpose of this conversation,

(3) whether he intends discussing, either directly or indirectly, the question of the successor in the post of director-general of the SABC with the (a) State President and (b) Board of the SABC, if not, why not, if so,

(4) whether he will convey the standpoints of the State President in this connection to the Board of the SABC,

(5) whether he will make a statement on the matter?

The MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY

(1) No

(a) to (c) Fall away

(2) No

(a) and (b) Fall away

(3) Because of the nature of the importance of the post of the director-general of the SABC I will discuss the matter directly

Tapping of telephone conversations

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(1) Whether he will furnish information on the tapping of telephone conversations, if not, why not, if so,

(2) whether during the latest specified period of 12 months for which figures are available his Department granted permission for the tapping of telephone conversations of members of the House of Assembly, if so,

(3) whether he will furnish any further information in this connection, if not, why not, if so, (a) in respect of which members, (b) when, and (c) at whose request was such permission granted, in each case?

The MINISTER OF NATIONAL EDUCATION (for the Minister of Communications)

(1) No, because it will not be in the country's interest to furnish the information. It is pointed out to the hon member that the provisions of section 118A of the Post Office Act are at all times being strictly complied with and that no application for a telephone interception is granted for any other reason than for the maintenance of the security of the Republic.

(2) and (3) fall away

Hospital board of Witbank: new members

*11 Mr W J D VAN WYK asked the Minister of Constitutional Development and Planning †

Whether any new members were appointed to the hospital board of Witbank during the latest specified period of 12 months for which information is available, if so, (a) what are their names and (b) on whose recommendation were they appointed?

The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

†This information was furnished by the Transvaal Provincial Government

Yes

(a) Mr G F C Voss was reappointed

Mrs M E Maritz

(b) Mr P P Broodryk, Chairman of the Witbank Hospital Board

KwaNdebele/Lebowa: one self-governing territory

*12 Mr W J D VAN WYK asked the Minister of Constitutional Development and Planning †

(1) Whether the self-governing territories of KwaNdebele and Lebowa have intimated to him or his Department that they are considering becoming one self-governing territory, if so,

(2) whether it is still the intention to add the irrigation area Rust de Winter to KwaNdebele, if so, why,

(3) whether he will make a statement on the matter?

The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) KwaNdebele did not intimate that they are considering becoming one self-governing territory with Lebowa. Lebowa, however intimated to me that they are considering the possibility of holding discussions with KwaNdebele regarding possible amalgamation

(2) It is still the intention to add the Rust de Winter area to KwaNdebele. The Rust de Winter area was promised to KwaNdebele as compensatory land for Kalkfontein, Gewerfontein and Bloedfontein.

(3) No

Certain person in employ of SADF

*13 Mrs H SUZMAN asked the Minister of Defence

Whether a certain person, whose name has been furnished to the South African Defence Force for the purpose of the Minister's reply, is currently in the employ of the Defence Force, if so, (a) in what capacity is he employed, (b) for how long has he been employed (c) what is his rank, (d) what are his functions and duties, (e) where is he stationed at present and (f) what is his name?

The DEPUTY MINISTER OF DEFENCE

(a) to (f) With the information furnished the person could not be identified as an employee of the SA Defence Force

Certain person in employ of S-AP

*14 Mrs H SUZMAN asked the Minister of Law and Order

Own Correspondent

GRAHAMSTOWN — Nobody saw the fatal shooting of Mr Mlungisi Stuurman at the Great Fish River, the defence argued in the Supreme Court here yesterday

Defence counsel Mr CJ Jansen, SC, was in the second day of his argument at the trial of Warrant Officer Leon de Villiers, 37, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents at Cradock on July 26, 1986

CAPE TOWN 10/5/88 (2510775) (10/5/88)

Cradock murder trial: 'No one saw fatal shot'

In its argument, the state abandoned one of the assault charges because of the unreliability of the complainant's evidence. It did, however, ask for conviction on the other charges

The defence asked for an acquittal on the second assault charge on the grounds, firstly, that there was no reliable evidence that Const Goosen had used a knife, and secondly that the

state had failed to show that the complainant, Mr Michale Qhina, had been assaulted by police

On the murder of Mr Andile Plaatjes, the defence argued that there was such confusion and contradiction that the court could not accept the state case as proved beyond a reasonable doubt

Mr Jansen went on to analyse the events of the Saturday morning and said there were added

elements of collusion and in some instances blatant lies

Turning to the actual shooting, he said Const MPA Booyens had not seen it because he, according to his own evidence, had turned away

Const R Fourie could not have seen it because Const Booyens was between him and Mr Stuurman and would have obstructed his vision.

It was, however, significant in the light of the psychiatric evidence that Const Fourie had seen a "sudden movement" by Mr Stuurman immediately before the shot went off

Shooting ^{Stuur} not seen by ^{19/5/88} anyone ⁽²⁵¹⁾ — defence

GRAHAMSTOWN — Nobody saw the fatal shooting of Mr Mlungisi Stuurman at the Great Fish River, the defence argued in the trial of two policemen in the Supreme Court in Grahamstown yesterday.

Defence counsel Mr C J Jansen, SC, was arguing at the trial of Warant Officer Leon de Vilhiers (37) and Constable David Patrick Goosen (27) on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents at Cradock on July 26, 1986.

UNRELIABILITY

In its argument, the State abandoned one of the assault charges because of the unreliability of the complainant's evidence.

It did, however, ask for conviction on the other charges.

Mr Jansen argued that the evidence of Constable R Fourie and Constable M P A Booyens could not be reconciled.

TURNED AWAY

Constable Booyens had not seen the actual shooting because according to his own evidence he had turned away.

Constable Fourie could not have seen it because Constable Booyens was between him and Mr Stuurman and therefore would have obstructed his vision.

It was, however, significant in the light of the psychiatric evidence, that Constable Fourie had seen a "sudden movement" by Mr Stuurman immediately before the shot went off.

He submitted that their story of how Mr Stuurman was tossed into the river after the shooting was not only contradictory but physically impossible.

He asked the court to find a doubt as to whether the body was in fact thrown into the river as the State alleged.

Mr Justice Zietsman asked what motivation the State witnesses would have had to allege murder if the death had been accidental.

The trial continues today — Sapa.

Former commissioner cross-examined

Police part in KTC fires 'unthinkable'

Star 11/5/88

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[Handwritten signature]

Own Correspondent

CAPE TOWN — It would have been against a policeman's culture and training to take sides in the conflict in KTC in June 1986, a former Commissioner of Police said yesterday.

General Petrus Johannes Coetzee was under cross-examination in the Cape Town Supreme Court.

Culture

The court is hearing a R200 000 damages claim by 21 KTC residents and the Methodist Church against the Minister of Law and Order.

General Coetzee said it was unthinkable that police would participate in the burning down of shacks in KTC because it clashed with the entire culture and milieu of the police.

He said that although, broadly speaking, it could be said it was a case of the "witdoeke" against the "comrades" (in Crossroads and KTC) during May and June 1986, the overall situation was not so simplistic.

He agreed it was the duty of the police to act against people who violated the rights of others by forcing them to stay out of work or by forcing them to buy groceries only at certain shops.

He agreed with a description of policemen by Mr Henri Viljoen, SC, for the plaintiffs, that when it came to action designed to weaken the State's authority, police could be seen as "soldiers in the trenches" protecting it.

But, he said, their actions in an unrest situation would be no different from those when involved with everyday combating of crime in other spheres.

"In essence, the attitude of the police to an ordinary criminal was no different to a 'comrade'," General Coetzee said.

"Policemen deal with offenders every day. They don't develop a dislike for them. Their training teaches them that even criminals have rights."

Mr Viljoen "What is the attitude of black officers and young men in the field to people who kill and injure their colleagues."

Speaking humanly, they just cannot remain unscathed. They must be hostile towards these people. . . Doesn't this allow antagonism to build up?"

General Coetzee "Exactly the same problems affect all other policemen, in murder and robbery for instance, but it doesn't knock them off their stride."

"The Force does not

get thrown off balance by this type of thing."

Mr Viljoen. "Is a reference to the 'comrades' in the police force a reference to the enemy?"

General Coetzee "No. The extremely gruesome necklace murders — committed mostly by 'comrades' or anti-Government activists — may affect the young, impressionable policeman, but the Force is not negatively affected by them."

Anxious

He was very unhappy about the burning of the satellite camps and was anxious not to have criticism in the case of KTC.

The plaintiffs have alleged that the police assisted in, alternatively failed to prevent, "witdoek" attacks on June 9, 10 and 11 1986, which destroyed KTC.

The hearing is proceeding.

Jurists say torture part of strategy

GENEVA. — The International Commission of Jurists, in a 160-page report, yesterday charged South Africa's security forces with the use of torture and violence as part of a repressive strategy.

The report was prepared by four West European law experts, Mr Geoffrey Bindman of Britain, Mr Jean-Marie Crettaz of Switzerland, Mr Henry Downing of Ireland, and Mr Guenter Witzsch of West Germany. They said they were able to travel freely in South Africa while gathering information.

The 1982 Internal Security Act had created a series of criminal offences of a political character "in extremely wide and often vague terms" Together with one-sided procedural rules, the Act provided the state "with the means of securing the conviction of virtually any political opponent"

"We stress particularly the widespread use of torture and violence, even against children, which is habitually denied by the government and thus goes unpunished, though plainly illegal even under South African law"

In response, Brigadier Leon Mellet, press secretary to Minister of Law and Order Mr Adriaan Vlok, said last night the report's allegations were "un-sourced, unnamed, untested and one-sided"

"How can we possibly react to faceless allegations. If these people can come forward with evidence and specific details such as dates, times and names which we can test, then we will investigate them to see if they contain any truth."

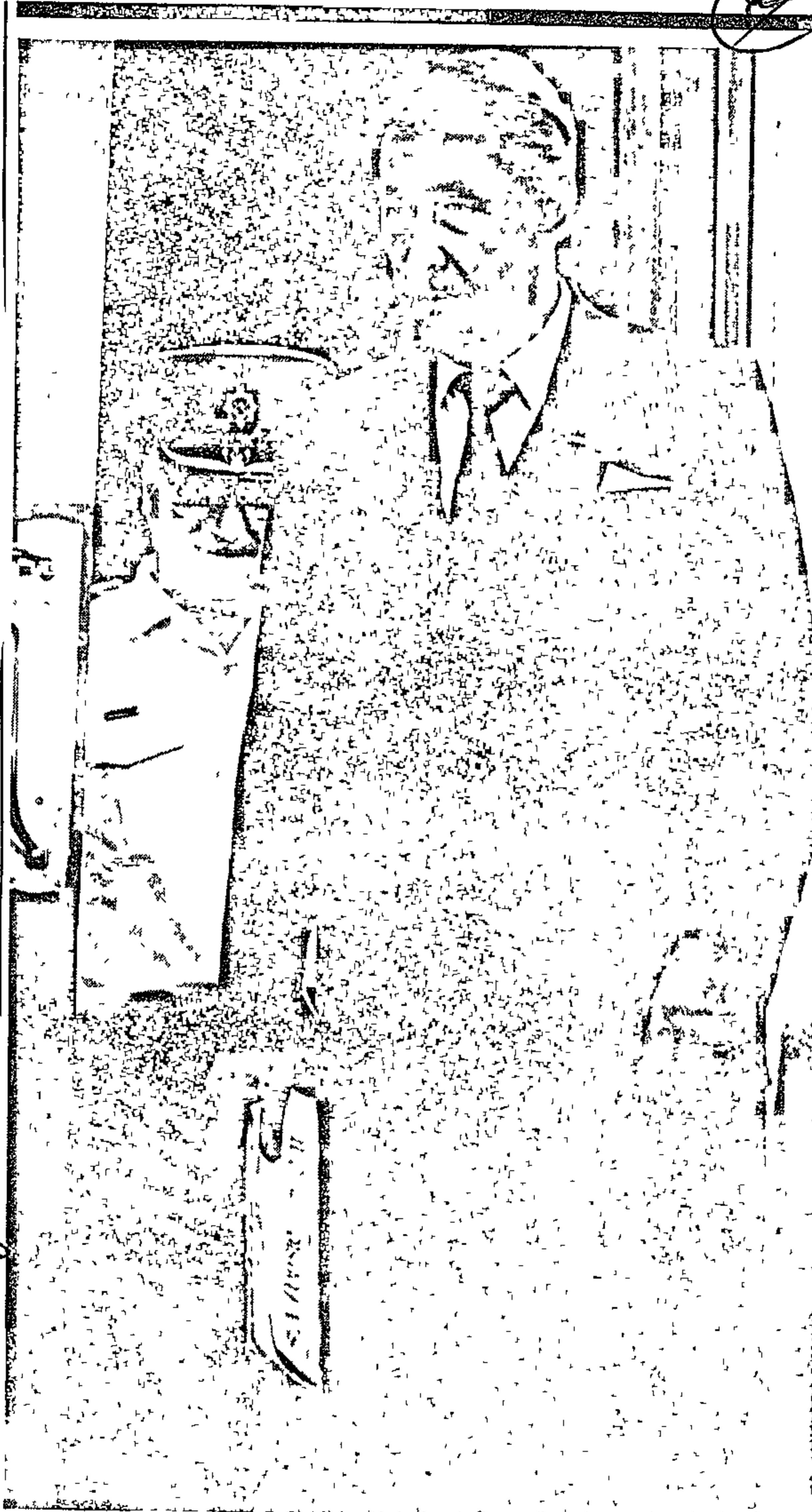
"We challenge, even plead, with the authors of the report to come forward with specific allegations which we can investigate"

"But, as they stand these claims are part of a coordinated campaign to spread misinformation and tarnish the name of South Africa"

CAPE TIMES 11/5/88

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★ C.



Coetzee tells of 'fence' at KTC

Court Reporter

GENERAL Johan Coetzee, former Commissioner of Police, was yesterday called as a witness in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families arising from the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986

The general — who told the court he is now attached to the Department of Foreign Affairs and served on a commission of enquiry in Bophuthatswana — told the court that by mid-1986 the unrest had reached such proportions that normal policing duties were in themselves a security risk.

After his only visit to the burned-down Crossroads satellite camps in May 1986, he had ordered a barbed wire fence to be erected along Mahobe Drive to keep the two fighting sides apart. He did not think a "mere" police presence would achieve that aim.

Asked by Mr H Viljoen, for the residents, if it did not occur to him that the fence kept the expelled people from their property, General Coetzee said "I tried to prevent a slaughter of people I was more concerned with the situation as I found it and to stop further loss of life."

The hearing continues today

Mr Justice MR de Kock presided. Mr Viljoen appeared with Mr P Protonus and Mr A M Omar. Mr C D Grossel SC and Mr L Viator SC with Mr C Y Louw and Mr F D J Brand and instructed by the State Attorney appeared for the minister.

GENERAL AT COURT ... General Johan Coetzee at the Supreme Court yesterday.

POLICE deliberately packed the small Wynberg Magistrate's court for a terrorism trial on March 15, the Minister of Law and Order, Mr Adriaan Vlok, virtually conceded yesterday.

Police packed Wynberg court

He was replying to questions by the non-aligned MP for Clairmont, Mr Jan van Eck, who wanted to know who had given the police the order to pack the court.

Mr Van Eck posed the questions to the Minister of Justice, Mr Kobie Coetsee, who was absent from Parliament. His reply was read by Mr Vlok

Mr Coetsee wrote that he had been informed by the magistrate that because only 60 seats were available, discussions had been held about admission to the court.

"It was agreed that three family members for each of the eleven accused were to be allowed in court" Mr Van Eck, who had attended the proceedings, then asked Mr Vlok who had ordered the police to pack the room

He replied there were "certain" police in court to ensure order.

Mr Van Eck said in a statement later he was pleased that Mr Vlok had now conceded that the court had been deliberately packed.

"Family members did not all get seats"

Pilgrims to have vaccines

ALL pilgrims visiting Mecca will apparently now be required to have valid immunization certificates against yellow fever, cholera and meningitis. The Director-General of the Department of National Health and Population Development, Dr C F Slabber, said yesterday his department had made arrangements to make the vaccines available.

Cop killed man 'under stress'

CHIEF 11/5/88

Own Correspondent

GRAHAMSTOWN — The defence asked the Supreme Court here yesterday to find that Constable David Patrick Goosen had shot Mr Mlungisi Stuurman by reflex action — a non-action — while in a "post-traumatic stress disorder flashback"

Constable Goosen, 27, and Warrant Officer Leon de Villiers, 37, are being tried on two counts of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise from alleged incidents at Cra-dock on July 26, 1986

Mr C Jansen, SC, argued that the state could not dismiss the psychiatric evidence as academic

The state's attempt to counter the evidence of Dr Anton Potgieter had not succeeded

There was no reason to doubt Const Goosen's post-traumatic stress syndrome existed

Const Goosen's evidence that he was in fact in an anxiety state at the time of the shooting was more than a reasonable possibility

It was significant that Const M P A Booyens had not seen Const R Fourie when the shot was fired. He saw a sudden movement by Mr Stuurman, exactly the sort of thing Dr Potgieter had said could have triggered Const Goosen's reflex action

It was also significant that Const Goosen worried a great deal about why he had fired

Mr Jansen also asked the court to reject Const Booyens' and Const Fourie's evidence about tossing the body into the river

Apart from the absurdity and physical impossibility of their description, the fact was also disproved by the state's own evidence.

It was impossible that the body could have been carried three metres and then thrown three metres into the river as the witnesses testified

The trial will continue today.

BOMB KILLS BABY

Attack on policeman's house

THE 12-month-old daughter of a Mamelodi policeman died early yesterday after a handgrenade was hurled through the window of a room in which she and her mother were sleeping.

The incident took place at 1.15am at the

By ALINAH DUBE

house of Mr Lucky Kulele in Mamelodi Gardens. His wife, Mrs Rosemary Kulele (20) and their daughter, Patience, were alone in the house. Her husband was away on night duty.

The South African Police Directorate's public relations division in Pretoria yesterday

confirmed the incident and said police were investigating.

The baby died on the spot and her mother was rushed to Kalafong Hospital. Her condition has been described as "satisfactory."

Police said a handgrenade of unknown origin was used in the attack.

Neighbours told the *Sowetan* that they were woken up by screams from the Kulele's home.

They rushed to the scene and saw Mrs Kulele, who was crying hysterically with her burnt daughter grasped in her arms

Some of the people fought the fire which was blazing in the family's main bedroom.

The charred remains of the bed on which they slept bore testimony of yesterday's attack

"I heard the mother of the baby crying out

● To Page 2

Bomb kills baby

● From Page 1

loudly as she was being led away from the scene of the attack. She cried and said she knew that her daughter would not survive. It was a pathetic sight," one woman said

None of the people interviewed was able to say if anyone was seen leaving the scene shortly after the attack

'Coetsee must intervene' (251)

Stew 12/17/58
A decision by the Cape Attorney-General not to prosecute the policemen found by a magistrate to be responsible for the "Trojan Horse" shooting of three children in Athlone in 1985 should be overruled by the Minister of Justice, Mrs Helen Suzman (PFP Houghton), said yesterday.

Speaking in debate on the Justice Vote in the House of Assembly, she said the Minister, Mr Kobie Coetsee, had the power to overrule the Attorney-General and this was an ideal opportunity.

The magistrate who had investigated the shooting had clearly found the policemen responsible and the Minister "should not allow this travesty of justice" to take place, she said. — Sapa.

CAPE TOWN — A former Commissioner of Police was not made aware that "witdoeke" from Old Crossroads had asked police for help against the "comrades" during 1986, the Supreme Court was told yesterday.

General Petrus Johannes Coetzee was giving evidence under cross-examination in the R200 000 damages claim

'No conspiracy in KTC'

by 21 KTC residents and the local Methodist Church against the Minister of Law and Order

The plaintiffs allege the police assisted in, alternatively failed to prevent "witdoek" attacks on June 9, 10 and 11 1986, which destroyed KTC.

The Minister has denied complicity

General Coetzee said he was never told that it was "safer" in Old Crossroads than in its satellite camps or KTC

Mr Henri Viljoen, SC, for the plaintiffs Did Brigadier Swart (Western

Cape Divisional Commissioner of Police) never tell you that "witdoeke" from Old Crossroads had asked for help and were, therefore, less hostile towards the police?

General Coetzee This was never reported to me I knew that normal policing could not take place in the area

"My memory is that people were not too friendly towards the police I had read allegations in the newspapers that 'witdoeke' were not hostile to the police

"If true, I would have thought it was a temporary situation."

General Coetzee said a conspiracy between police and "witdoeke" to destroy the KTC squatter camp could not have taken place

He denied there was a similarity of interests between the "witdoeke", the police and the State "Never in my presence has the suggestion come from the Government that illegal methods be used," he said

The case is proceeding

Recession 'affected Reeva sales'

By Bruce Anderson

A Cape Town-based beauty consultant experienced difficulty in selling Reeva cosmetics as a result of a recession which began in early 1985 — before the publication of an allegedly defamatory article in *Style* magazine in early 1985, a Rand Supreme Court heard yesterday

The evidence came during the cross-examination of Mrs Jacoba Boyd-White, a senior distributor of Reeva cosmetics, in a case in which two of Miss Reeva Forman's companies, Reeva Forman (Pty) Ltd and Reeva Success Dynamics, are claiming damages of more than R3 million for an allegedly defamatory article published in *Style* in June 1985

The defendants include the editor of *Style* as well as its publishers, printers and distributors

During cross-examination by Mr Bob Nugent, who appears for the defendants, Mrs Boyd-White initially denied that members of her sales teams

had experienced difficulty in selling Reeva products as a result of a recession

Mr Nugent then referred Mrs Boyd-White to an affidavit she had made at the time of the original interdict proceedings against *Style* in June 1985

In the affidavit Mrs Boyd-White said a member of her sales team, a Mrs du Preez, had told her she was experiencing difficulty in selling Reeva cosmetics before publication of the article

Under re-examination by Mr Jonathan Heher, SC, who appears for the plaintiffs, Mrs Boyd-White said Mrs du Preez's sales figures had been low ever since she joined the Reeva organisation

The first expert witness in the trial, Mr William Kirsh, a chartered accountant, began giving evidence late yesterday afternoon on the structure of Miss Forman's two companies

Mr Kirsh's evidence was preceded by lengthy legal argument over the admissibility of aspects of his evidence

The hearing continues

and you will miss the laughter, we will miss you our thoughts and prayers to Eric Mike
 Anne, Beloved wife of Reginald
 greatly missed by Lynn, Wayne, Craige and family
 10th

CAPE TOWN — Several factors, including the cost of teargas canisters, could have militated against police acting against Witdoeke in KTC during the destruction of the area in June 1986.

This was said by the former Commissioner of Police, General Johan Coetzee, in a hearing in the Supreme Court in which a R200 000 damages claim has been made by 21 KTC resi-

CAPE TOWN — Several factors, including the cost of teargas canisters, could have militated against police acting against Witdoeke in KTC during the destruction of the area in June 1986.

Coetzee: cost to quell riot

was factor against action

idents as well as the local Methodist Church against the Minister of Law and Order.

Mr Justice M. R. de Kock asked General Coetzee why the police did not take action to prevent Witdoeke and Com-

rades clashing in KTC on June 9, 10 and 11.

General Coetzee answered: "A potential unrest situation is extremely unpredictable."

"The action a commanding officer takes in

that situation would be influenced by the number of policemen available to him, how well equipped they were and how big the challenge facing them was.

"One must also think of finance. Teargas can-

isters cost R28 each... the police can't just shoot them off. One has to look at the budget."

KTC was destroyed in attacks by Witdoeke on June 9, 10 and 11, 1986.

The plaintiffs have alleged that the police failed to prevent them.

The minister has denied complicity.

The hearing continues. — Sapa

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TO ADVERTISE ON THIS PAGE — TELEPHONE EAST LONDON 261

ANC group puzzled Broederstroom locals

D/D 13/5/88

(251)

Scores of policemen some on horses, and helicopter swooped the doorp early on Sunday morning. Several roadblocks were set around Broederstroom cutting it off to traf for several hours

One of the locals was used back roads to get the cafe described the scene as "something of Miami Vice"

As armed policemen circled the house, the neighbours were ordered to remain in doors

One of the neighbours said her family was alerted to the operation when their front door was kicked down. Policemen after the mistook her husband for one of the suspects. The locals were ordered not to speak anybody about the operation and a clamp was put on news reports

The Bothas were puzzled that "Stacey" wanted to hire their spacious and relatively expensive house, but he explained to them that he was an artist who worked from home and would be moving in with a friend whom he called Peter Schaffer

He also said he had a girlfriend who would spend time at the house

According to the Bothas, "Stacey" paid the cash at least a week in advance, and made sure that all his accounts were up to date

The house the ANC group lived in was only

several hundred metres from the Broederstroom shopping and petrol complex, and was flanked on both sides by homes not more than 50 metres away

The group puzzled locals in the closely-knit community, none of whom ever came to know them

A local butcher and neighbour to the ANC group, Mr Augustine Goncalves, said they occasionally shopped at the complex but never spoke to anybody

The police operation to arrest the group shook the small Broederstroom community

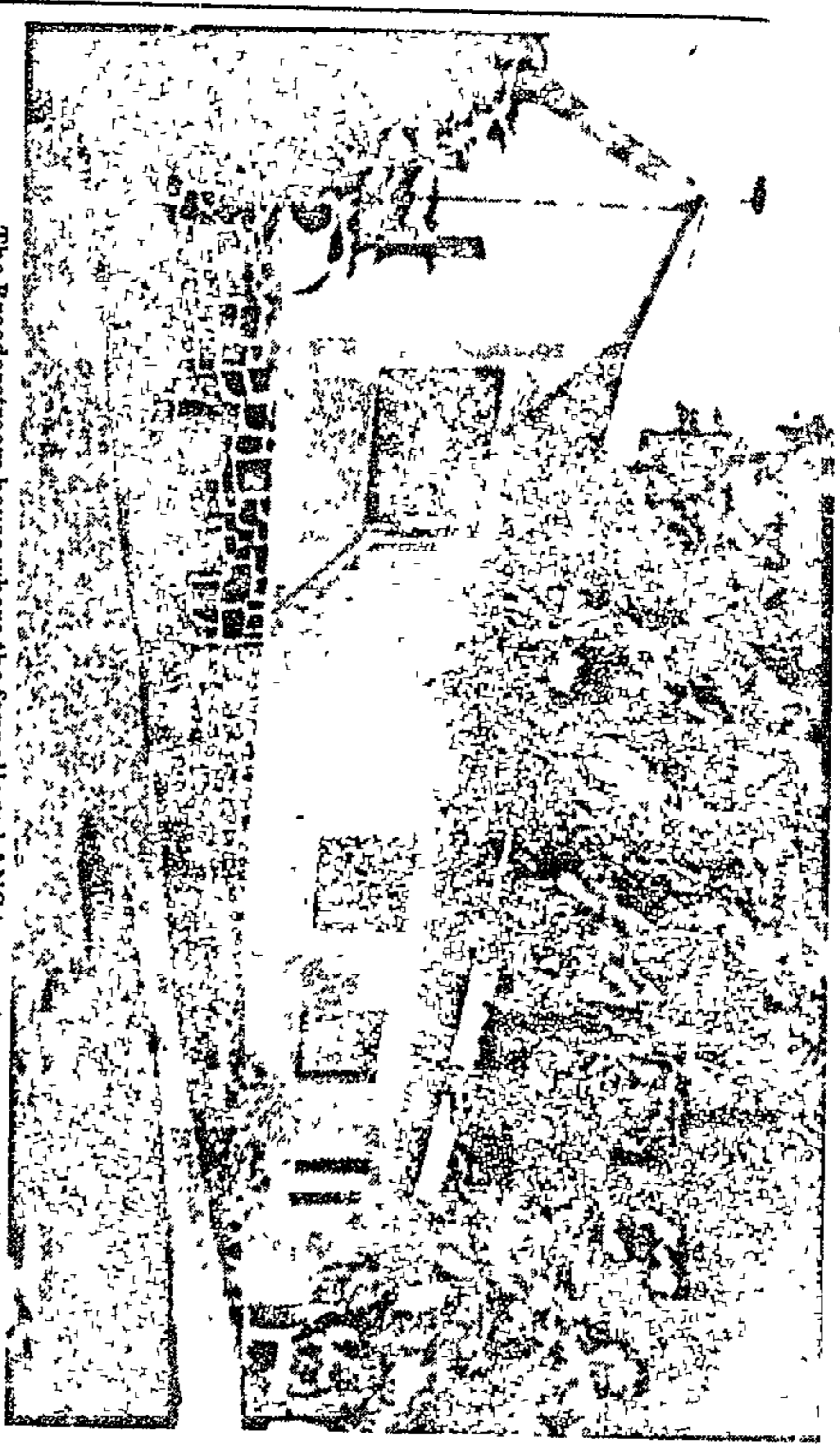
Daily Dispatch Correspondent

JOHANNESBURG

The leader of the white ANC military unit, arrested last Sunday by police, moved into Broederstroom — a doorp 50 km north of Johannesburg and 5 km west of the nuclear research station Pelindaba — three months ago under a false name

Calling himself Mr Richard Stacey, the man introduced himself to the owners of the small holding, Bennie and Jean. Botha, three months ago, after following up their newspaper advertisement for the property's rental

The Broederstroom house where the four alleged ANC terrorists were captured



The double price of law and order

~~251~~ 251

POLICE have to consider the cost of teargas canisters before using them to protect citizens — but the SA Defence Force invasion of Angola has “absolutely not” placed any extra burden on the taxpayer.

These two remarkable claims were made separately this week by senior

officials from the South African Police and the SADF.

Former commissioner of police, Johan Coetzee, told the Cape Town Supreme Court that several factors, including financial ones such as the cost of teargas canisters (R28), could have held police back from

acting against “witdoeke” vigilantes in the KTC squatter camp during its destruction in June 1986.

In an unrelated announcement, SADF chief of staff for finance, Vice-Admiral Bert Bekker, said the Angolan conflict was not placing any extra burden on the taxpayer.

13-19/5/88

W/Mearl

'Private prosecution' to be instituted

'Trojan Horse' deaths: families to lay charges

Stev 13/7/88

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By Tim Cohen

An unusual "private prosecution" is to be instituted against the policemen involved in the "Trojan Horse" incident — a move likely to again focus attention on South Africa's criminal law system.

South African criminal law came under the international spotlight recently following the conviction of the Sharpeville Six for murder in terms of the doctrine of common purpose.

Criticism of the case led to an unprecedented outburst by Acting Chief Justice Rabie who said any attack on the independence of the judiciary "should be rejected with scorn".

Now attorneys acting for the families of two youths killed in the "Trojan Horse" incident said this week they have been instructed to go ahead with a private prosecution following the Attorney-General's decision last week not to prosecute the policemen involved.

Three youths died in the incident, which happened during widespread unrest in Athlone near Cape Town three years ago.

In summing up the evidence submitted at the inquest, Magistrate Mr G Hoffman said Athlone was "besieged by rioters" at the time, barricades were set up and burning tyres were strewn across roads.

Rioters normally fled when police vans appeared and so, on October 15, three senior offi-

cers of the South African Police, the Railways Police and the Defence Force decided to send an unmarked vehicle into Athlone on a previously agreed route, Mr Hoffman said.

A Transport Services truck was used for the operation and three wooden crates were placed on the back, each containing two armed policemen.

At a point on the route, after stones had been thrown at the truck, more than 39 rounds of triple-A shot and buckshot were fired at a crowd of about 200 people, and three people aged 16, 21 and 11, were killed, the magistrate concluded.

Evidence

The incident was captured on video by two foreign television crews, BBC and CBS, and both videos were handed in as evidence at the inquest.

In March this year Mr Hoffman ruled that a police lieutenant and his task force were responsible for the killings and that negligence was involved.

But the Attorney-General of the Cape, Mr Niel Rossouw, has said he does not intend to prosecute the eight policemen.

And Minister of Justice Mr Kobie Coetsee said in Parliament this week that he was not prepared to intervene over the Attorney-General's decision.

Mr Coetsee said neither inquest hearing nor the evidence presented proved any causal link between the policemen and deaths of the three people.

Lawyers totally discount the possibility that the Attorney-General was in any way politically biased in not prosecuting the policemen involved.

They point to at least three possible defences the policemen could bring.

But now the families of two of the three boys who died, Michael Miranda (11) and Shaun Magmoed (16), have decided to launch a private prosecution in terms of the Criminal Procedure Act.

A private prosecution — a criminal charge which is brought by a private person rather than by the State — can be laid by anybody who has a "substantial and peculiar interest" in the issue.

'Wronged'

They exist, in the words of a Wits University criminal law lecturer, "so that people who believe they have been wronged don't reach for the shotgun under the bed".

The reason a criminal action — which aims at punishment — is being sought, rather than a civil action for damages, is that the youths were not breadwinners and therefore their families cannot claim substantial compensation for loss of support.

A civil action was in fact launched in this case and the funeral expenses of two of the boys were paid by the Minister of Law and Order.

In an out-of-court settlement he paid the parents of two of the deceased R900 and R750.

Now, says attorney Mr Gary Jansen, the parents of the youths say they would like to see justice done. Lawyers have not yet formulated charges and have not decided in which court to bring the action.

If the charge is murder, the action will have to be brought in the Supreme Court.

This might make a significant difference to the families of the deceased, because if they lose they might be asked to pay legal costs, which will be substantial.

If the charge is culpable homicide it might be brought in a Regional Court, where it would be heard by a magistrate, who is not empowered to hand down a verdict of murder.

But whichever court is decided on by the lawyers, the State will be watching proceedings carefully.

The State is empowered in terms of the Criminal Procedure Act to step in at any stage and take over the prosecution.

According to the Wits lecturer, if the prosecution looks as if it is going well, the State is likely to step in.

"The State has an obvious interest in avoiding embarrassment as a result of its initial failure to prosecute," he said. "But of course its real motivation for taking over the prosecution would be its responsibility to see that justice is done."

Defence admits police assaulted Cradock man

GRAHAMSTOWN — Judgment in the trial of two Unrest Unit policemen was on Wednesday provisionally reserved by Mr Justice Zietsman to May 23.

Warrant-Officer Leon de Villiers (37) and Constable David Patrick Goosen (27) faced two charges of murder, two of assault and one of attempting to defeat the ends of justice. The charges arise out of alleged incidents in Cradock on July 26 1986.

Concluding the defence argument, Mr C Jansen, SC, conceded that the two policemen had assaulted Mr Mlungisi Stuurman — with others, according to the defence case, or alone, according to the State. In either event, they had to accept the blame.

But, he submitted, the State had not proved that they had acted in common purpose in subsequently shooting Mr Stuurman.

SHOT BY 'REFLEX ACTION'

He said the probabilities favoured Constable Goosen's version that he had shot Mr Stuurman by "reflex action" while in an anxiety state resulting from his post-traumatic stress disorder.

It was too bizarre to believe that two experienced policemen would have plotted the cold-blooded murder of a person who could be traced directly to them, and leave the body lying open to view next to a river, with a string of clues all leading to them.

Mr Jansen contended that the State had failed to prove who had killed Mr Andile Plaatjes the night before or, for that matter, the exact cause of Mr Plaatjes' death.

The State had already abandoned one of the assault charges. He argued that on the State's own evidence it could not have been members of the unit who assaulted Mr Michael Qhina. He was allegedly in hospital an hour before police entered the township.

On the charge of attempting to defeat the ends of justice, Mr Jansen submitted that the State evidence was so confused and contradictory that the court could not find that it was proved beyond a reasonable doubt. — Sapa.

Enemies of peace may not cause disruptions says SAP

D10 1415758
 PRETORIA — The South African Police would not allow the “enemies of peace” to cause disruption in South Africa, the Chief Deputy-Commissioner (Unrest), Lieutenant-General A J Wandrag, said in Ventersdorp yesterday

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 General Wandrag was speaking at the unveiling of a memorial at the Ventersdorp Police Station for Constable Danie Boshoff who died during a shootout with two ANC terrorists in the area on April 8 1987

“My warning today to those who advocate revolutionary change in South Africa is that the SAP will successfully neutralise any violent actions or subversive conspiracies — as we have done so far

“In the execution of our duty, members of the force come in contact with violence and those who cause violence

“There is therefore a high risk involved, but if a man is prepared to honour the SAP motto — ‘We protect and we serve’ — then he is also prepared to take that risk and do his duty at all times

“For many policemen it has meant the end of the road. All were willing to pay the price because their loyalty and offering come from the words in our national anthem”

Gen Wandrag handed an SAP Silver Cross for bravery to Constable Boshoff's mother, Mrs L Boshoff — Sapa

C. Press 15/5/88

The danger of death comes with the job

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Black police are prime targets

By **DESMOND BLOW**

SOUTH Africa, which boasts that it has the smallest police force in the world per capita - 1.9 per thousand people - also has one of the highest fatality and injury rates among its police force.

The tough life of the police in the popular American TV series *Hill Street Blues*, is like child's play compared to the life of a South African policeman.

Because of the political situation in the country, police who work and live in certain areas know their lives are on the line 24 hours a day.

This applies mainly to black policemen, for as Minister of Law and Order, Adriaan Vlok, has said "they are the main target".

Missiles and petrol bombs and more than the occasional shot are fired at policemen from crowds, but more sinister is the ambushing of those who live in the townships.

A political commissar of the ANC's military wing, Umkhonto we Sizwe, was recently quoted as saying that the ANC was stepping up its attacks on South Africa's security forces, and they would be carried out ruthlessly.

Recent surprise shootings of policemen seem to bear out this threat.

No less than 73 South African policemen lost their lives last year in violent incidents and many more were wounded.

This number does not include municipal policemen or "kitskonstabels", which would push the figure very much higher.

The SAP says it does not differentiate between black and white policemen, therefore the figures for the various race groups are not available, but there is little doubt that the vast majority of police casualties are black.

According to reports over the past several months, alleged ANC insurgents seem to seek out policemen, especially in the townships, when they are either on or off duty.

A policeman on his way home is likely to be shot down from a moving car, gangster style, with withering fire from an AK47 and a few handgrenades lobbed in just to make certain. Or he may be at his favourite shebeen with two or three other off-duty colleagues when other drinkers will suddenly produce AK47s and handgrenades from under their overalls and blast the life out of them.

The favourite attack seems to be on policemen patrolling the townships in police vehicles.

Attackers hit them unexpectedly broadside-on with a burst of fire and handgrenades in a 30-second attack and speed safely away before surviving policemen can react, or are too busy caring for the wounded, to follow.

The attacks are becoming more outrageous.

In December it was reported that the authorities

believed there was a new ANC cell operating in Soweto, when about a dozen policemen were killed or wounded in four incidents in less than a fortnight.

But according to Minister Vlok, the police have not been intimidated by these attacks and deaths, and he says the recruiting figures are as high as ever.

In fact, he sees the fatality and injury rate as less of a threat to the police than the "sinister" psychological and propaganda attack on the credibility of the police, to show them as "brutal and callous," and not fit to protect and serve the public.

At a parade of police recruits at Bishop Lavis, near Cape Town, last year, Vlok said, "Police have been plagued by a spate of recent deaths, but this will never destroy their will to protect and serve the people."

At a passing out parade of black recruits at Hamanskraal, Vlok said the black policeman faced "a vicious and callous revolu-

tionary onslaught".

He said the SA Government was aware of the premeditated burden placed on the black members of the force since September 1986.

"Never before in our history have members of the police been placed under such tremendous pressure.

"They have become the main target. Their homes and families are attacked at night. Their families and friends are intimidated, many of their homes and belongings have been destroyed. Yet the black members of the SAP remain loyal.

The attacks have occurred all over South Africa.

Apart from attacks on them by ANC suspects, police sometimes face other dangerous situations due to the tension in this country.

In Pretoria an elderly Pretoria couple wounded a policeman they mistook for a midnight prowler.

Constable on murder charges

By Joe Openshaw

A former police constable, alleged to have shot a man dead after setting a police dog on him in a Krugersdorp park, was a trainee with the Roodepoort Dog Unit and was not supposed to be on patrol duty at the time, a Rand Supreme Court judge heard yesterday

UNTRAINED DOG

The dog he allegedly used was not trained properly and should not have been used for duty, said Lieutenant Christo Johannes Greyling, commanding officer of the dog unit, who was testifying at the trial of Mr Karel Fourie Prinsloo (21) of Wentworth Street, Krugersdorp

251
STW 1715788
The former policeman is charged with murdering two men, assault with intent, and robbing two Krugersdorp Volskas bank officials of R21 000.

Mr Prinsloo pleaded not guilty to the charges of murder, armed robbery and assault but guilty of theft of the money from the officials

Mr Justice D O Vermooten entered a plea of not guilty to the armed robbery charges

The State alleges that, on October 7 1984, Mr Prinsloo shot and killed Mr Ezekiel Mvula at Monumentkop, near Krugersdorp, after arresting him as a suspected burglar and telling him to "make a run for it"

It is also alleged that,

on July 17 1986, Mr Prinsloo set a dog on Mr Meshack Molama in the Elands Street Park, Luipaardsvlei after telling him to "make a break"

On the same day he allegedly set a police dog on Mr Themba Modise in another park

Mr Meskack Sebaku told the court that he, Mr Michael Fourie and another man were sitting in a park at Krugersdorp station when Mr Prinsloo arrived in a police van

"Mr Prinsloo told us to get out of the park. He set the police dog on us and the dog caught Mr Fourie

"Mr Prinsloo assaulted Mr Fourie, put him in the

back of the van and drove off," he said.

The hearing continues. Lieutenant Greyling said "Mr Prinsloo should not have been on patrol duty on July 17 or 18 nor have taken a police van and his dog with him.

NO REPORT

"If there had been an incident in which a man attacked a policeman, a dog was set on him and the man bitten and a shooting, an entry should have been made by him in the Krugersdorp police station occurrence book and in the unit occurrence book. There was no such entry by Mr Prinsloo and he did not make a report to me," Lieutenant Greyling said

Howard

Howard

(b) (i) The delay was caused due to the extension of one of the previous construction phases. In the domestic terminal the mezzanine floor was extended and windows were installed in the restaurant

(ii) As a result of this passengers are being handled in a separate temporary international terminal

(3) Yes

(a) That the international terminal be completed by November 1988

(b) The Durban Metropolitan Chamber of Commerce

(c) On 25 and 29 April 1988

(4) Yes. The contractor has been earnestly requested to complete the work by November 1988 if at all possible

Scientology

*15 Mr R M BURROWS asked the Minister of National Health and Population Development

(1) Whether any action has been taken in regard to any of the recommendations contained in the Report of the Commission of Inquiry into Scientology (RP 55/1973), if not why not, if so (a) what action has been taken in regard to each recommendation and (b) when was such action taken.

(2) whether any further action is envisaged or has been taken in regard to the Scientology organization, if not, why not, if so, (a) what further action and (b) when

(3) whether he will make a statement on the matter?

*The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

(1) Yes (a) and (b) Section 37 of the Medical, Dental and Supplementary Health Professions Act 1974 (No 56 of 1974) makes provision for the regulation of various activities regarding the practice of clinical psychology

(2) No not up to this stage, but the activities of the Organisation are continuously assessed

(3) No

HOUSE OF ASSEMBLY

Search of offices

*16 Mr R M BURROWS asked the Minister of Law and Order

(1) Whether, since 1 January 1987, any members of the South African Police have investigated and/or searched the offices of a certain organization, the name of which has been furnished to the Police for the purpose of the Minister's reply, if so, (a) when did these investigations and/or searches take place, (b) which offices were searched (c) what (i) was the purpose and (ii) were the results of these investigations and/or searches and (d) what is the name of this organization.

(2) whether any charges have been laid against this organization, if so, what charges.

(3) whether the Police have forwarded a docket on the activities of this organization to the Attorney-General, if so, with what result.

(4) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) to (3) The offices of the organization concerned were searched in Johannesburg on 22 September 1987 and in Cape Town on 16 November 1987 as a result of an investigation in terms of section 37 of the Medical, Dental and Supplementary Health Services Professions Act 1974 (Act 56 of 1974). The case docket has been referred to the Attorney-General for his decision. This decision is being awaited, therefore, the required information is not furnished

(4) No

Absence of teachers

*17 Mr K M ANDREW asked the Minister of Education and Development Aid

(1) Whether any teachers from Cape Peninsula schools absented themselves without leave for all or part of (a) 11 February 1988 and (b) the period 15 to 17 February 1988 if so (i) approximately how many and (ii) for what purpose.

(2) whether these teachers made any representations to the Department (a) on

11 February 1988 and (b) during the period 15 to 17 February 1988, if so, (i) what was the nature of these representations (ii) to whom were they made and (iii) what was his Department's response?

The MINISTER OF EDUCATION AND DEVELOPMENT AID [Reply laid upon the Table with leave of House]

(1) (a) Yes

(b) Yes

(i) 166 on 11 February
252 on 15 February
239 on 16 February
238 on 17 February

(ii) In the case of 115 of the 166 on 11 February in order to pay an unauthorized visit to the Circuit Office. In the case of the remainder the reason is not known. On 16 February, 160 of the 239 teachers paid an unauthorized visit to the Circuit Office.

In the case of the remainder of the teachers who were absent on 16 February and in the case of all the absent teachers on 15 and 17 February it is assumed that the stay away action resulted from an appeal to lodge a three-day boycott of classes.

(2) (a) Yes, during the morning of 11 February

(b) Yes during the morning of 16 February

(i) To make representations regarding the admission of pupils at schools

(ii) Deputy Directors Cape Town Circuit

(iii) On 11 February the teachers were addressed by the Deputy Director and he reminded them of the correct procedures when lodging complaints. They were also told that the Deputy Director was prepared to meet the principals of the schools concerned at 16h00 on that day. They were invited to nominate two teacher representatives of

each school to accompany the principals

The teachers were instructed to return to their schools immediately in order to teach the pupils who were left on their own. This they did not do.

Nobody attended the meeting which was arranged for that afternoon. However on 12 February the Circuit Office received a letter from the teachers demanding an interview with the Deputy Director and his colleagues.

An interview was not granted to the teachers because

(a) the meeting was unauthorized

(b) they ignored the previous invitation

(c) they were absent from the school during school hours without leave

(d) the Deputy Minister had already consented to give a group of teachers a hearing at 15h00 that same afternoon

Two letters were handed to the teachers in which they were notified that their behaviour was irregular and in which they were reminded of the correct channels of communication

Circumstances surrounding death of person

*18 Prof N J J OLIVIER asked the Minister of Defence

(1) What are the circumstances surrounding the death on or about 25 April 1988 of a certain person whose name has been furnished to the South African Defence Force for the purpose of the Minister's reply

(2) whether this person had been receiving psychiatric help at the time of his death if not why not if so (a)(i) by whom and (ii) why was it provided (b) when did such help commence and (c) who took the initiative in this regard

HOUSE OF ASSEMBLY

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Dead policeman legend on Flats

CAPE TOWN — Warrant Officer Hendrick 'Barrie' Barnard, one of the two policemen killed in the Sun Valley, Fish Hoek, shootout was a legend on the Cape Flats

Although few knew what he looked like, almost everyone in the squatter communities of Crossroads and KTC

knew of him, especially during the violence of 1986

Many squatters who lost homes and possessions in pitched battles and arson attacks claimed that W/O Barnard was either responsible or had something to do with it

A year later he was seriously injured in a gre-

nade attack on his car

A policeman with 20 years' experience, 10 of them in the Guguletu area, W/O Barnard was the driver for the second in command of Cape Town's reaction unit, Major Dolf Odendal

W/O Barnard's official record stated that he was a dedicated policeman who worked long

hours "without pay and in exceedingly dangerous circumstances during which he at times barely escaped death."

In 1983 he was given an honourable mention in Force Orders by the Commissioner of Police, General Mike Geldenhuys — one of the highest commendations for a policeman — Sapa

Air-wing being developed for SAP riot control unit

Political Correspondent

CAPE TOWN — The police were developing a new air-wing which had already proved indisputably that it was an indispensable link in the effective combating of riots, the government said yesterday in a white paper on the South African Police

This unit is the latest addition to the operational arm of the riot control unit and it utilises fixed-wing aircraft and helicopters.

The white paper, which was tabled in parliament yesterday, said the unit was still in the development phase

"This unit has also been employed with great success in the execution of normal policing functions and has already made meaning-

ful contributions in combating crime, arresting armed robbers, carrying out dagga mopping-up operations and tracing stolen vehicles"

The riot control component also contained a task force, a small group of members who had been subjected to stringent selection and who received highly specialised training

"The freeing of the hostages in the recent coup d'etat in Bophuthatswana was carried out by this unit and the success which was achieved bears testimony to the level of training and professionalism of this unit"

Divisional riot units have been deployed in every police division in the country

The white paper also

said the police had special riot investigation units for the investigation of more serious offences "such as necklace murders and related offences, which have emanated from the unrest situation of the past few years"

These units operated on an ad hoc basis.

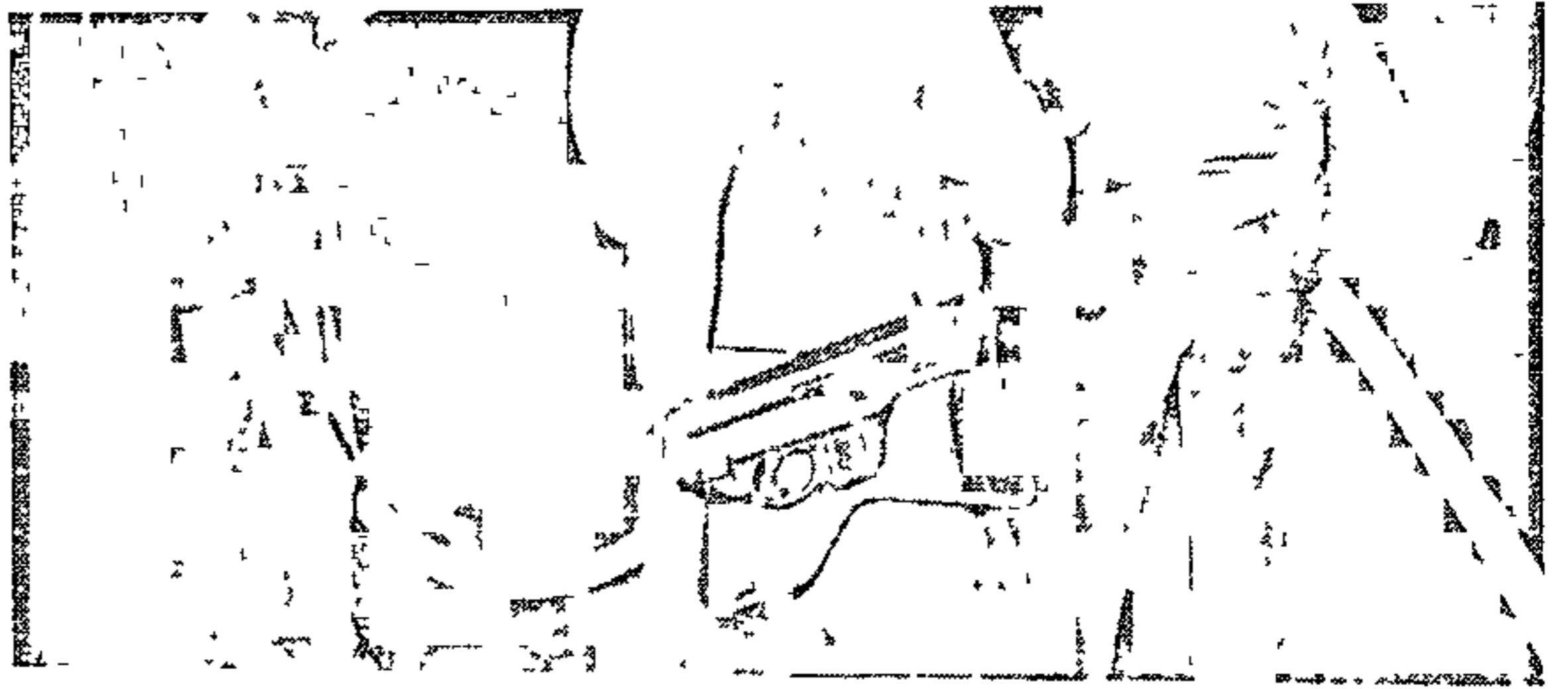
The primary task of the riot control and counter-insurgency component was, in conjunction with the Defence Force, to secure the country's borders against illegal infiltration

Added to this was the efficient combating of unrest situations and the maintenance of law and order within South Africa, the white paper said.

Cape Times 18/3/88 (25/3/88)
SADF backed up police raids

MEMBERS of the Defence Force's Stellenbosch Commando were used to support the police in the raid on hostels in the Kaya Mandi Township near Stellenbosch on March 26, the Deputy Minister of Defence, Mr Wynand Breytenbach, said yesterday. Mr Breytenbach, who was replying to a question from Mr Jan van Eck (Independent, Claremont), said the police requested the participation of the Stellenbosch Commando members to perform tasks in support of the police.

The Commando members were issued with personal weapons



SHOOTOUT AFTERMATH: Police help to lift firehoses up to the first floor of the house in Corsair Way.

Few knew the face of this living legend . . .

By **STEPHEN WROTTESELEY**
Crime Reporter

"BARNARD" was a living legend on the Cape Flats

Although few knew what he looked like, almost everyone in the squatter communities of Crossroads and KTC seemed to know an apocryphal "Barnard" story, especially during the violence of 1986.

Many squatters who lost homes and possessions in pitched battles and arson attacks claimed that "Barnard" was either responsible or had something to do with it.

The stories became so rife that the police took the unusual step of introducing "Barnard" — Warrant Officer H C J "Barrie" Barnard, a relatively junior officer — to journalists and allowing him to answer their questions.

A year later he was seriously injured in a grenade attack on his car.

Last night he was killed while storming a house in Sun Valley.

EXPERIENCED

A policeman with 20 years' experience, 10 of them in the Guguletu area, Warrant Officer Barnard was driver for Major Dolf Odendal, second in command of the reaction unit, and his squad of six men.

W/O Barnard handled the loudspeaker in the van and people often heard his voice — and this, he believed, may have given them the impression that he was in charge.

But he maintained that when he broadcast to a crowd he usually passed on Major Oden-

(Turn to page 3, col 8)



VICTIM: Warrant Officer "Barrie" Barnard after he was injured during a hand-grenade attack last year

Valley of Death

AKU's 185/88
251

By STEPHEN WROTTESLEY, Crime Reporter

TOP police today described as "tragic" the death of two policemen gunned down in a shootout in Sun Valley, Fish Hoek.

Warrant Officer Hendrick "Barrie" Barnard and Constable Robbe Hawton were sent in to resolve the drama last night when Mr Christopher Rossouw du Plooy, 35, holed up in a back bedroom of a double storey house in Corsair Way, threatening to commit suicide.

All three men died.

Warrant Officer Barnard was one of the best-known policemen in the Peninsula and Constable Hawton was the son of the Simon's Town station commander, Warrant Officer V R Hawton.

Brigadier Roy Durning, divisional commissioner of police, said the men "on the ground" had to take the decision to act last night and it was tragic that the actions had led to the deaths.

"To save lives"

However the police's information was that Mr du Plooy was heavily armed and that he could cause serious injuries to members of the public.

"There is no doubt in my mind that they had to act to save lives," Brigadier Durning said.

"It is especially tragic that Warrant Officer Barnard had to die under these circumstances," he said in reference to the policeman's career which resulted in his being one of the most feared policemen on the Cape Flats.

Police have not yet established the motive for the suicide bid but they said that during the three-hour drama, Mr du Plooy screamed "I'm looking for the enemy — all of them".

Sources said early today that he had an arsenal of weapons in the bedroom.

Plucked to safety

The final assault on the room with stun grenades set the house alight and the fire brigade was called to put it out.

The gunman's mother, Mrs Aletia A. Plooy, was plucked to safety moments before the policemen were shot dead.

Sources said the drama started yesterday afternoon after an argument with builders.

A police spokesman said that about 6pm, police were contacted and told that a man in Corsair Way intended committing suicide.

It is thought that the caller was a relative.

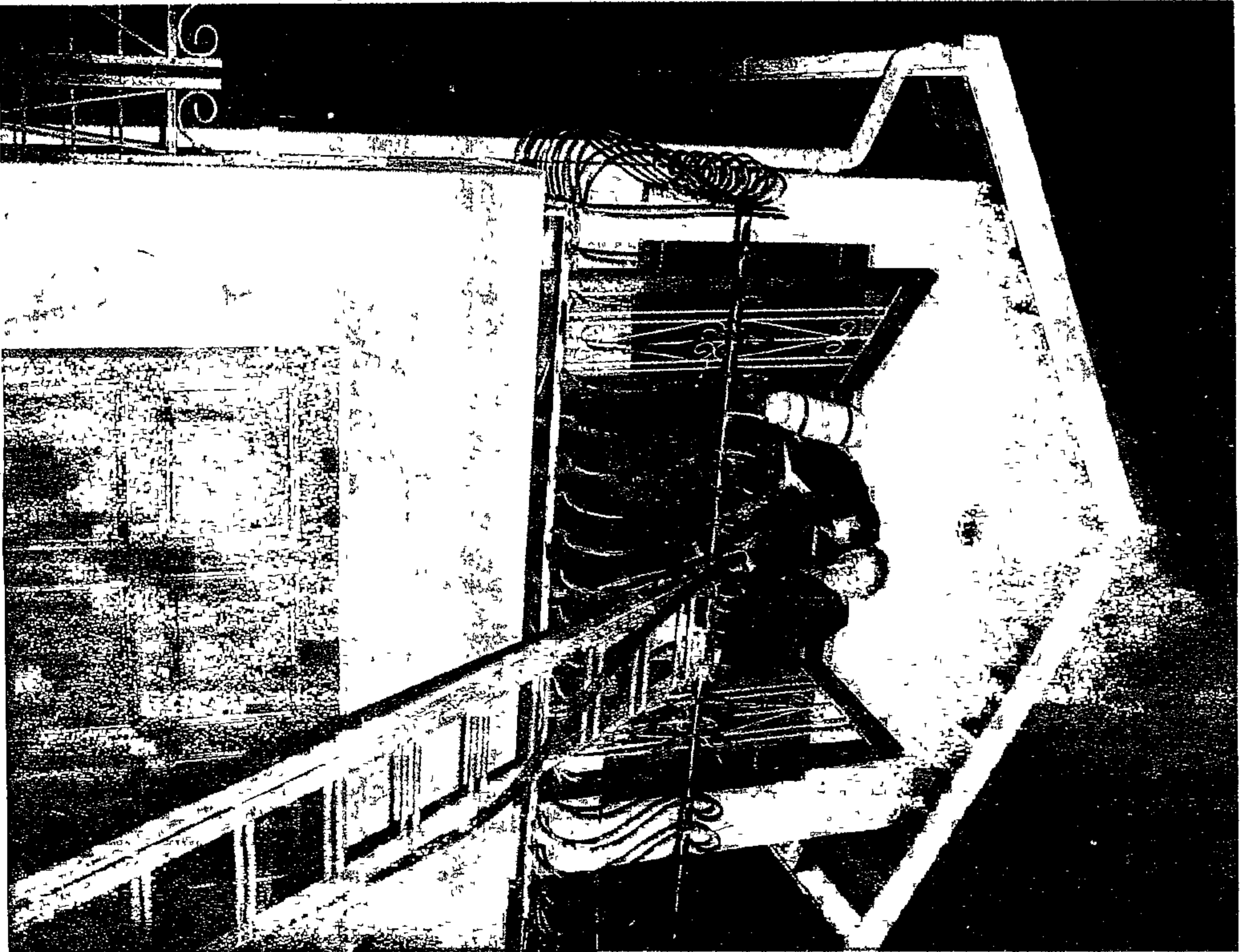
Members of the Fish Hoek uniformed branch gained entrance to the house and started negotiating with Mr du Plooy.

At some point, the criminal investigations officer on duty at Simon's Town, Detective Sergeant Alan Dyason, arrived and he pulled Mrs du Plooy to safety.

Sergeant Dyason, who was too shocked to speak at length to journalists, said that police had tried to negotiate with Mr du Plooy for some hours.

Police were eventually given the go-ahead to

City police gunned down at siege house



SHOOTOUT AFTERMATH: Police help to lift firehoses up to the first floor of the house in Corsair Way.

Few knew the face of this living legend

By STEPHEN WROTTESLEY

Crime Reporter

"BARNARD" was a living legend on the Cape Flats.

Although few knew what he looked like, almost everyone in the squatter communities of Crossroads and KTC seemed to know an apocryphal "Barnard" story, especially during the violence of 1986.

Many squatters who lost

VICTIM: Warrant Officer "Barrie" Barnard after he was injured during a hand-grenade attack last year



NATIONAL/INTERNATIONAL



Pictures, DION TROMP, The Argus

FLASH FIRE: Neighbours and firemen, above, try to extinguish the blaze at the house in Corsair Way, Sun Valley, last night after police used stun grenades in an attempt to force Mr Christopher du Plooy to surrender. Heavily armed police, below, join firemen in fighting the blaze in the house. And, right, minutes after the shootout in which his colleague Warrant Officer "Barrie" Barnard was shot dead, the deputy chief of the Reaction Unit, Major Dolf Odendal, left, describes what happened.



Policemen die in shootout

(Continued from page 1)

stun grenades were thrown into the house

When these had no effect, Warrant Officer Barnard tried to get into the gunman's room

He was shot and fatally wounded

Police then stormed the room and Mr du Plooy was killed

Meanwhile Sun Valley residents thought a terrorist base was being stormed

Some said they had been told to take cover as they drove

past. Others told of vain appeals by the police for the gunman to throw down his weapons before the final attack

A neighbour, Mr Frederick Boschoff, said he and his wife, Cynthia, drove past the scene shortly before the gun battle and were told to take cover in their home

They heard gunshots and calls for the gunman to "throw down his gun and come out"

Later there were shots "I've never heard so many shots in my life," Mr Boschoff said

'A terrible waste... of our Robert...'

Staff Reporter

POLICE said today that Constable Robert Hawton, who died in last night's shootout in Sun Valley, joined the force in January 1985 and was stationed at Wynberg. He was transferred to Fish Hoek in August 1986 and served with the inquiries staff

Colleagues said he was "very popular"

Constable Hawton, who would have been 22 on Sunday, attended Simon's Town Primary School and High School, matriculating in 1984. In that year he won the Ver Burg Trophy for Prefect of the Year

He was deputy-head boy and an "all-round sportsman" competing in athletics and playing first-team rugby for two years, said Mrs Maureen Dubber, school secretary

He was an "excellent" instructor, a hard-working pupil and popular with his teachers and peers

"It's a terrible waste. We were all hoping that it was coincidence and not our Robert. He was such a lovely boy with lovely manners," she said

A police colleague said Constable Hawton recently became keen on bodybuilding. He was a conscientious, popular worker

Constable Hawton was not married

'Barnard' a legend

(Continued from page 1)

dal's commands and statements, not his own.

He said that many people had heard of him but did not know what he looked like.

His official police record stated that he was a dedicated policeman who worked long hours "without pay and in exceedingly dangerous circumstances during which he at times barely escaped death".

In 1983 he was given an honourable mention in Force Orders by the Commissioner of Police, General Mike Geldenhuys — one of the highest commendations for a policeman — after he broke a car theft and housebreaking ring in New Crossroads through his "exceptional perceptiveness".

"To save lives"

However the police's information was that Mr du Plooy was heavily armed and that he could cause serious injuries to members of the public

"There is no doubt in my mind that they had to act to save lives," Brigadier During said

"It is especially tragic that Warrant Officer Barnard had to die under these circumstances," he said in reference to the policeman's career which resulted in his being one of the most feared policemen on the Cape Flats

Police have not yet established the motive for the suicide bid but they said that during the three-hour drama, Mr du Plooy screamed "I'm looking for the enemy — all of them".

Sources said early today that he had an arsenal of weapons in the bedroom

Plucked to safety

The final assault on the room with stun grenades set the house alight and the fire brigade was called to put it out

The gunman's mother, Mrs Mattie du Plooy, was plucked to safety moments before the policemen were shot dead

Sources said the drama started yesterday afternoon after an argument with builders

A police spokesman said that about 6pm, police were contacted and told that a man in Corsair Way intended committing suicide

It is thought that the caller was a relative

Members of the Fish Hoek uniformed branch gained entrance to the house and started negotiating with Mr du Plooy

At some point, the criminal investigations officer on duty at Simon's Town, Detective Sergeant Alan Dyason, arrived and he pulled Mrs du Plooy to safety.

Sergeant Dyason, who was too shocked to speak at length to journalists, said that police had tried to negotiate with Mr du Plooy for some hours

Police were eventually given the go-ahead to storm the room where he had taken refuge

Shot in head

Sergeant Dyason said he kicked in the door and the next thing he remembered was falling down the stairs

He realised later he had been shot in the head

His partner in the break-in attempt, Constable Hawton, was hit by the same blast, thought to have been from a shotgun, and probably died instantly

Police declined to comment further but witnesses said an appeal was made to Mr du Plooy to allow police to take Constable Hawton away for medical treatment. He apparently refused.

He then apparently fired on back-up units.

A special task force was called in, among its members Major Dolf Odendal and his aide, Warrant Officer Barnard

A shocked Major Odendal said last night he contacted Warrant Officer Barnard and told him to pick him up.

When they arrived at the house they split up Major Odendal, who was close to tears, said he did not know what happened next

A police spokesman said when the task force arrived,

(Turn to page 3, col 6)



SURVIVOR: Detective Sergeant Alan Dyason, who was wounded in the head in last night's shootout.



Pictures DION TROMP, The Argus

BLAZE BEATERS: Firemen using breathing apparatus fight the blaze that started when police threw stun grenades during last night's gun battle in Sun Valley.

Testimony to a nightmare

By ANTHONY DOMAN
Staff Reporter

BLOOD and bits of charred debris bore testimony today to the carnage that turned a tranquil Sun Valley evening into a nightmare.

Several burnt rifles stacked against a sideboard remained of the 11 believed to have been collected by the father of the slain man, Mr Chris du Plooy, 35

Only the occasional police car stopping at the red-roofed house, half-hidden behind trees and cordoned off with a barely noticeable striped tape gave a hint of the devastation which took place last night

Passing cars and buses slowed as the occupants gawked at the scene of the multiple shooting

Four doors away a shocked Mrs Mattie du Plooy was kept isolated by neighbours

"She cannot see anybody now," said a woman who asked not to be named, describing Mrs du Plooy as "an intimate friend"

She said she had been with Mrs du Plooy since last night

As we talked, a Defence Force medic arrived and went into the house where Mrs du Plooy, a navy employee, was being treated

Christopher du Plooy lived a lonely, isolated life in a flatlet built onto his mother's home

According to a friend of the family he had not been working

Asked what could have led up to last night's events, the friend said "I suppose he had problems. We don't know why he did it"

(Turn to page 3, col 3)

CAPE TOWN 18/5/88

SAP air wing: Spy in the sky is nigh

Political Staff

251

THE police are developing a new air wing which has already proved an effective link in combating riots, the government said yesterday in a white paper on the police tabled in Parliament.

This unit was the latest addition to the operational arm of the riot control unit and it used fixed-wing aircraft and helicopters. The unit was still in the development phase.

"This unit has also been employed with great success in the execution of normal policing func-

tions and has already made meaningful contributions in combating crime, arresting armed robbers, carrying out dagga mopping-up operations and tracing stolen vehicles."

The riot control component also contained a task force who had been subjected to stringent selection.

"The freeing of the hostages in the recent coup d'état in Bophuthatswana was carried out by this unit and the success achieved bears testimony to the level of training and professionalism of this unit."

Divisional riot units had been deployed in every police division in the country

CAPE TOWN 18/5/88 (251)
Image of police 'distorted'

A **DISTORTED** image of the police had not only resulted in increasing hostility towards the police, but had also caused the police to become more and more isolated from the general public, its major partner in policing, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday. A total counter-revolutionary strategy was necessary to counter the revolutionary onslaught. The police force had not been established only for the protection of South Africa and its population, but also as an instrument of service for the country and its people. "To negate this isolation, purposeful action is necessary — this action has already been started," Mr Vlok said. The strategy included "security actions against revolutionary and radical elements".

SHEPHERD

Policemen killed in Fish Hoek gun battle

Cape Times 18/5/88 251

By JIM FREEMAN, ALAN TAYLOR
and PATRICK COLLINGS

THREE MEN — two of them policemen — died in a blazing gun battle last night at a home in Sun Valley, Fish Hoek, where a man had earlier tried to commit suicide. A third policeman received head wounds.

The first policeman killed was Constable R C Hawton, 19, of Fish Hoek. He had tried to prevent the man, Mr Chris du Plooy, 35, from committing suicide in his home at 29 Corsair Way.

Seriously wounded

Mr Du Plooy was killed and the second policeman, Warrant Officer Hendrik Barnard, fatally wounded when police stormed the home, setting it alight as they fired automatic weapons.

WO Barnard was one of Cape Town's best-known policemen and featured in a number of hearings involving KTC residents. He was seriously wounded in January 1987 when a grenade was thrown into the vehicle in which he was travelling in Guguletu, killing a fellow policeman and seriously wounding a reservist.

Const Hawton and his partner, Sergeant Alan Dyason, went to the Fish Hoek home belonging to Mr Du Plooy's mother, Mrs Matty du Plooy, after she had told police about 6pm that her son was trying to commit suicide.

Mrs Du Plooy was escorted from her home while the policemen tried to talk to her son who was holed up in an upstairs bedroom.

At 8pm Constable Hawton tried to kick the door open. As he approached, Mr Du Plooy shouted "I am searching for the enemy — all of them."

A shotgun blast then ripped through the door of the bedroom, hitting Cons Hawton in the head. He died instantly.

When the shooting started, curious neighbours and bystanders scattered and sought cover.

Dozens of police descended on the home in response to the emergency call from Sgt Dyason, who had received a head injury when his partner was gunned down.

About 9.30pm police surrounded the home and took cover behind garden walls as house-entry experts crept towards windows and doors. Police asked if they could give their downed colleague medical assistance, but were an-

To Page 4

TAKING COVER . . . Policemen shelter behind the garden wall of 29 Corsair Way waiting for the order to storm the house. Picture ALAN TAYLOR



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(251)

SAP deserves image of faith, says Vlok

Star 18/8/88
South Africa's enemies had presented an image to the public and the world of the police being unapproachable, unfriendly and even oppressors, Minister of Law and Order Adriaan Vlok said in Parliament yesterday.

This had not only resulted in increasing hostility towards the police, but had also caused them to become more and more isolated from their major partner in policing — the general public.

Mr Vlok made these remarks in introduction to the first White Paper on the organisation and functions of the SAP, which was tabled as part of the 75th anniversary of the force.

He said the negative image of the SAP could not be allowed to continue.

"On that path awaits only disaster and misery for all concerned, he said

Mr Adriaan Vlok . . . need to show we're friends.

HOUSE OF DELEGATES

†Indicates translated version

For oral reply

General Affairs

Assault by policemen

* 1 Mr K CHETTY asked the Minister of Law and Order

- (1) Whether a complainant in regard to the alleged assault by members of the South African Police on a certain person, whose name has been furnished to the Police for the purpose of the Minister's reply, was lodged at a police station in Chatsworth recently, if so, (a) when did the alleged assault take place and (b) what were the circumstances surrounding this incident,
- (2) whether the matter is being investigated by the Police, if not, why not, if so, when is it anticipated that the investigation will be completed,
- (3) whether any steps have been taken against the policemen involved pending the outcome of this investigation, if not, why not, if so, what steps?

The MINISTER OF LAW AND ORDER

(1) to (3)

The person concerned was questioned by members of the Force in connection with a complaint of housebreaking with the intent to steal and theft involving jewelry to the value of R8 000.00. As a result of this interrogation two of the person's friends were arrested and charged. However, he alleged that he had been assaulted during the interrogation, and a charge of assault is being investigated. It is anticipated that this case docket will shortly be submitted to the Attorney-General for his decision.

Mr K CHETTY Mr Chairman, arising out of the hon the Minister's reply, may I ask him whether steps have been taken in the meantime as far as the prosecution of the policemen are concerned?

The MINISTER Mr Chairman, as I have indicated, a charge of assault is being investigated. As soon as that has been completed it will be put to the Attorney-General to decide whether to

HOUSE OF DELEGATES

prosecute or not. After his decision is known further steps will be taken.

Own Affairs

Transvaal Farmers' Union: representations for assistance to farmers

* 1 Mr A S RAZZAK asked the Minister of Local Government and Agriculture

- (1) Whether his Department has received any representations from the Transvaal Farmers' Union for assistance to be granted to farmers, if so, over what period,
- (2) whether, in consequence of these representations, his Department (a) granted assistance and (b) made land available to any farmers, if not, why not, if so, (i) (aa) how many farmers are receiving such assistance and (bb) what is the nature of the assistance provided and (ii) (aa) when was such land made available to farmers and (bb) where is it situated,
- (3) whether he, together with members of the said union, conducted an *in loco* inspection of agricultural land in January 1988, if so, (a) why and (b) what were the findings,
- (4) whether, subsequent to the above inspection, he informed this union of his views on the matter, if not, why not, if so, what are these views?

The MINISTER OF LOCAL GOVERNMENT AND AGRICULTURE

(1) Yes — the Transvaal Farmers' Union made representations on 18 January 1988 on behalf of 2 persons and on 18 February 1988 on behalf of 10 persons.

(2) (a) No. No written representations were made by the said Union for the granting of financial assistance to farmers.

(b) No — this matter is still receiving the attention of my Department.

- (i) (aa) Falls away
(bb) Falls away
(ii) (aa) Falls away
(bb) Falls away

(3) Yes

(a) To obtain an insight into and to familiarise ourselves with the problems

confronting the Indian farming community in the Transvaal

(b) There are complex problems facing Indian farmers in the Transvaal and these are as a result of the following

- Group Areas Legislation
- Non-availability of farming land

— The present lease agreements in respect of land being used for farming purposes in Lenasia are of short duration and do accordingly not offer sufficient security to the farmers

(4) Yes

The problems facing the farmers would be addressed by my Department. The question of extending the period of lease of land owned by the Housing Development Board (House of Delegates) is receiving the attention of my Department.

Consideration would be given to agricultural land owned by the Housing Development Board (House of Delegates) and being leased to farmers.

Mr J V IYMAN Mr Chairman, arising out of the answer of the hon the Minister, can he tell us whether the Housing Development Board which he mentioned in his reply owns any agricultural land?

The MINISTER Mr Chairman, all the land that belongs to the House of Delegates, belongs to the Housing Development Board. We have no agricultural land.

Mr J V IYMAN Mr Chairman, further arising out of the hon the Minister's reply, how does he propose solving the problem of the agricultural land if the Housing Development Board does not own any agricultural land?

The MINISTER Mr Chairman, an exercise is being carried out at the moment with regard to all the land that falls under the Housing Development Board. Land that will not be used in the short term can be considered, and negotiations are afoot at the moment.

Mr J V IYMAN Mr Chairman, further arising out of the hon the Minister's reply, I want to say that I am not satisfied because that implies that this farm land which was allocated to these appli-

cants will merely be on a temporary basis and will not provide a permanent solution to the problem.

The MINISTER Mr Chairman, my reply to the hon member did not relate to land of an agricultural nature. However, exercises other than the ones I have mentioned are being carried out for the security of land tenure for agriculture as such.

Mr P I DEVAN Mr Chairman, further arising out of the hon the Minister's reply to paragraph (2) of this question, may I ask him whether verbal applications were made for grants since he emphasised that no written applications were made? The MINISTER Mr Chairman, I am not aware of any verbal applications.

Mr P I DEVAN Mr Chairman, further arising out of the hon the Minister's reply, may I ask him whether, in order to do justice to paragraph (4), he has conducted a census into agriculture in the Transvaal, or whether he is contemplating conducting such a census in order to motivate the need for more land, etc? The MINISTER Mr Chairman, an in-depth survey is being carried out in the Transvaal and I am happy to report that the farmers' union which has been established is playing an important role, together with our department, in the identification of land, just as we are doing in Natal.

Chatsworth: sale of site

* 2 Mr M RAJAB asked the Minister of Housing

(1) Whether his Department has reached an agreement with a certain company, the name of which has been furnished to the Minister's Department for the purpose of his reply, or its subsidiaries in regard to the sale of a site in Chatsworth, if so, (a) when, (b) what is the (i) agreed purchase price and (ii) name of the company concerned and (c) on what conditions was the site sold or is it to be sold,

(2) whether any commission was paid or is to be paid in connection with this sale, if so, to whom,

(3) whether his Department originally purchased this site from the Durban City Council, if not, from whom was it purchased if so (a) when, (b) at what price and (c) on what conditions?

HOUSE OF DELEGATES

ARGUS 19/5/88 (25)

CITY/COURTS

Police in joking mood 'washed' strollers in dam

Court Reporter

POLICE were in the mood for jokes one night when they took five street children to a Table Mountain dam to "wash them clean", the Cape Town Magistrate's Court heard.

Sergeant Burgert Johannes van Dyk, 23, of Edward Heights, Wallace Street, Goodwood was giving evidence in his defence after pleading not guilty to assaulting the boys, aged between 11 and 14, forcing them to jump into the dam and spraying them with teargas in March last year.

Yesterday, Sergeant van Dyk told the court he and three constables patrolling near Spin Street in the city centre saw a group of boys near parked cars

They thought the boys were tampering with the cars so they chased them and put them in their police van. He said the boys had been lying in dirty water and stank.

"Lesson"

He said they drove to the Caledon Square police station to wash their hands and decided to take the boys to a dam to wash them and "teach them a lesson".

Mrs G McKellar, for the State, asked why the boys could not be washed at the police station

"There were no showers there," said Sergeant van Dyk.

Mrs McKellar: Did you take towels with you to dry them? Did you take off their clothes first? You chose to take young children up the mountain and make them jump, fully clothed, into a dam at 10 o'clock on a cold March night?

Sergeant van Dyk: We wanted to wash their clothes, too

Sergeant van Dyk said police at the station were in a joking mood that night and taking the children to the mountain was part of a game

He said a Constable Nel "tapped" one of the boys with a plastic pipe but denied they were assaulted.

He could not say why a district surgeon's report said three boys had injuries and abrasions

Protect

Mrs McKellar: What is the police motto?

Sergeant van Dyk: Serve and protect.

Mrs McKellar: So Constable Nel was protecting those children?

Sergeant van Dyk: Sometimes you have to give them a hiding or they become big criminals.

He said a Constable Snyman had squirted teargas at the boys. It was not dangerous and they often squirted teargas at each other "for fun".

The hearing was postponed to May 24.

Mr O Shrenk was on the bench. Sergeant van Dyk was not represented

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'Strollers' tell of lashing

Cape Town 19/5/88 (251) Court Reporter

POLICEMEN lashed five "strollers" (street children) before ordering them into a Table Mountain dam to rinse off "the dirt and stink" so they could teach them a lesson, the Cape Town Magistrate's Court heard yesterday.

Sergeant Burgert Johannes van Dyk, 23, of Wallace Street, Goodwood, was testifying at his trial, where he pleaded not guilty to assaulting the boys on March 10 last year on or near Tafelberg Road.

Constable Colin Charles Nel was also accused, but his trial is being held separately as a result of illness.

Earlier, a 15-year-old boy told the court he and four companions were assaulted, teargassed and forced to jump into a dam. They had been playing cards at a house in New Church Street when they were put into a police van and taken to the dam where three policemen beat them with pipes and a stick. The boy said Sgt van Dyk, whom he knew, was not one of his assailants.

The boy said he was made to jump into the dam, after which they were put back into the van



Sergeant Burgert van Dyk

and teargas was fired at them.

Yesterday Sgt van Dyk, who was the senior man on his shift, said he and about five other policemen had seen a group of boys playing near some parked cars. They thought they were tampering with the cars and gave chase.

He and Const Nel caught one under a car where there was "muddy dirty water". They had returned to the police station with the boys in the van where

they washed the dirt off themselves.

The six of them went to the mountain in two vans where one boy jumped into the dam. Const Nel hit one boy and threw him into the dam.

Under cross-examination, Sgt van Dyk said it was his duty to warn the boys and let them go, but it was a joint decision "to teach them a lesson".

He said Const Nel had a light plastic pipe. Each of the boys were beaten on the behind but he had not seen any of them being kicked. He said the boys were also teargassed and he had stopped them running away.

When asked whether he was doing his duty of "protecting and serving", he said "If someone runs away late at night he must be doing something wrong". He felt Const Nel was doing his duty as the "child might listen next time".

Sgt van Dyk agreed that "strictly speaking it was assault, but if I thought it was wrong, I would have stopped Nel".

The hearing was adjourned to May 25.

Mr O Shrenk was the magistrate. Sgt van Dyk was not represented.

The cop they couldn't kill

CAP/Temp 251
19/5/88

AFTER two decades of defying Woodstock gangsters and township activists, the policeman many believed could not be killed died in the street outside a plush Sun Valley home.

Warrant Officer "Barrie" Barnard enjoyed renown among policemen and notoriety in the streets of the Peninsula's townships, where it was said "muti" made him invulnerable. His death was a major news event in the townships yesterday.

He and 19-year-old Constable Robert Hawton died in a four hour drama on Tuesday that began when police tried to stop a suicide bid by Mr Christo du Plooy, a "loner who walked around with guns".

Const Hawton, who was to celebrate his 22nd birthday next week, was educated at Simon's Town High School and had been in the police force for three years. His father is the Simon's Town police station commander.

WO Barnard was married with three daughters aged nine, 10 and 15 and lived at the Milnerton police quarters.

The "indestructible" Barnard died at the hands of a man whom a neighbour said "kept to himself and would run inside if he saw any one of us".

Police found five rifles, a shotgun, three handguns and a large amount of ammunition in Mr Du Plooy's room. He lived with his mother and "walked around with guns", said neighbour Mrs Agnes Phillips.

Friends of the Du Plooy family said Mr Du Plooy was very close to his mother and a "very quiet person".

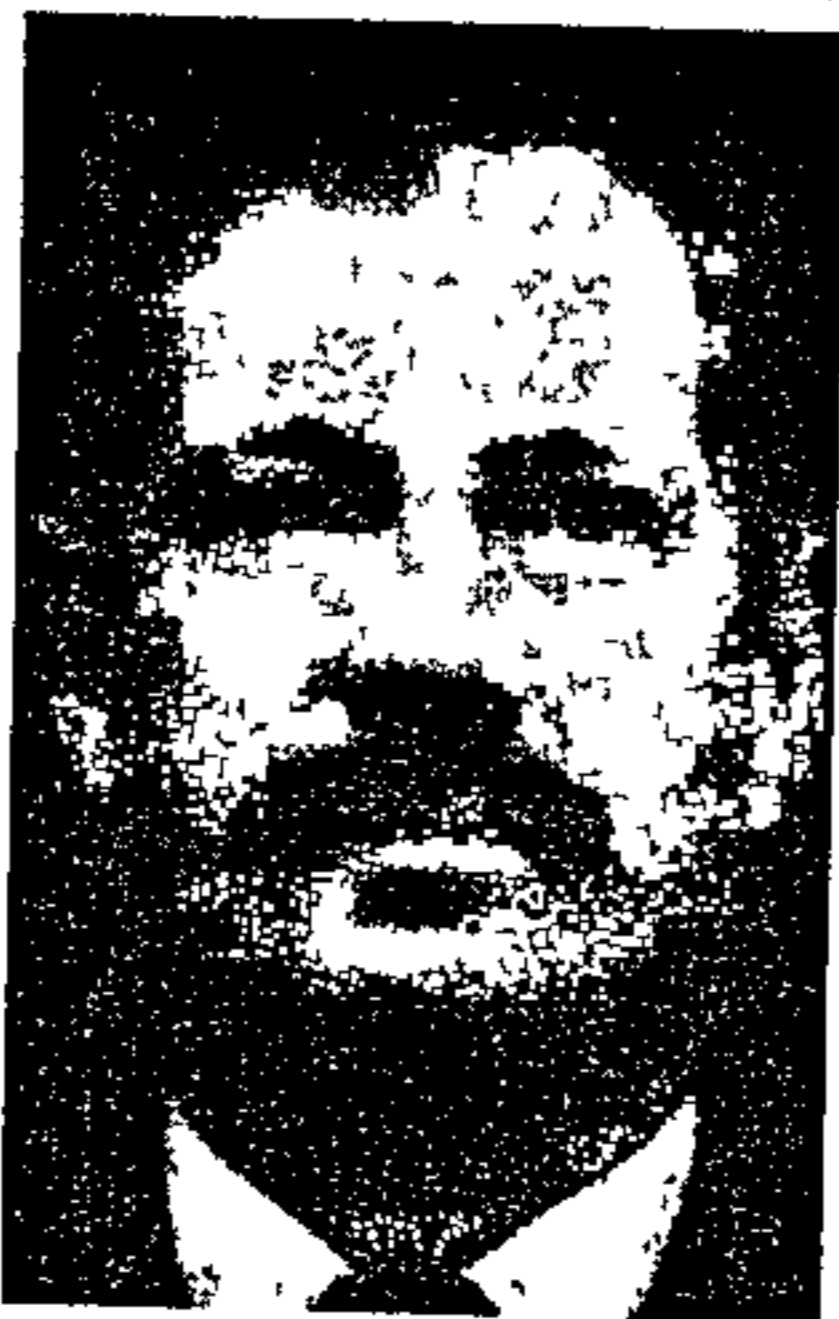
Mr Du Plooy's mother, Mrs Matty du Plooy, was yesterday staying with friends and refused to speak to outsiders.

Policemen who were in the lounge of the house in Corsair Drive on Tuesday night when 35-year-old Mr Du Plooy held them at bay from an upstairs bedroom said WO Barnard died trying to recover the body of Const Hawton, not knowing the constable was dead.

Along with the respect he earned from colleagues, was the dread with which he was regarded by many in the townships. At the news of his death, some expressed disbelief, others satisfaction.

He was linked to the Witdoeke vigilantes during the burning of KTC in June 1985. He was also named by journalists as a suspect in the killing of seven alleged ANC members in Guguletu on March 3, 1986.

Part of WO Barnard's mythical status stemmed from his narrow escapes from assassination attempts in the townships which gave rise to the legend that a witchdoctor had cast a spell that made him impervious to bullets.



A TOWNSHIP LEGEND . Warrant Officer "Barrie" Barnard

Caught in the Sun Valley siege — Page 3

One of his narrow brushes with death came in January last year. A constable died and two other policemen — one of them Barnard — were injured when a handgrenade was flung into their patrol vehicle.

The car caught fire and, on three flat tyres, WO Barnard drove back to the Guguletu station.

At the height of the township violence in 1986, the policeman became a common sight, cradling a shotgun in his arms, two pistols on his hips and his chest criss-crossed with bandoliers of ammunition.

Dressed most often in faded jeans and a T-shirt, journalists dubbed him "the Rambo of Crossroads".

"Barrie never used his gun unless he had to," said a friend of 15 years who did not want to be identified.

"He was a policeman first, second and last."

Two years before the townships erupted on May 23, 1983 — a commendation by the then-Commissioner of Police, General Mike Geldenhuys, said "Since his appointment on December 10, 1986 in 23 cases he was forced to use his firearm to protect himself or others from serious injury or death."



FIREPOWER . Warrant Officer Chris Raath (left) and Wynberg divisional CID chief Lieutenant-Colonel Willem Oosthuizen survey the remains of Mr Christo du Plooy's car.

Cuban troops massing 70km from border

INTELLIGENCE sources claimed yesterday that Cuban troops were only about 70km from Namibia where they are massing with Swapo and Fapla forces at Ngiva — one of five spearheads close to the border.

The sources claimed that other concentrations of the combined Cuban-Swapo-Fapla



Three punters take Pick 6

THREE Pick 6 punters scooped the local pool yesterday, each receiving a dividend of R59 620,30.

Going into the last leg there were five horses with no live tickets running on them. However, it was the favourite, Mama's Music who took the race in his stride to score convincingly.

A local punter scooped the Natal Pick 6 pool for the second meeting in succession. Yesterday's pool paid

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1988 (212)

Cop 'did not know' if order was told to all

Supreme Court Reporter

A STAFF officer of the Divisional Commissioner of Police, yesterday told the Supreme Court he did not know if the contents of an interdict — restraining police, the SADF and the witdoek vigilantes from attacking KTC — had been conveyed to all members of the riot squad.

This was said by Lieutenant-Colonel Hewitt Wright in the R200 000 action brought against the Minister of Law and Order by the Methodist Church and 21 families arising from the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986.

Lt-Col Wright said the then Divisional Commissioner of Police, Brigadier Chris Swart had regarded the interdict as so important that not only were two senior officers required to know its contents but also to attach their signatures to it.

The two senior officers, a Col Mans, Divisional Inspector charged with unrest and a Col Visser, an officer commanding the riot squad both received a copy of the court order.

Shortly before the burning of KTC, Brig Swart had been transferred from Port Elizabeth and an incident in Langa township in the Eastern Cape been fresh in his mind. So when the order was granted the brigadier tried to take precautionary measures.

Precautionary

It was the duty of Col Visser to see that every officer and policeman in the Riot Squad were told of the court order.

Asked by Mr H P Viljoen SC, for the residents, what he would have done had he been in Col Visser's shoes, Col Wright said he would have called a meeting with his platoon officers, discussed the interdict with them and would then have expected them to convey it to all ranks under them.

As a staff officer of Brig Swart, he had ordered Col Visser to convey the interdict to his men and see to it that the conditions were obeyed.

Lt-Col Wright said he did not know if the interdict had been brought to the attention of each member of the riot squad.

However after the Supreme Court interdict Brig Swart had ordered that proper precautionary measures be taken, he said.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the residents. Mr C Y Louw, instructed by the State Attorney, appeared for the Minister.

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Caught in the Sun Valley siege

By JIM FREEMAN and ALAN TAYLOR
ALAN TAYLOR and I crouched behind a low garden wall, his flak-jacketed policemen cocked their automatic weapons and pumped shells into the breaches of their shotguns.

There are times when one curses fate and coincidence — particularly when your nose is buried deep into the dirt as submachine-guns chatter angrily in response to shotgun booms just a short trajectory away.

When we say curse, we mean "curse". There can surely be no greater adrenalin high for a hard-news journalist and a photographer than to be caught virtually in the middle of a siege, come out of it and discover that no other reporter or photographer is there.

Alan and I followed a speeding police van on Tuesday evening, knowing that no driver would be moving like that without good reason.

It was a story. How strong, we weren't sure until a few minutes later, when we turned into Sun Valley and another two yellow vans rooketed past.

We had a clear half hour on any one else as Alan slammed on the brakes and we skidded in behind an armada of police vans and a lone walking ambulance.

Two-way radios crackled the still night as we scuttled, doubled over to where camouflage-clad policemen armed with FN automatic rifles, submachine guns, pump-action shotguns and teargas grenade launchers clustered around their commanding officer for orders.

Alan's flash rent the darkness as police crept through the garden towards the house, pressing themselves flat against the wall on either side of the front door. Others hustled bystanders off the street.

It was five minutes to ten, teetering on deadline and I phoned through a few paragraphs for the first edition.

As I spoke, the muffled thud of stun grenades shook the besieged house, followed by the staccato sputter of submachine-guns. Brief silence. Boom-boom shotgun.

Two stretchers were wheeled into the house. The police regrouped and news came that a second policeman had been shot.

He was lifted into the ambulance with blood gushing from his neck. Alan and I crouched in the flowerbeds. Suddenly there was the repeated roar of shotguns and machineguns right in front of us.

We hung ourselves flat as a thundering blast drowned all other sound and an accompanying flash lit the night.

Roof tiles flew into the air following the hand-grenade explosion and flames gouted up from the room where Mr Chris du Plooy, 35, had held the police at bay for more than three hours.

We stood by shaken as the second stretcher was brought out, a white sheet covering the face of young Constable Robert Hawton. Alan Taylor lifted his camera one last time.



ARMOURY . . . Warrant Officer Chns Raath among the rubble of Chns du Plooy's fortress. The gun safe held a shotgun, several rifles and three handguns. Picture: GLENN SHERBATT

Tuesday's shootout: How it happened Train police to deal with suicides plea

By RENEE MOODIE

A LEADING expert on suicide intervention yesterday called on the police to train teams of officers to deal with emotional or homicide crises.

Mr Sam Bloomberg, founder of Suicides Anonymous and National Party MP for Beaufort West, made his call for trained "suicidologists" in the ranks of the police following Tuesday night in Sun Valley on the death of three people.

Mr Bloomberg, who has 28 years of experience dealing with potential suicides, said the time had come "for the SAP to form small and dedicated teams to deal with emotionally disturbed people in suicidal or homicidal situations".

Brigadier Leon Mellel, spokesman for Minister of Law and Order Mr Adriaan Vlok, said the police would always look at new ideas.

"We would consider this idea but not necessarily implement it," he said.

SUN VALLEY SHOOTOUT A blow by blow account of Tuesday night's death battle.

At 6pm Mrs Matly du Plooy calls the police and tells them that her son Mr Chris du Plooy is planning to commit suicide.

Constable Robert Hawton and another policeman from the Fish Hook police station arrive, and are later joined by Sergeant Alan Dyason, from Simonstown CID. Sgt Dyason later escorts Mrs Du Plooy from the house and starts talking to Mr Du Plooy through the closed door of his second floor bedroom.

At this stage the policemen are standing at the top of the stairs.

At 8pm Const Hawton and Sgt Dyason attempt to kick in the bedroom door. Mr Du Plooy shoots through the door with a shotgun, hitting Const Hawton in the head.

Const Hawton falls at the top of the steps and Sgt Dyason tumbles down the steps gashing his head.

Police backup arrives and appeals are made to Mr Du Plooy to allow police to assist the fallen Const Hawton.

Mr Du Plooy replies by firing down the stairs. Policemen are unable to progress up the steps.

At 10pm police in the backyard shoot into the window of the room while at the same time police hurl two stun grenades through the window.

Warrant Officer Hendrik "Bar-

rearnard climbs the steps to assist Const Hawton, crouches down, peers into the room and is shot in the neck by Du Plooy.

W/O Barnard stumbles down the steps and collapses in the living room close to the front door. He is removed from the house by Metro at 10:09pm and dies shortly afterwards.

10:20pm police throw a live grenade through the window of Mr Du Plooy's bedroom. After the explosion Lieutenant Bester of the Task Force enters the room and empties his gun's magazine.

Five breaks out and is quickly brought under control but destroys the bedroom.

Police recover five rifles, a shotgun and three handguns.



MINISTER of Law and Order... Adriaan Vlok

'Unfair' to cops

SOUTH Africa's enemies had presented an image to the public and the world of the police being unapproachable, unfriendly and even oppressors, Minister of Law and Order, Adriaan Vlok said in Parliament this week.

This had not only resulted in increasing hostility towards the police, but had also caused them to become more and more isolated from their major partner in policing — the general public.

Mr Vlok made these remarks in introduction to the first White Paper on the organisation and functions of the SAP, which was tabled as part of the 75th anniversary of the force.

He said the negative image of the SAP could not be allowed to continue.

"On that path awaits only disaster and misery for all concerned," he said.

South Africa 1978-88

JOHANNESBURG. — There was joy and shock at the Witbank home of Frank Papenfus when he heard that his missing younger brother Johan was alive and in hospital in Cuba.

South Africa has already activated diplomatic and other international channels in attempts to secure the release of Private Papenfus, 25, who was wounded and captured in southern Angola on May 4 during an operation against Swapo

He's alive! Joy for POW's family

A priority has been to request Havana to allow Private Papenfus to receive parcels and letters from his family.

His brother Frank, 30, said he was still worried about Johan "and to tell you the truth I'm not even really sure where Cuba is".

He said his 25 year-old Sats tradesman brother, of Pretoria, had been reported missing two weeks ago.

"Of course we were extremely worried," said Frank, who is married with two young children, "but we never gave up hope".

"So unexpected"

Then last night a friend phoned his wife to say there was an item about Johan on the 5pm radio news

"We tuned in to the 6pm TV news and there it was. It was so unexpected I'm worried about his health and hope everything is alright for him over there."

Frank said he was anxiously waiting to hear the full story.

"There is nothing we can do at present. The SADF have not contacted me about Johan."

The brothers' parents are both dead.

Johan, who was born and educated in Witbank, and who lived in Sunnyside, Pretoria with his sister, Miss M M F Papenfus, had been on the border for about a year and was due to finish his national service in December.

Private Papenfus's foster father, Mr Johan Language of Pretoria said last night that he and Miss Papenfus were briefed by a senior Defence Force officer last Friday and told not to say anything about Johan before an announcement had been made in Parliament.

"We were both very happy to hear that he is alive and hope to see him home soon."

South Africa is believed to be in a favourable position to secure his repatriation as its ally, Unita, is known to be holding at least two Cuban prisoners of war, pilots captured in recent hostilities in the region.

Well treated

Diplomatic sources said today that Private Papenfus had already sent a message via the Cubans to his family.

They said the Cuban mission at the United Nations in New York had contacted Mr Les Manley, South African Ambassador to the UN in Geneva and the former head of mission at the UN in New York.

The Department of Foreign Affairs then passed on the news to the Department of Defence

According to sources, Cuba assured the South African Government that Private Papenfus was being well treated.

He had been wounded in the leg, and there were no adequate facilities in Luanda to save the limb

Surgeons in Cuba had done a major reconstruction of his leg — The Argus Correspondent, Political Staff.

● Angola peace talks latest — page 3.

Mr & Mrs 20/5/88
2511

Star 20/5/88

Tribute to court bomb victims (25)

Today a year ago four policemen were killed in car bomb explosions outside the Johannesburg Magistrate's Court — exactly four years to the day after the Pretoria bomb blast killed 19 people.

A memorial service will be held at the Bezuidenhout Street entrance of the magistrate's court today to pay tribute to the men who were killed

in the explosion last year. The service, organised by Victims Against Terrorism, will be attended by Johannesburg Mayor Mr Jan van Blieck and mayors and councillors from the surrounding towns. Family members of the victims will be present when a plaque is unveiled. The policemen killed were Constable Kobus Weyers Botha (20), Constable Andre Duvenhage (26) and Constable Christoffel Botha (22). Police spokesmen said the car bomb had been detonated without sight of the blast scene with an automatic remote control. It was the first time this sophisticated equipment had been used in South Africa. The ANC claimed responsibility for the blasts.

Indifference also to blame for clamps — editor

MUNICH — The Editor-in-Chief of The Star, Mr Harvey Tyson, yesterday blamed public indifference, partly for the increasing Government pressure on the South African press.

In an interview on Vatican Radio in Rome Mr Tyson said that the South African press had "never been as threatened as it is now".

"When the *New Nation* was closed, the outcry was not very great. It was from some of us in the press, but not

from many others, from other people'. The result was that other papers had been closed, he said. "Now we have more under threat, even establishment newspapers such as my own have had warnings, not official warnings but unofficial, so the threat is great." The interview with Mr Tyson, who was in Rome to attend an international conference of newspaper publishers and editors, was carried by Vatican Radio monitored in Munich. The Star's Foreign News Service.

SUNNY THE WEATHER

ANC suspects followed former spy — SAP

JOHANNESBURG — A member of the President's Council and former major in security intelligence, Mr Craig Williamson, who once penetrated the ANC as a spy, has confirmed that police have told him that he was followed and photographed by members of the squad of alleged ANC terrorists arrested near Pelindaba.

Mr Williamson was approached after it was disclosed that the group had compiled a substantial list of people, including police and army officers, journalists and members of the legal profession. Mr Williamson was also named in the list.

Mr Williamson said he had been informed that the suspected members of the squad had located his offices and home in Houghton as a result of certain reports concerning him and his employer which appeared in a local newspaper.

“They apparently followed and photographed me. They managed to track down my home by driving around Houghton after a photograph of the house was published,” he said.

He said he was in no doubt that he was an intended ANC target.

Mr Williamson said he knew three of the suspects well.

“It was I who informed the then manager of the Rand Daily Mail of the suspected activities of the Arnold Geyer group in the early 1980s,” he said.

One member of the group, Marion Sparg, was sentenced to 25 years imprisonment after being convicted on charges arising from a series of limpet mine attacks on police stations, as well as the burning down of PFP offices in Johannesburg, before the group fled to Botswana.

As a senior member of the security intelligence group, who worked in London and Europe, two members of the Broedersroom group were well-known to Mr Williamson as activists.

One of them allegedly held a senior position in the South African Communist Party.

Mr Williamson said that, in view of the recent limpet mine explosion near parliament and the police revelations, the government should take note of the possibility of ANC attacks on politicians. — Sapa

6 — DAILY DISPATCH, FRIDAY, MAY 20, 1988

— TELEPHONE EAST LONDON 26141

ANC's morale at low — Vlok

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21/5/88

Political Correspondent

CAPE TOWN — ANC leaders openly acknowledged that morale in the organisation was at its lowest ebb ever, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

The police had arrested 525 ANC terrorists and killed 54 ANC members over the last 16 months, he said

Mr Vlok also said he had received a shocking report about the terrible conditions in the Quatro punishment camp in Angola, where about 80 people were currently in detention, and revealed that "several ANC terrorists" had recently joined the South African Police

Mr Vlok made these disclosures during the debate on his budget vote in the House of Assembly

He said the ANC had recently suffered heavy losses "and the conviction that the ANC is busy with a futile struggle has already developed strongly among its membership"

"For the first time in the history of the ANC, their leaders, such as Mr

Thabo Mbeki, are prepared to acknowledge openly that the ANC's morale has reached a low point

A number of ANC cells had been exposed and the recent arrest of four highly trained white ANC terrorists had emphasised again the futility of the ANC's efforts.

Information about terrorists who had become disillusioned with the ANC's insensitive and inhuman plans and refused to associate further with them was being received continually

"The ANC's punishment camp, Quatro, is the forefront of several misled and disillusioned terrorists.

"According to the terrorists who did service as guards at this camp, the conditions in Quatro are terrible. Detainees are treated in an inhu-

man manner and many people have died in detention

"There are at present about 80 people in detention, of which the majority are exiled South Africans

The time had arrived for terrorists and people who wanted to join the ANC to look at the reality in their eyes

"Terrorists who are sent to South Africa expose themselves to a suicide mission, because confrontation with the South African security forces mean for them either a certain death or a long period of imprisonment"

Mr Vlok warned people to consider the position thoroughly and not to let themselves be misled by the ANC which offered no future

To people already in the ANC, he wanted to say "Give up before it is too late. Come back to your country before your hands are stained with blood and there will be no future for you"

Mr Vlok said a number of ANC terrorists had recently broken ties with the ANC and joined the South African Police where a new future had been offered to them.

"They now fight side-by-side with the police to stop terrorism and anarchy and have already made a major contribution in our systematic destruction of the ANC,"

— A woman armed with at least two handguns opened fire in a primary school yesterday, killing one child and critically wounding five others. She then fled to a nearby home and shot a seventh person, police said

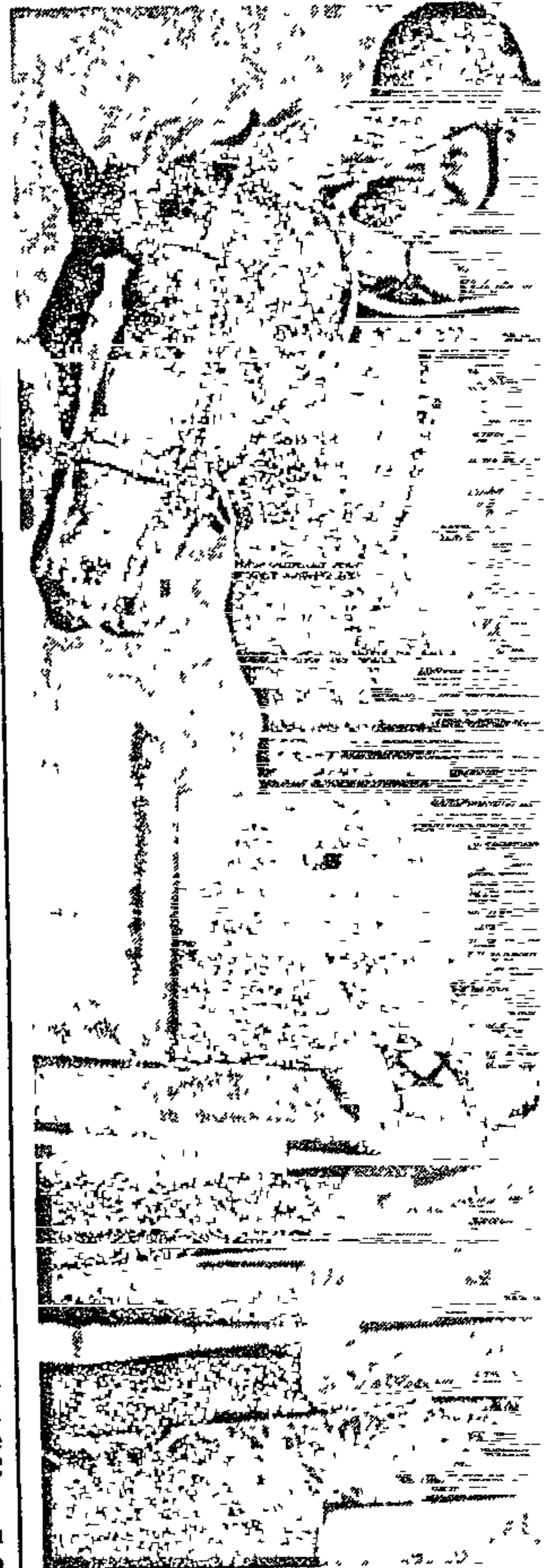
More than five hours after the initial shooting, the woman still remained barricaded inside the home

Armed police encircled the house, but

the hostage team on the not established with the w.

Police woman had a woman had a housekeeper

A mother children basement dry at the t



Steven Suttie clears a jump on Ches yesterday. Report, ...

5 hurt in explosion

CAPE TOWN — Five people, including four children, were injured last night when a grenade launcher picked up by children exploded in a Mitchells Plain street.

Three of the injured were taken to Grootte Schuur Hospital with lacerations caused by flying shrapnel — DDC

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Vlok accuses Van Eck of slander

Political Correspondent

CAPE TOWN — Organisations and people, like Archbishop Desmond Tutu and the independent MP for Claremont, Mr Jan van Eck, who were encouraging the residents of the Lawaai-kamp squatter area in George not to move were playing with "fire", the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

He also named the Black Sash, the United

Democratic Front (UDF) and the National Union of South African Students (Nusas). (251)

He accused Mr Van Eck of slandering the police behind the privilege of parliament without listening to the other side. (251)

Attempts to improve the living conditions of people in Lawaai-kamp, a squatter camp in which people lived in terrible circumstances,

were being thwarted by malicious organisations who were trying to incite them not to move.

They were doing this while the authorities were making a determined effort to give them decent living conditions at Sandkraal.

Organisations such as the Black Sash, UDF and Nusas were trying to stir up the people in Lawaai-kamp and disrupt law and order.

Mercy plea for convicted sergeant

CAPE TOWN — An appeal for clemency for Sergeant Robert van der Merwe, one of two policemen recently sentenced to death for murder, was made yesterday to Law and Order Minister Mr. Adriaan Vlok by Mr. Tian der Merwe (PFP Green Point).

Speaking during the Law and Order Budget vote, he said Mr Vlok

should exert "strong pressure" on President Botha to commute the death sentence.

Mr van der Merwe said he found no fault with the conviction of murder.

He had, however, been disturbed at his conclusion, after study of the case record, that the allegation by counsel for the defence that Sergeant van der Merwe had been influenced by the Govern-

ment's creation of a dangerous double standard that it was in the national interest to act against suspected elements of the ANC wherever they were.

Security force members who conducted raids into Botswana to eliminate alleged ANC members would probably be given medals, but Sergeant van der Merwe was in the shadow of the gallows.

I 'operated on' ANC suspect — Williamson

SARA MARTIN

Major Craig Williamson, National Party member of the President's Council and a spy whose exploits have proved a troublesome thorn in the flesh of the African National Congress, leading to several prosecutions, this week admitted that until 1985 he had been "operating on" one of the alleged ANC members arrested last week.

He denied, however, having been instrumental in the arrest of the alleged ANC cell trapped at Broederstroom a week ago.

But, yes, he admitted, he had been operating on one of them — Iain Hugh Robertson — who with Damian de Lange, Hugh Lugg and Susan Westcott were arrested in a police swoop on a Broederstroom farmhouse.

The former police spy said he had Robertson under surveillance until 1985 when he left the service, opted for a career in business and accepted a position with the President's Council. He is presently running an investment company in Bryanston.

In a telephone interview from Cape Town he told the Saturday Star he had been a member of Nusas at the University of the Witwatersrand with Robertson from 1972 until 1975.

"Iain and I were close colleagues and I monitored his activities very closely," he said.

"He was very committed to the struggle and came from a background of involvement with the radical left. His mother, Mrs Enid Robertson, is a dedicated member of Black Sash.

"His uncle was the late Professor Eddie Roux who was listed as a 'communist' in the 1950s and was prohibited from teaching at the botany department of Wits.



FORMER SPY: Craig Williamson.

"Iain was involved at the time in doing political research in intelligence activity.

"I met him again in 1977 in Lusaka at several ANC bases."

The former security police major said when he returned to South Africa in 1980, his surveillance of Robertson continued. "It continued even after I left the security police."

Commenting on allegations this week that he has become a prime ANC target, Mr Williamson said he had "taken the necessary precautions."

"That's why I am still alive after 20 years," he said.

Assault by police claim: youths to sue Minister,

Star 23/5/88

(251) By Mckeed Kotlolo, Pretoria Bureau

Two members of the Mamelodi Youth Organisation (Mayo) have claimed they were assaulted, sprayed with teargas and threatened with death by about 10 black and white members of the Security Police because they refused to become informers.

Mr George Mochoele (20) and Mr Louis Theko (23), both of Mamelodi East, said they intended to sue the Minister of Law and Order for damages, injuries and medical expenses.

The Public Relations Division of the South African Police in Pretoria declined to comment on the allegations because the two complainants had not laid charges and were planning to sue the Minister of Law and Order.

Police said in a telex message to The Star: "Any person who has a legitimate complaint against any member of the force should report the matter to the SAP through any existing channels, in order that their allegations can be investigated."

251
M.L. Times 23/5/88
5 000 kitscops

in the force

THE number of special constables trained and deployed would soon reach 5 000, the Minister of Law and Order, Mr Adriaan Vlok, said at Koeberg at the weekend. During the past year special constables were responsible for more than 11 000 arrests, of which only 35 were for offences committed in terms of the emergency regulations, he said.

Addressing a passing-out parade of special constables, he said a suggestion had been made that the name special constables should be changed to "community police" because these constables "serve their communities so well". Both Mr Vlok and the Commissioner of Police were considering this suggestion. — Sapa

inside the YCW. For those who are working, specific issues being looked at are:

Own Correspondent
DURBAN — Progressive Federal Party MP Mr Peter Soal is angry at the "different" treatment meted out by police to Black Sash demonstrators recently and to anti-Archbishop Desmond Tutu protesters at airports this week

The Johannesburg North MP said last week's anti-Tutu protests, which went off almost without incident, contrasted sharply with the demonstration in which armed police moved in on 28 Black Sash members staging a peaceful demonstration in Cape Town.

Soal questions police treatment of demos

251 ~~1/1/88~~ Star 23/5/88

He wanted to know why police had demanded that the anti-Tutu placards, held at airports in Johannesburg and Cape Town on his arrival back from abroad, be removed only "after SABC-TV had conveniently been allowed to film them"

Mr Soal said he was not opposed to demonstrations but was against police acting selectively

A police spokesman in

Pretoria said the holding of placards was against the law, and police had asked those holding them to leave

An eye-witness at Jan Smuts Airport said the demonstrators, said to be unemployed members of the Inkatha-affiliated United Workers Union of South Africa, walked into the airport building "and sat down quietly"

They had placards and

a banner, which they had kept hidden until Archbishop Tutu arrived

Then they suddenly unfurled them and stood holding them as he entered the arrivals hall

Police "had no time" to prevent them from doing so, the witness said

At Cape Town's D F Malan Airport Archbishop Tutu was met by a group of about 20 placard-waving students

from the National Students Federation

There was also a crowd of cheering well wishers from the Anglican church

The placards used in the demonstrations included the slogans "Tutu, are your children hungry?" and "Sanctions kill the poor, not the rich"

Mr Soal said the recent protest by 28 Black Sash members in Cape Town resulted in a large squad of armed police closing in on the demonstrators in a "mad over-reaction"

"The two demonstrations seem to have been treated very differently indeed," he said

Petition to save ⁽²⁵⁷⁾ murderers

23/5788
By Therese Anders,
Highveld Bureau

Hundreds of copies of a petition asking the State President to commute the death sentences of two convicted murderers, former police Captain Jack la Grange and former police Sergeant Robert van der Merwe, are circulating the country.

The man behind the petition, a retired Witbank railway worker, Mr Mathiam Hoffman, said he is hoping to get up to a million signatures.

In three days he has collected 700 in Witbank.

The petition asks the State President to set aside the death penalty because the men "rid the community of drug dealers who are a cancer to society".

Mr Hoffman has never met either man.

"My only motive is that I don't think these men should be hanged for having killed drug dealers who to me are worse than animals."

"I believe they should have been paid for killing them," he said.

More special constables ⁽²⁵⁾

STW 23/8/88
CAPE TOWN — The number of special constables trained and deployed will soon reach 5 000, the Minister of Law and Order, Mr Adriaan Vlok, said at Koeberg yesterday.

During the past year they were responsible for more than 11 000 arrests, of which only 35 were for offences in terms of the emergency regulations.

He told a passing-out parade of special constables a suggestion had been made that the name special constables should be changed to "Community Police" because they "serve their communities so well".

This was under consideration — Sapa

Police will find Jacobs' assassin says Vlok

DIP 24/6788

25/10/87

CAPE TOWN — No stone would be left unturned to discover and arrest the "cowardly" assassin of the Labour Party MP (Alfa Park), Mr Peter Jacobs, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Three shots are reported to have been fired by a balaclava-clad man into Mr Jacobs' car while he was on his way home from a church council meeting on Sunday.

Mr Vlok said an experienced team of detectives under the command of Captain Dirk Killian of the East Rand Murder and Robbery Squad had been following up every possible lead.

"The police have no reason at this stage to

believe that the murder was committed for political considerations but are investigating the possibility that clashing personal interests could have led to the crime.

"This senseless deed is untenable and even though the motive of the assassin is not known at this stage, no community can tolerate or afford it," Mr Vlok said.

Mr Jacobs was a valued and respected colleague, he said.

Mr Jacobs, 43, is the second party member to be shot dead in Edenpark on the East Rand.

On April 6, 1986, the party's Transvaal secretary and Edenpark management committee member, Mr Frans Danster, 28, was killed in his Edenpark home by an unknown assail-

ant.

Members of the Edenpark Labour Party Action Committee said they believed there was a link between the killings.

Since Mr Danster's death, Mr Jacobs had received numerous death threats and his car was burnt to a shell last August, one member said.

The chairman of the Edenpark Management Committee, Mr David Orange, yesterday acknowledged that there was animosity between the committee and Mr Jacobs.

Mr Orange, a former leader for the LP in Edenpark said "Jacobs was not popular with members of the management committee.

"We stopped com-

municating with him after he kicked me and three other committee members out of the LP in 1986 for not allowing an Indian doctor to practise in the area."

He said Jacobs had many enemies and blamed him for the shortage of housing in Edenpark.

Members of Parliament joined in the tribute to Mr Jacobs at the historic first sitting of the extended committee of Parliament yesterday and said they were shocked by the manner of his death.

He was described as hardworking and honest and a man who identified closely with his community.

The Leader of the House of Representa-

tives, Mr Miley Richards, said that Mr Jacobs had sacrificed his life and the future of his family in the interests of South Africa.

He would be remembered as a fighter and a person who did not spare himself.

Natal's Administrator, Mr Radelyffe Cadman, said he had been "shocked" and saddened at the news "It is perhaps a reflection of the times in which we live — a sign of lowered standards and tension."

Minister Amichand Rajbansi said the House of Delegates joined others in paying tribute to Mr Jacobs and described his killing as a "cowardly act performed against a person who lived and practised a life of peace" — DDC-Sapa.

MP's killer hunted

Sowetan 24/5/88 (251) 

Vlok promises action

NO stone would be left unturned to discover and arrest the "cowardly" assassin of the Labour Party member of Parliament for Alra Park, Mr Peter Jacobs, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Mr Vlok said in a statement that an experienced team of detectives under the command of Captain Dirk Kilham of the East Rand Murder and Robbery Squad had been

SA PRESS ASSOCIATION

following up every possible lead throughout the night

"This senseless deed is untenable and even though the motive of the assassin is not known at this stage, no community can tolerate or afford it," Mr Vlok said

"The police have no reason at this stage to believe that the murder

was committed due to political considerations but are investigating the possibility that clashing personal interests could have led to the crime

Political

Mr Jacobs, who was killed in his car on his way home from church, was a valued and respected colleague.

He expressed sympathy to Mr Jacobs' family and friends



MR VLOK... following leads

y, May 24, 1988

Riot policeman faints in court

IN a dramatic turn-about judgment in the Grahamstown Supreme Court, the trial of two Port Elizabeth riot policemen had to be adjourned after one of them collapsed and had to be taken to hospital.

Warrant Officer Leon de Villiers and Constable David Patrick Goosen are facing two charges of murder, two of assault with the intent to do grievous bodily harm and one count of attempting to defeat the ends of justice.

The charges arise out of incidents in Cradock during July 1986 when a unit of the unrest squad under De Villiers was sent to Cradock to monitor the funeral of an African National Congress member.

The court has heard members of the unit testify that Goosen and De Villiers assaulted a man so badly that they decided he would have to be "taken out".

He was driven, to a quiet spot near a river where Goosen and two others took him to the water's edge. Goosen then pulled out his revolver and shot the man through the back of his neck.

During the judgment yesterday, De Villiers suddenly collapsed and was taken to hospital. A district surgeon from Port Elizabeth, Dr Ivor

Lang, who was involved in the Steve Biko affair, examined him and suggested he be admitted to hospital and kept there for observation.

During judgment Mr Justice Zietsman had said that De Villiers had a serious drinking problem and he found it astonishing that none of his commanding officers had noticed this fact.

He said that the members of the unit had indulged in a serious drinking spree before entering the township on what the State called a "black-bashing" excursion.

All the members of the unit except Goosen, who did not drink, were heavily under the influence of liquor. The judge then adjourned the case to allow De Villiers to go to hospital.

The case has been postponed indefinitely and will not resume before next week. The two accused are out on bail — Albany News Agency.



Parliament

Vlok condemns arrest for breast-feeding ^{DID 515788} (251)

CAPE TOWN — The policeman who arrested a Sharpeville mother who was breast-feeding her baby at the Vereeniging police station in November last year, was sharply criticised by the Commissioner of Police, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Mr Vlok, who was replying to a question from Mr Wilhe Dietrich (LP Bethelsdorp), said he wanted to point out that "shortly after this unfortunate and isolated incident had taken place, the matter was personally dealt with by the Commissioner of the South African Police".

"He severely reprimanded the member of the force concerned and immediately issued appropriate instructions to prevent a recurrence of similar incidents." — DDC

copy times 24/5/88

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'No orders to destroy KTC'

Staff Reporter

POLICE would not be party to the destruction of a community as their task was to protect, Lieutenant-General Bert Wandrag told the Cape Supreme Court yesterday.

He was giving evidence in the KTC damages trial which has been running since September last year. The Methodist Church and 21 families are suing the Minister of Law and Order for R200 000 in an action arising from the destruction of most of KTC by witdoek vigilantes in June 1986.

General Wandrag, the Chief Deputy Commissioner of Police, told the court he was in charge of controlling unrest throughout the country.

In 1986, 4 691 men — 10% of the police force — had been withdrawn from other duties and deployed in unrest areas, he said.

Mr G D Griessel, SC, asked the general to comment on suggestions that the burning took place "at the orders of the government, and that the police would be the tool through which the government would achieve the burning down of KTC".

General Wandrag said he took orders from the Commissioner of Police, not the Minister, and he knew of no such orders.

"They would be unlawful orders. It would be absurd to give me such orders. I would have refused," he said.

If a conspiracy had existed among a few individual policemen to help the witdoeke to burn down KTC, he would eventually have heard of it, he testified. In his experience, unlawful police actions never remained secret.

The term "comrades" was used throughout South Africa for "radical elements", who were often involved in unrest, he said.

Asked whether police regarded "comrades" as "the enemy", he replied that a man who transgressed the law was a criminal, not an enemy.

To him, members of the African National Congress were criminals, "not the enemy", he said. "The principle is to try to arrest the man."

The hearing continues

Mr Justice M R de Kock presided. Mr G D Griessel SC, with Mr C Y Louw and Mr F Brand and instructed by the State Attorney, appeared for the Minister. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the church and the families.

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CPI. 7/15 24/5/88

Cop accused of murder collapses

Own Correspondent

GRAHAMSTOWN. — A suspected heart attack interrupted judgment in the Cradock police murder trial in the Supreme Court yesterday.

Mr Justice Zietsman was about 20 minutes into his judgment when one of the accused, Warrant Officer Leon de Villiers, 37, collapsed in the dock.

WO de Villiers and Const David Patrick Goosen, 27, have been charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice. The charges arise out of alleged incidents in Cradock on July 26, 1986.

WO de Villiers was attended in court by the senior district surgeon from Port Elizabeth, Dr I R Lang, and was then removed to hospital.

The trial stood down until 2pm when Mr C Jansen, SC, for the defence, said WO de Villiers may have suffered a heart attack.

Police murder trial ⁽²⁵¹⁾ accused collapses ^{DID 29/8/88}

**Daily Dispatch
Correspondent**

GRAHAMSTOWN — A suspected heart attack interrupted judgment in the Cradock police murder trial in the Supreme Court here yesterday

Mr Justice Zietsman was about 20 minutes into his judgment when one of the accused, Warrant Officer Leon de Villiers, 37, collapsed

W/O De Villiers and Const David Patrick Goosen, 27, face two charges of murder, two of assault and one of attempting to defeat the ends of justice

The charges arise out of alleged incidents in

Cradock on July 26, 1986.

W/O De Villiers was attended in court by the senior district surgeon from Port Elizabeth, Dr I. R. Lang, and was then removed to hospital.

The trial stood down until 2 pm when Mr C Jansen, SC, for the defence, told the court he had been informed that W/O De Villiers may have suffered a heart attack

Mr Justice Zietsman adjourned the hearing until 9.30 am today

In his judgment, Mr Justice Zietsman had traced the history of the unrest unit since its inception in 1985 to combat urban terrorism.

He then turned to the personal circumstances of the accused. He noted that it was clear that W/O de Villiers had a serious drinking problem, and expressed amazement that his senior officers were apparently unaware of it

He also dealt with the problems Const Goosen had had with his dark complexion and the consequent dependence he formed for people who befriended him, including W/O De Villiers.

Mr Justice Zietsman was dealing with the unit's night foray into the township when W/O De Villiers collapsed

Barnard buried with full honours

Crime Reporter

WARRANT Officer Hendrik "Barrie" Barnard, who was killed in last Tuesday's Sun Valley siege, was buried with full military honours yesterday.

The service was attended by at least 500 people, including high ranking police officers, about 12 members of the township communities, family members and friends.

WO Barnard died after being shot by a gunman in the bloody siege which also claimed the lives of a young constable and the gunman.

Colonel Steenkamp Coetzee paid tribute to WO Barnard and compared him to Jopie Fourie, an army officer who was executed after rebelling when South Africa entered World War I.

Nearly 100 members of WO Barnard's former unrest unit attended the service under the command of the unit's chief, Colonel F Kellerman, and Major Dolf Odendaal, who was a close friend of WO Barnard.

Major Odendaal, who had taken WO Barnard to the scene of the siege on Tuesday night, fought to keep back the tears throughout the service and graveside ceremony.

WO Barnard's tearful widow, Mrs Dianne Barnard, and her three daughters formed a close huddle at the graveside.

After the ceremony a few of the township people offered their condolences to the Barnard family.

Mr Aldon Ntasecani, who burst into tears after speaking to Mrs Barnard, said WO Barnard had been a good friend.

Policeman fined R50 for assault on street children

Court Reporter

A POLICE sergeant was fined R50 (or 25 days) for his part in the assault of three street children by a group of policemen who beat them, forced them to jump into a dam and teargassed them.

Sergeant Burgert Johannes van Dyk, 24, of Edward Heights, Wallace Street, Goodwood, pleaded not guilty in the Cape Town Magistrate's Court yesterday to five counts of assault. He was acquitted on two counts.

The boys, aged about 12, told the court they were playing cards on a veranda in the city about 7pm on March 12 last year when a police van approached.

They ran away and hid but were caught and taken to Caledon Square and then to a dam on Table Mountain.

"JOKING MOOD"

Van Dyk told the court he was in charge of a squad of constables in a "joking" mood. They did not intend to

hurt the boys, but to "teach them a lesson". He said the boys were dirty and stank and that the policemen wanted to wash them and their clothing.

The magistrate, Mr O Shrenk, said the boys were unable to identify which policemen assaulted them with plastic pipes and forced them to jump, fully clothed, into the water. They said that when they were put back in the van they were teargassed.

Mr Shrenk said the boys were adamant that it was not Van Dyk, who was known to them, who assaulted them. However, he was in charge of the others and it was his duty to stop them.

Mr Shrenk took into account that Van Dyk's career would be adversely affected by the conviction and that his conduct had been "out of character".

The court also had to consider that the children were accustomed to running around the streets at night and were not like normal children.

Cop's transfer discussed after KTC violence

CAPT Truip 25/5/88
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LIEUTENANT-General Bert Wandrag, Chief Deputy Commissioner of Police, said the possibility of Major Dolf Odendaal, second in charge of the Peninsula riot squad, being transferred had been discussed last year, but could not say if it was as a result of the destruction of KTC.

He said this during in the Supreme Court yesterday during cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families, arising out of the destruction of KTC by Witdoek vigilantes between June 9 and 11

Asked if the transfer was as a result of dereliction of duty or other reasons, Gen Wandrag replied that only the Commissioner of Police would know.

He had been informed by the Commissioner of Police about the transfer, and told that the Commissioner knew of allegations made against Major Odendaal in the Western Province

Gen Wandrag said had he received an unlawful order to destroy KTC, he would have refused to

The Minister of Law and Order was the political head of the police, but all orders came via the Commissioner of Police

The hearing continues today

Mr Justice M R de Kock presided Mr G Griessel SC, with Mr C Y Louw and Mr F D J Brand, and instructed by the State Attorney, appeared for the Minister Mr Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the church and the residents

CAPE TOWN 25/5/88

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Policeman guilty of assaulting 'kids'



Staff Reporter

A CAPE TOWN policeman was fined R50 or 50 days imprisonment, suspended for two years, after he was found guilty of assaulting five "strollers" (street children) on Table Mountain last year.

Sergeant Burger van Dyk, 24, of Goodwood, (pictured left) had pleaded not guilty to assaulting the boys, throwing them in a dam and tear-gassing them on March 10 last year. He was originally charged with two other policemen.

Constable Colin Nel is to be tried separately due to illness and the other, Constable Etienne Snyman, paid an admission of guilt fine for assault and gave evidence for the state against Van Dyk.

Evidence was that the five children were playing cards when they were put into a police van and taken to a dam near Tafelberg Road, where they were beaten with a stick or pipe, made to jump into the dam and teargassed.

The magistrate, Mr O Schrenk, said evidence had been that Van Dyk did not beat

the children and was not involved in the teargassing.

"The question is whether Sergeant Van Dyk associated himself with what was done," he said, adding that one had to distinguish between his duty as a policeman and his duty to the community.

"He disregarded his duty as a policeman in that he was in command and he could have prevented what happened. Departmental action has been taken."

Ms G McKellar was the prosecutor Van Dyk was not represented.

Freedom Charter 'will solve problems'

Align with workers says Ramaphosa

26/5/88

BRONWYN ADAMS

THOSE businesses set up with one goal in mind — profit — would have to adapt to the system envisaged by the Freedom Charter, National Union of Mineworkers general secretary Cyril Ramaphosa said at a Contact Group conference in Johannesburg yesterday.

Ramaphosa said the principles of the Freedom Charter necessitated the equitable redistribution of wealth, but not the destruction of existing businesses, especially where management had taken progressive steps in terms of labour relations.

He said the charter, if implemented, could solve unemployment problems and the crisis in education.

Ramaphosa said management needed to take advantage now of the opportunities to align itself with workers, rather than the state.

He said management had unfortunately colluded too often with government in a short-sighted attempt to crush worker

organisations. For example, many managers were excited after hearing the draft Labour Relations Amendment Bill because of the damage it would do to trade unionism.

Management had a strategically important position in terms of workers with political implications, Ramaphosa said. But, it needed to win workers' trust by assuming a more progressive outlook, rather than taking sides with government as it had traditionally done.

Ramaphosa said management needed to educate itself as to the reasons for worker demonstrations by becoming familiar with the political factors faced by employees.

He said workers were making an effort to unite in the face of apartheid. While Nactu was prepared for all workers to unite in action, Cosatu had resolved to unite in terms of both organisation and action.

Murder verdict in police trial

GRAHAMSTOWN — Two white policemen implicated by fellow officers were convicted yesterday in Grahamstown Supreme Court of murdering a black youth after beating him so severely they did not dare let him go free.

The trial, which began in October, is one of the few in SA in which white policemen have testified against colleagues facing the death penalty for alleged brutality against blacks.

The convicted men, Warrant-Officer Leon de Villiers, 37, and Constable David Goosen, 27, will be sentenced after argument about extenuating circumstances.

De Villiers and Goosen were charged with

two counts of murder, in connection with killings on July 26, 1986, in Cradock. They were acquitted on one count but convicted of the murder of Mlungisi Stuurman, 18.

According to testimony, members of De Villiers' all-white riot squad drank heavily, conducted a blood-oath ceremony swearing themselves to secrecy, and then made unauthorised night and dawn forays into the township during which several blacks were assaulted.

Officers said De Villiers ordered that Stuurman should be "taken out" because of the severity of his injuries. They said Goosen shot him in the back of the neck — Sapa-AP.

26/5/88

**Concorde Travel Holdings
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†THE MINISTER OF LAW AND ORDER

- (1) Yes
- (a) 22 April 1988
- (b) It is not in the interests of the public or the country to furnish these reasons
- (c) Regulation 3(3) of the Safety Regulations promulgated in terms of the Public Safety Act, 1953 (Act 3 of 1953) by Proclamation R 96 of 11 June 1987
- (d) Pollsmoor Prison
- (e) WILLIAM ANDREW HOFMEYER
- (2) (a) and (b) Investigation into the activities of this person is continuing. An indication cannot be given at this stage when and for which crimes the detainee will be charged

SADF: cruelty to animals

*14 Mr D J DALLING asked the Minister of Defence

- (1) What is the policy of the South African Defence Force regarding cruelty to animals,
- (2) what steps are taken by the Defence Force to (a) monitor and (b) prevent acts of cruelty to animals?

The DEPUTY MINISTER OF DEFENCE

- (1) Members of the SA Defence Force are also subjected to the Animals Protection Act No 71 of 1962, as amended, and no provision is therefore made for a separate policy
- (2) (a) and (b) Military veterinarians and nature conservation personnel are continuously on the look-out for possible cases of cruelty to animals. They also regularly deliver awareness lectures at bases with reference to the treatment of pets, as will be done during the National Pet Week from 28 May to 4 June 1988

Military pensions: Black persons

*15 Mr D J DALLING asked the Minister of Constitutional Development and Planning

(1) What is the policy of his Department or

the provincial governments regarding military pensions for Black persons,

- (2) whether, with reference to information furnished to the Minister's Department for the purpose of his reply, any persons who applied for military pensions have not received them, if so, (a) how many such applications have been delayed, (b) why and (c) in respect of what date is this information furnished,
- (3) what steps are being taken by his Department or the provincial governments (a) to ensure that those persons eligible for military pensions receive them and (b) to facilitate the process of application and payment of military pensions to prevent undue delay,
- (4) whether his Department or the provincial governments will take action regarding the applications for military pensions by certain persons, whose names have also been furnished to his Department, if not, why not, if so, (a) when and (b) what are the names of these persons?

†THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

Neither my Department nor the Provincial Governments have any policy regarding military pensions for Black persons as no responsibility in respect of military pensions for Black persons was placed on them. If the hon member refers to war veterans pensions the reply is as follows

- (1) The policy of the Provincial Governments regarding war veterans pensions is laid down in the War Veterans Pensions Act, 1968 (Act 25 of 1968)
- (2) No
- (3) (a) The Provincial Governments have no duty to ensure that persons, who are entitled to war veterans pensions, receive those pensions, as the onus to apply for a war veterans pension rests on the person who is entitled to such a pension in terms of section 3 of the Act referred to above. As soon as such a person has applied and his application is approved officials of the Provincial Governments see to it that the pension is paid out to him at a pre-determined place and time



Howard

- (b) The Provincial Governments are at present actively implementing measures in Black towns throughout the Province to make it easier for all categories of pensioners to draw their pension monies and for applicants to apply for a pension
- (4) Yes, on condition that such persons are entitled to a war veterans pension and comply with all the requirements laid down by the Act
- (a) Immediately on receipt thereof
- (b) Mr J Choou and Mr Mochobe

Mr P G SOAL Mr Chairman, arising out of the reply of the hon the Minister, would he advise us who supplied him with this information?

†The MINISTER Mr Chairman, in respect of the provisions of the Act, it was I myself I want to suggest that the hon member reads the Act in respect of what the province does in order to facilitate the payment of pensions, the information was supplied by the provincial government itself

†Mr J VAN ECK Mr Chairman, further arising from the reply of the hon the Minister, may I ask what he means by the provincial government, in the light of the fact that the provincial administration is not autonomous

†The MINISTER Mr Chairman, I want to suggest that the hon member reads the relevant legislation on provincial government, then he will know what I mean by that

Cruelty to animals

*16 Mr D J DALLING asked the Minister of Defence

Whether, with reference to information furnished to the South African Defence Force for the purpose of the Minister's reply, any steps are being taken by the Defence Force against certain persons who allegedly committed acts of cruelty to animals, if not, why not, if so, (a) what steps, (b) when and (c) what are the names of the persons involved?

The DEPUTY MINISTER OF DEFENCE

No, the investigation into the matter has not been completed

Cruelty to animals

*17 Mr M J ELLIS asked the Minister of Defence

- (1) Whether any complainants regarding alleged cruelty to animals by members of the South African Defence Force were received by a certain person, whose name and rank have been furnished to the Defence Force for the purpose of the Minister's reply, if so, (a) when, (b) from whom and (c) (i) what was the response of this person thereto and (ii) what is his name,
- (2) whether any further complainants regarding alleged cruelty to animals have been received from any other members of the Defence Force, if so, (a) when, (b) from whom and (c) what was the response thereto,
- (3) whether the Defence Force intends holding an inquiry into such allegations, if not, why not, if so, when is it expected that the results of such an inquiry will be available?

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Special constable: offences

*18 Mr J VAN ECK asked the Minister of Justice

- (1) Whether a certain special constable from Aberdeen, whose name has been furnished to the Minister's Department for the purpose of his reply, was found guilty of an offence in the Grahamstown Supreme Court towards the end of March 1988, if so, (a) of what offence was he found guilty, (b) on what date was he sentenced, (c) what was the sentence imposed, (d) on what date did he start serving this sentence and (e) what is the name of this person,
- (2) whether, between the date of this person's being sentenced and the date on which he started serving his sentence, he was allowed to perform his duties as a special constable, if so, (a) to what extent and (b) why?

The MINISTER OF JUSTICE

- (1) The information asked for in the preamble as well as opposite (a) (b), (c) and (e) is obtainable from the court record which is a public document. The date asked for opposite (d) is 2 May 1988

**2 policemen
found guilty
of murder**

YOUTH

251

Sowetan 26/5/88

WHO HAD TO DIE

REPORTS, pictures and comment in this edition may be censored in terms of the Government's state of emergency

TWO white policemen implicated by fellow officers were convicted yesterday of murdering a black youth after beating him so severely that they did not dare let him go free.

The trial, which began last October, is one of the few in South African history in which white policemen have testified against colleagues facing the death penalty for alleged brutality against blacks.

The convicted men, Warrant Officer Leon de Villiers (37) and Constable David Goosen (27) will be sentenced following arguments about extenuating circumstances.

The verdict was to have been delivered on Monday but De Villiers collapsed in court and was taken to a hospital. He was present for yesterday's proceedings at the Supreme Court in Grahamstown.

Oath

De Villiers and Goosen had been charged with two counts of murder in connection with killings on July 26, 1986, in the black section of Cradock. They were acquitted on one count but convicted of the murder of 18-year-old Mlungisi Stuurman.

According to testimony, members of De Villiers' all-white riot squad drank heavily, conducted a blood-oath ceremony swearing themselves to secrecy, and then made an unauthorized foray into the township in the middle of the night during which several blacks were assaulted.

To Page 2

Shot in the back on river bank



WARRANT Officer de Villiers is in the centre and Constable Goosen is at the back. Their defence lawyer is in front.

Defence objects

DEFENCE counsel would now know what the two men looked like. Mr Luitingh asked the judge to make a directive against the use of such material involving the identification of two men in the trial of 18 South African Railways and Harbours Workers Union members.

Raising his objection, Mr Martip Luitingh said this was a "sensitive issue". The use of the picture was improper and pre-judicial in that likely State witnesses

would now know what the two men looked like. Mr Luitingh asked the judge to make a directive against the use of such material involving the identification of two men in the trial of 18 South African Railways and Harbours Workers Union members.

The video on the TV 8pm newscast showed a State witness, Mr Albert Phuluwa wearing a balaclava and blue overalls pointing out two men at an identification parade in Cosatu House on April 29 last year. The identified men are among the 18 Sarhwa

members appearing before Mr Justice T T Spoelstra and two assessors on charges relating to a strike by South African Transport Services employees.

They have pleaded not guilty to five counts of abduction, four of murder, one of attempted murder, four of assault with intent to do grievous bodily harm, two of robbery with aggravating circumstances and another of intimidation.

Accident

• From Page 1

Following another bout of drinking at their base, the squad returned to the township after daybreak.

Stuurman, who was wearing a t-shirt bearing the slogan "Forward to people's power," was chased and grabbed by officers when he tried to walk away from them, then was assaulted, several officers testified.

The officers said De Villiers then ordered that Stuurman should be "taken out" because of the severity of his injuries. They said Goosen took the youth to a riverbank and shot him in the back of the neck.

The defendants contended that the shooting was an accident. De Villiers said he did not report the incident because he was still under the influence of alcohol.

— Sapa-AP.



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Riot police to hang for murder

M645
26/5/88

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From PAT CANDIDO
The Argus Bureau

GRAHAMSTOWN — Two riot squad policemen were today sentenced to hang for the murder of an 18-year-old youth in Cradock last year

Warrant Officer Leon de Villiers, 37, and Constable David Goosen, 27, were yesterday convicted of murdering Mr Mlungisi Stuurman on the banks of the Fish river outside Cradock and of attempting to defeat the ends of justice

They were acquitted of a second charge of murder and two of assault.

Mr Justice Zietsman said today he could find no extenuating circumstances

SOBBED

As the death sentences were passed the men's wives sobbed uncontrollably and were comforted by friends and relatives

Mr Justice Zietsman said Mr Stuurman had not done anything wrong nor had he offered any resistance after he was interrogated in the Cradock township.

He was an innocent man who had been assaulted and then killed

The decision to kill Mr Stuurman was not sudden but a joint decision by the two policemen to cover the assault on an innocent man.

The judge said counsel for the defence had asked for extenuating circumstances on the grounds that the men worked long and dangerous hours in the townships, surrounded by death and violence, and this had blunted their perceptions and respect for human life.

Counsel had also said that De Villiers had a low IQ and a serious drinking problem which affected his judgment and Goosen's traumatic childhood and dark complexion had resulted in a personality problem which made him willing to do anything for De Villiers

Dr J A d'Oliveira, for the State, said there were no extenuating circumstances. If anything, society demanded a higher degree of responsibility from policemen than other men.

They were each sentenced to six months' imprisonment, suspended for three years, on the charge of attempting to defeat the ends of justice.

DRUNKEN OFFICER

Mr Justice Zietsman said he deplored the lack of discipline and control of the unrest unit by its officers.

This lack of control had led to a drunken officer taking a group of drunken teenagers into a township to chase and assault anybody they came across. Some had even said they got pleasure from assaulting people

The judge said a unit which had been established for terrorist control should be highly-trained and strictly disciplined

Mr Justice Zietsman is expected to give judgment later today on an application for leave to appeal

Trojan Horse: Why Coetsee declined to push for prosecutions

251
26/5/88
CMT-TMB

I HAVE the Attorney-General's report here, in which he explains how it happened that he came to (his) decision.

It is so that at first certain stone-throwers were prosecuted. After the case against the stone-throwers had been terminated, the Attorney-General received a letter from the attorneys asking him to issue a certificate of non-prosecution, *nolle prosequi*, with a view to a private prosecution.

Because of the confusing evidence the Attorney-General then decided first to institute a judicial inquiry (inquest) in terms of the available legislation. The judicial inquiry began on December 7 and ended on March 3, when magistrate Hoffmann delivered his complete finding.

WHY did the Attorney-General of the Cape not prosecute the policemen concerned in the Trojan Horse incident in which three young people were killed by police in an unrest situation in Athlone in 1985?

Two of the dead were shot in the back.

The police had concealed themselves in crates on a truck and opened fire on the crowd with shotguns. In an inquest in February this year a magistrate ruled that the police had been negligent.

Following are Hansard extracts from a speech on May 10 in the House of Representatives by the Minister of Justice, Mr Kobie Coetsee, replying to questions on the Attorney-General's decision.

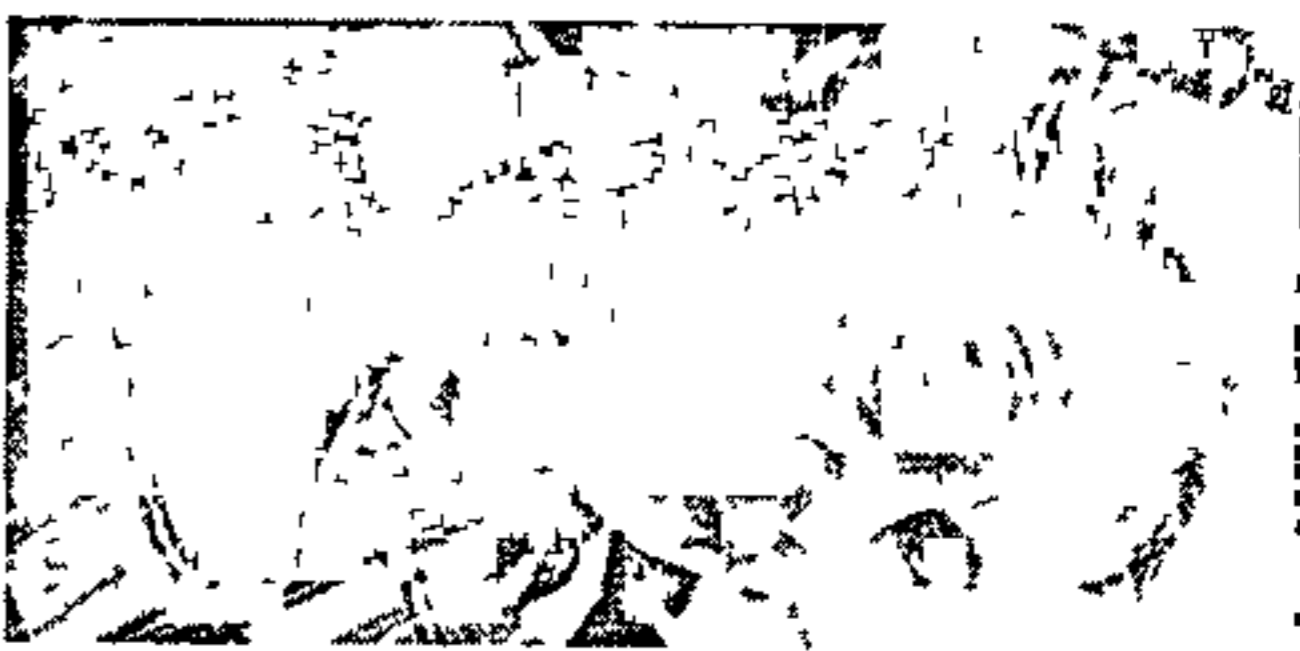


Coetsee



Rossouw

The Attorney-General, but points out that the magistrate was not called on to produce a finding similar to that of the task given a criminal court judge. After completion of all investigations and the obtaining of information, the Attorney-General formed a committee on which he and



Helen Suzman

Sash backs Suzman on 'travesty'

From MURIEL CREWE on behalf of the Black Sash, Cape Western Regional Council (Mowbray)

THE Black Sash would like to endorse the scathing attack made by Helen Suzman in Parliament on May 11 in which she designated the Attorney-General's refusal to prosecute the policemen involved in the 'Trojan Horse' shooting as a "travesty of justice".

We need to recall that three boys were killed by what the inquest magistrate called negligence and that he found "no shred of evidence" to suggest that they were guilty of public violence. The Minister has offered to pay compensation to each family of R900. In no way can this pittance (or indeed any price) be considered recompense for the loss of life and of

family bereavement

It is also reported that the Attorney-General has declined to prosecute in the case of two senior officers involved in the Bellville South ambush shooting which resulted in the death of one girl and injury to three others.

The court found the attack was the result of orders given by these men to "eliminate" suspected troublemaker and therefore found them culpable. In addition, the judge found them to be guilty of perjury and defeating the ends of justice.

Since it is in the power of Minister Coetsee to overrule the Attorney-General's decision, the Black Sash call on him to do his duty by the courts and ensure that all the policemen involved are prosecuted and justice is seen to prevail.



A still from video film of the Trojan Horse incident in Athlone in which three young people died

four members of his staff served. They examined the case incisively, with a view to prosecuting. From the investigation it appeared that neither the investigation, nor the evidence heard at the original hearing including the findings resulting from the judicial inquest, had brought to light a causal connection between the actions of a specific policeman and the death of a specific person.

As a lawyer the honourable member knows that to make out a *prima facie* case there must be a causal connection even if the consequence only appeared at a later

An Attorney-General's duty is to institute a prosecution after he has given attention to all the possible facts and there is an indication for him that they might lead to a successful prosecution.

To launch an unsuccessful prosecution regarding something which is already a delicate matter is enough to prejudice his office (interjections). If the Attorney-General were to decline to prosecute, there is another remedy available. That remedy is the *nolle prosequi* remedy. Thus he can issue a certificate and anyone who thinks he has made an

From the investigation it appeared that neither the investigation, nor the evidence heard at the original hearing, including the findings resulting from the judicial inquest, had brought to light a causal connection between the actions of a specific policeman and the death of a specific person

As a lawyer the honourable member knows that to make out a *prima facie* case there must be a causal connection, even if the consequence only appeared at a later stage. Without this, criminal accountability cannot be proved beyond reasonable doubt. There are also other legal problems which make prosecution so problematical that it is not justified.

The Attorney-General goes on to say that a civil claim on the grounds of the deaths of the three persons might succeed. A claimant must naturally prove on a balance of probabilities that the other man is responsible for his loss.

This does not mean that this decision is wrong. The Attorney-General of the Cape has a good, impressive and objective record. The Hon Member asks me to intervene because I am in possession of the powers to do so. On various occasions, but also very recently, I have

it, and in this regard I refer Hon Members to Hansard 1985, House of Delegates column 1213.

I indicated that a Minister of Justice would only intervene in an Attorney-General's decision in highly exceptional cases. Although I have the powers to do so, it will only be done in highly exceptional cases. It was done in only one case, in the 1920s, and after that I myself took action, by way of an exception, to arrange to bring about uniformity regarding the prosecution of parking meter violations.

The question of non-prosecution cuts both ways, however. For example, this weekend the Attorney-General announced that he would not prosecute certain clergymen who contravened the Gatherings and Demonstration Act regarding the proscribed area around Parliament. I have also been informed that the Attorney-General of the Transvaal does not have sufficient reason to prosecute there, because there was no unrest (interjections). (This was apparently a reference to the AWB demonstration at the Union buildings Ed, Cape Times)

Among the clergymen, we understand, (were) Desmond Tutu, Naidoo, Boesak, Chikane and others (interjections)

possible facts and there is an indication for him that they might lead to a successful prosecution.

To launch an unsuccessful prosecution regarding something which is already a delicate matter is enough to prejudice his office (interjections). If the Attorney-General were to decline to prosecute, there is another remedy available. That remedy is the *nolle prosequi* remedy. Thus he can issue a certificate, and anyone who thinks he has made an incorrect decision can take that case as far as the Attorney-General could do.

We have proved that we do not protect people in the service of the State if they commit offences. However, we must also not yield to the feeling that we will apply the administration of justice left and right to make our own viewpoint apply, because we might also be wrong.

Therefore I plead for confidence in the officials who take these decisions.

Mr P A S Mopp: Mr Chairman, the Attorney-General is not under attack here, but I would like to ask the Hon Minister whether it would not have been better for the court to have ruled that there is no *nexus*. Here the public on the one hand

Chairman of the House Order: The Hon Member should just put his question, I cannot allow a discussion.

Mr P A S Mopp: With all due respect, sir, one cannot put a question without laying a foundation. In the eyes of the public, on the one hand, there is the inquest verdict, which points a finger at some guilt by some party, but on the other hand there is the professional reasoning of the Attorney-General, which precludes the prosecution.

Would it not have been better if the Attorney-General had presented all the facts at his disposal to a court of law for the court to make a pronouncement?

The Minister: Mr Chairman, if an Attorney-General did not make this primary judgment, the number of cases reaching our courts would double five or six times over.

I would like to make the point that as Attorney-General he must make himself answerable to the legal community of South Africa, if he takes a decision simply to satisfy a certain community — which could have happened in this case. Furthermore, he has also to do with practical considerations such as possible malicious prosecution, where the facts are not available at all. I urge you to use that remedy, apply for a *nolle prosequi*. Under the circumstances, however, I cannot justify intervening or breaking the age-old policy of not interfering with the Attorney-General's decision.

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'Lack of discipline and control in riot unit'

Policemen found guilty of murder

Star 26/5/88

251

Own Correspondent

GRAHAMSTOWN — Two members of a police riot squad unit which was sent to Cradock last year to monitor an ANC funeral were found guilty yesterday of murdering Mr Mlungisi Stuurman (18).

Warrant Officer Leon de Villiers (37) and Constable David Patrick Goosen (27) were also found guilty of attempting to defeat the ends of justice.

They were acquitted of murdering Mr Andile Plaatjies and of assaulting Mr Zixolisile Goniwe and Mr Michael Qhina because of lack of evidence.

Mr Justice Zietsman, who referred to the "complete lack of discipline and control" in the unit, said there was no doubt De Villiers and Goosen planned and carried out the murder.

Severely assaulted

The court could not accept that Mr Stuurman, who had been severely assaulted in the township at Cradock, was driven 8 km to wash his face in the Fish River and left there to find his way home.

There were other places he could have washed.

Nor could the court accept the defence's contention that Goosen had experienced acute fear as a result of a post-traumatic stress disorder which had led to the shooting.

There was conflicting evidence about the shooting, the judge said.

If Goosen had suffered from stress because of pre-

vious experiences in fighting and combating terrorism it was more likely that this would have manifested itself the previous evening when the unit was in the township and believed terrorists were in the area.

Mr Justice Zietsman said Mr Stuurman had been severely assaulted and had not shown any indication that he was trying to get away, nor was he in a position to be threatening.

De Villiers had been drinking heavily and was under the influence when he decided to take his unit into the township on July 25 last year.

They had no authorisation to go into the township and no check was made on what weapons they were carrying.

In fact there was evidence that De Villiers had told members to take their "moering" weapons with them.

De Villiers was carrying an axe

People in the streets were assaulted at random.

But police had made every effort to ensure that justice was done when they investigated the case, regardless of the poor publicity for the SAP.

The judge said that neither Goosen nor De Villiers were good witnesses and their evidence was not accepted. There was no doubt they planned and carried out the murder.

They also fabricated the story about an accidental shooting which they had told other members of the unit to corroborate or they could be involved as accomplices.

The hearing continues.

COPS TO

Sowetan 27/5/88

251

HANG



WARRANT Officer, de Villiers

CONSTABLE Goosen



"assaulted by destiny"

TWO unrest unit policemen were yesterday sentenced to hang for the murder of an 18-year-old youth in Cradock last year.

Warrant Officer Leon de Villiers (37) and Constable David Goosen (27) were convicted of murdering Mr Mlungisi Stuurman on the banks of the Fish River outside Cradock and attempting to defeat the ends of justice.

They were acquitted on a second charge of murder and two of assault.

Mr Justice Zietsman said yesterday he could find no extenuating circumstances.

There were emotional scenes in the Grahams-town Supreme Court as the death sentences were passed. The men's wives sobbed uncontrollably and were comforted by friends and relatives.

The judge said Mr Stuurman had not done anything wrong, nor had he offered any resistance

SOWETAN Correspondent

after he was interrogated in the Cradock township.

He was an innocent man who had been assaulted and then killed.

The decision to kill Mr Stuurman was not sudden, but a joint decision by the two policemen to cover the assault on an innocent man.

Dangerous

The judge said counsel for the defence had asked for extenuating circumstances on the grounds that the men worked long and dangerous hours in the townships, surrounded by death and violence, and this had blunted their perceptions and respect for human life.

Counsel had also said that De Villiers had a low IQ and a serious drinking

• To Page 4

Rain Fres Chick



(251) Blooms - 27/5/88

SAP acts against 'chop-shop' car-theft system

THE SAP was aware of the new trend adopted by car thieves using the so called "chop-shop system" whereby stolen vehicles were stripped down completely and rebuilt, or the parts sold to interested parties

Methods to combat this "new trend" have already been put into operation, the Police Directorate in Pretoria said this week

The move follows recent police

DANIEL SIMON

successes which included smashing SA's largest-ever car-theft syndicate this month. The alleged leader, 23-year-old Unisa student Reforce Masuku, has appeared in court

The syndicate was made up of six gangs operating throughout SA. Police have recovered more than 109 vehicles worth about

R3m, arrested more than 20 people and are expected to recover several hundred more vehicles countrywide as investigations continue

A statement yesterday said in 1987 seven major vehicle-theft syndicates were exposed in SA

"The syndicates were not just well-organised gangs which stole vehicles

"They printed their own false documents, changed stolen vehicles and had a ready market for resales"

"A total of 122 people were arrested during the 1987 operations and more than 90% of the cases were finalised with sentences varying from five to 22 years"

Recovered vehicles handed back to their owners totalled 529

50 students sue Malan

CIVIL claims amounting to R245 000 were brought against Defence Minister Magnus Malan by 50 Witwatersrand University students and two security guards in the Johannesburg Magistrate's Court yesterday.

The claims were lodged against the Minister for discomfort and other ailments caused by two tear-gas incidents on May 1, 1986.

In papers before magistrate M Prinsloo, the students allege that after they had attended a meeting at Orlando Stadium SADF members stopped their bus and ordered them out.

They allege that an unknown

SADF member then lobbed a tear-gas cannister among passengers on the bus. Soon after, a second one was lobbed among passengers who had vacated the bus.

The papers say several students were told to stand with their hands against the bus, thereby being exposed further to teargas fumes.

Most of the students complained they had difficulty in breathing and seeing as a result of the incident. All said they suffered "great shock, fear, humiliation, distress and anguish".

The case continues.

State indictment links treason with violence

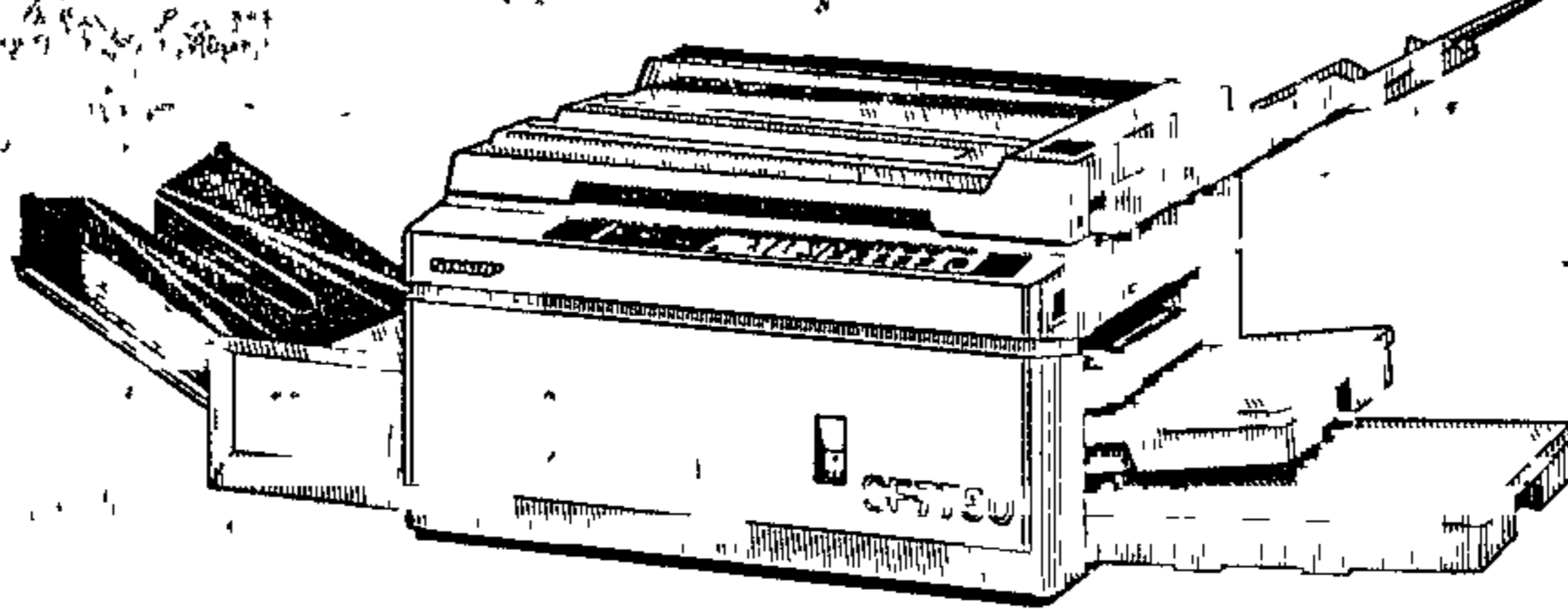
Blaw 2/5/88
SUSAN RUSSELL
THE indictment charging trade unionist Moses Mayekiso and four others with treason did not exclude violence as a possibility because it alleged they had conspired with the ANC.

This argument was put before Mr Justice van der Walt by counsel for the State, A C Human SC, in the Rand Supreme Court yesterday.

Counsel for the five, D Soggott SC, argued that nowhere had it been alleged or proved that his clients had intended to overthrow the State with the use of violence. The trial continues on Thursday.

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Mr Fred Rundle, chairm

Policemen (25) get death ^{stov} for murder _{2/15/88}

GRAHAMSTOWN — Two policemen, found guilty of murdering a youth after being sent to monitor an ANC funeral in Cradock last year, were sentenced to death by the Grahamstown Supreme Court yesterday.

Mr Justice Zietsman said he found no extenuating circumstances and therefore had to impose the death penalty on Warrant-Officer Leon de Villiers (37) and Constable David Patrick Goosen (27).

The men were convicted of the murder of Mr Mlungisi Stuurman (18) and of attempting to defeat the ends of justice.

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Drinking spree, followed by a 'panel-beating' for victim ...

Death for police two who 'took out' a suspect

27/5/88
27/6/88
W. Meul
25

overcome by "a nameless fear". His defence called a psychiatrist in support of this, who said Goosen suffered from "Vietnam syndrome" after being involved in a shoot-out with an African National Congress member. Justice Zietsman dismissed this. He said he was surprised Goosen claimed to have a flashback during the morning and not the previous night, when the situation more closely resembled a shoot-out. He said the two men had attempted to hide their crime by making up the accident story. He convicted them of attempting to defeat the ends of justice and sentenced them to six months suspended for three years.

Both men's bail of R5 000, granted earlier in the trial, was extended. They stood impassively in the dock. **From PAGE 1** As sentence was passed, but their wives began sobbing hysterically. A number of court orderlies also began crying and relatives and fellow policemen embraced them as they were led away. Before sentence, Jansen argued that the two convicted men sincerely regretted assaulting Stuurman and allowing others to assault him. They conceded that the assaults had ultimately caused Stuurman's death. For nearly two years they had worked every day with a "sword" hanging over them and thus had severely influenced their lives and those of their wives. He said De Villiers had lost a lot of weight and his wife's hair had turned completely grey during the trial.

TWO Port Elizabeth riot policemen were yesterday sentenced to death for "panel beating" and then "taking out" an 18-year-old man while on duty in the townships of Cradock.

Warrant Officer Leon de Villiers and Constable David Goosen were convicted of murdering Mlungisi Stuurman by taking him to a river outside Cradock and shooting him through the back of the neck.

Constable David Goosen in court this week ... no right to claim that De Villiers influenced him

PETER AUF DER HEYDE reports from Grahamstown

fact killed. Both men were therefore acquitted on one of the murder counts and two charges of assault

Justice Zietsman said the unit had entered the township again the next day and continued their "unlawful" acts. They had arrested a number of innocent people including Mlungisi Stuurman, 18, who was sitting in the yard of his father's house.

Goosen and De Villiers admitted assaulting Stuurman and saying he needed to be "taken out" but said they meant he should be taken out of the township to have his face-washed.

After taking Stuurman to a river Goosen and two others took him to the water edge where he was shot through the back of his neck.

Goosen had told the court the gun had gone off by accident after he was

●To PAGE 2

Passing judgement, Mr Justice N Zietsman said De Villiers and Goosen had earlier assaulted Stuurman so badly that they decided he would have to be "taken out".

The court had heard that after Stuurman had been given his second beating at Cradock's sewerage works — the first took place in the unit's vehicle — De Villiers said he had been so badly "panel beaten" he would have to be "taken out".

Justice Zietsman ruled there were no extenuating circumstances which left him no choice but to impose the death sentence. He refused both men leave to appeal.

Defence counsel, Advocate C Jansen SC, had earlier argued that in De Villiers' case, drink coupled with his below average IQ should be considered as extenuating circumstances.

Justice Zietsman rejected this and the defence argument that both men faced violence and death daily and did not see these things as others did.

He said Goosen played an active part in deciding to kill Stuurman after he had been assaulted and could not claim De Villiers had influenced him.

Reviewing evidence presented during the trial, Justice Zietsman said Goosen and De Villiers, both members of the Port Elizabeth unrest squad, had been sent to Cradock to monitor the funeral of an ANC member held on the July 26 1986.

The unit, under De Villiers' control, arrived in Cradock the night before the funeral. They began drinking liquor they had confiscated in shebeens

in PE's townships, and by midnight all, except Goosen who did not drink, were drunk.

Later they heard a radio report of stonethrowing in the township and De Villiers decided to send his men in to "curb unrest."

De Villiers, who admitted in court that he was drunk at that stage, decided it would be easier to catch the stonethrowers patrolling on foot.

The judge said De Villiers had ordered his unit to take "mooring tools" into the township. He said the state had proved beyond any reasonable doubt that Goosen had stabbed a person during the operation.

The state, however, was unable to prove that the man he stabbed was in

CAP. Tlopi 5/5/88 251

Policemen to hang for murder

Own Correspondent

PORT ELIZABETH. — Relatives sobbed bitterly in a packed Grahamstown Supreme Court yesterday when two former members of the unrest unit were sentenced to death for the murder of an 18-year-old youth at Cradock during July 1986.

Earlier, Mr Justice Zietsman had found that Warrant Officer Leon de Villiers, 37, and Constable David Partick Goosen, 27, had jointly decided that Mr Mlungisi Stuurman had been too badly assaulted to release or detain, and that he would have to be "taken out" (killed).

Though Const Goosen had done the actual shooting, he found that they were both responsible, and found both guilty of murder.

He also convicted them of attempting to defeat the ends of justice by persuading other members of the unit to give a false account of the shooting.

Mr Justice Zietsman rejected the defence argument that both accused had had their susceptibilities blunted by long and stressful duty with the unit among murder, death and violence in the townships to the extent that the value that they placed on human life had been lowered.

He rejected that low intelligence and alcohol addiction amounted to extenuating circumstances for De Villiers or a dependant personality resulting from a traumatic childhood and problems of a dark complexion for Goosen.

He found that alcohol had not affected De Villiers' judgment, and though his intelligence was below average, he was a trained and experienced policeman.

He said that there was no evidence that Goosen was influenced by De Villiers.

Mr Stuurman had offered no resistance and gave no provocation. Witnesses said he was an innocent person who had been

unlawfully arrested. The accused had killed him to conceal their own unlawful assault on him, and the court could find no circumstances that reduced their moral blameworthiness.

Mr Justice Zietsman sentenced them to six months each, conditionally suspended for three years, on the attempting to defeat the ends of justice charge.

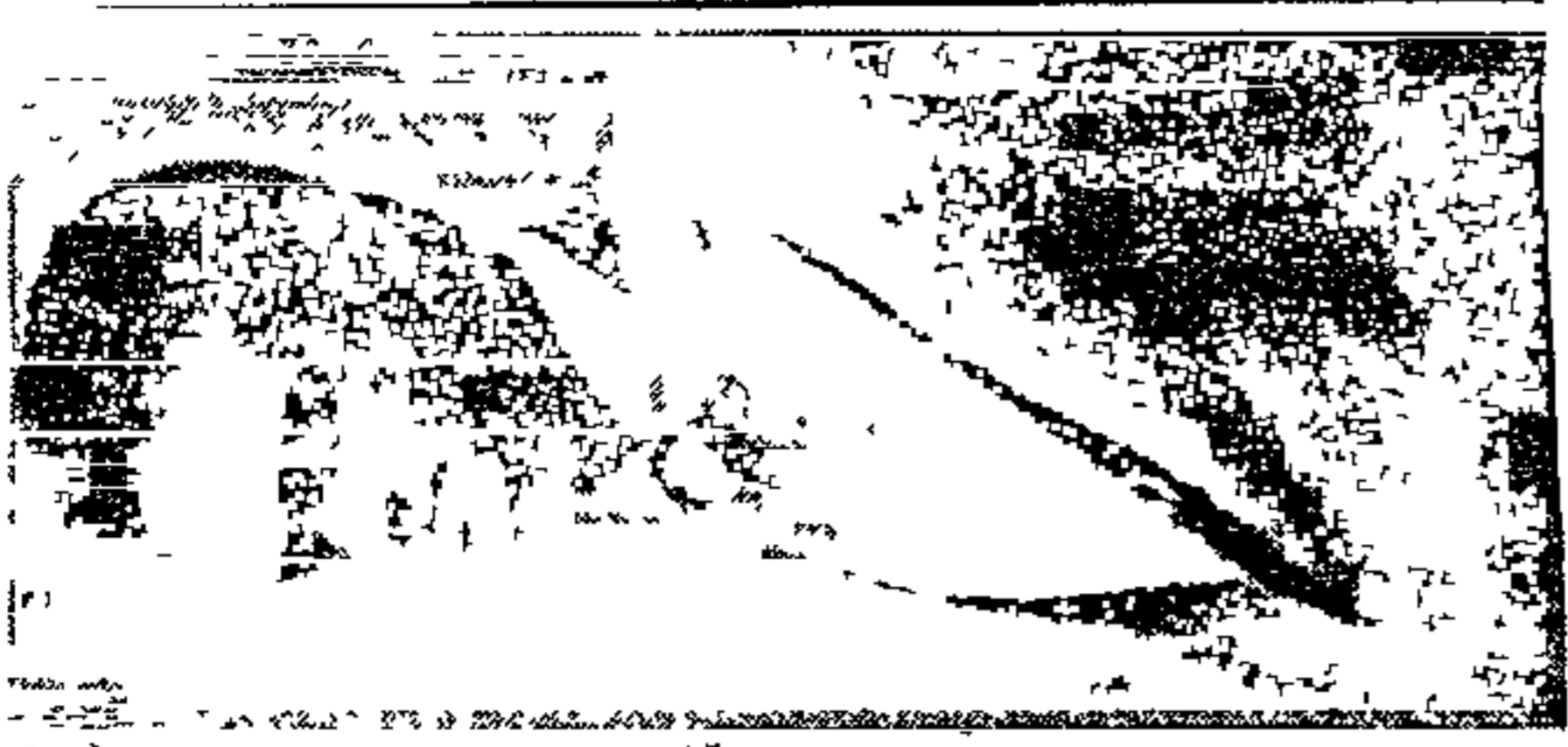
Addressing the court on behalf of the accused, Mr C Jansen SC said that they both felt "bitter remorse" for having assaulted and allowing Mr Stuurman to be assaulted.

They appreciated that this assault had led to Mr Stuurman's death.

He said having found that there were no extenuating circumstances, the court had no alternative but to sentence them to death for the murder.

He granted indemnity to the three state witnesses who had been warned as accomplices — Constables R Fourie, M D Neveling and M P A Booyens.

CAP. Tlopi 5/5/88 251



GOOSEN

CP Correspondent

TWO white policemen convicted of the murder of a Cradock youth were yesterday sentenced to death by the Grahamstown Supreme Court.

Judge Zietsman found that there were no extenuating circumstances.

Constable David Patrick Goosen and Warrant Officer Leon de Villiers were sentenced to death for the murder of Cradock activist Mlungisi Stuurman.

In his judgment, Zietsman said three factors needed to be taken into consideration.

- Whether there were any facts or circumstances that could have influenced the convicted men to commit their crime
- Whether the circumstances did, in fact, influence them.
- And whether the circumstances reduced the moral blame-worthiness of the convicted men

He found that in De Villiers' case, liquor, as had been argued by the defence, did not contribute to his conduct.

The judge also ruled that the fact that the dead man wore a Cradock Youth Congress T-shirt, which the defence claimed was seen by both accused as symbolising a terrorist organisation, could not count as an extenuating circumstance.

The court found that the decision to kill Stuurman had been taken not only by De Villiers, but also by Goosen.

Even if De Villiers had been a father figure to Goosen, as claimed by the defence, this could not be taken as an extenuating factor, the judge said.

Before sentence was passed, the defence said both accused regretted what they had done.

C Jansen, SC, said they were aware that the policemen's beating of Stuurman ultimately led to his death, but, he told the court, both accused had, for nearly two years, walked with a sword hanging over their heads and that should be taken into consideration when passing sentence.

On the charge of attempting to defeat the ends of justice, the judge said the offence was made worse by the fact that both men were policemen.

He, however, felt that a suspended sentence would be enough and sentenced them to six months' imprisonment, suspended for three years.

Goosen and De Villiers stood emotionless as they

29/5/88 C/P Press Wives, orderlies in tears as killers are led away

were sentenced but their wives started sobbing hysterically and even court orderlies started crying.

After the judge had left the courtroom, Goosen and De Villiers were embraced by relatives and fellow-policemen before they were led away.

Argument for leave to appeal was expected to be heard late yesterday.

Earlier this week, Goosen laughed when he was told that Wednesday was the 77th day he would be appearing in court, saying 77 was his lucky number.

Less than two hours later he was found guilty of murder. He sat grim-faced as Judge Zietsman convicted him.

The judge said Goosen and De Villiers had participated in what could only be described as a "beating expedition" (slaan ekspedisie).

After being sent to Cra-

dock to monitor the funeral of an ANC member, a unit of the unrest squad under De Villiers went into the township one night and assaulted people indiscriminately.

A packed courtroom, filled mainly with policemen, heard Zietsman say Goosen and De Villiers were unreliable witnesses who had not shown any cause why State witnesses should not be believed.

He said Goosen had changed his story as it suited him and there had been discrepancies between evidence put to the State witnesses on his behalf and his evidence.

De Villiers, who on Monday had to be taken to hospital after suffering a suspected heart attack, sat silently and showed no emotion as the judge convicted him.

Arguing in mitigation, the defence said as both

David Patrick Goosen

policemen came into daily contact with violence, murder and death, violence no longer had the same meaning to them as to other people.

Advocate Jansen said the drink, combined with the below average intelligence of De Villiers, had proved a factor in De Villiers' decision to tell Goosen to shoot Stuurman.

The Attorney-General of the Eastern Cape, Dr J D'Oliveira, said that De Villiers had himself admitted that he was not under the influence of liquor and that it could therefore not be an extenuating circumstance.

As to the first factor, he said it would be a "pitiful" (jammerlik) day, if such factors would be taken into consideration - Ano

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The blood-

(251) *Spines 29/5/88*

brother killer

SUNDAY TIMES, May 29 1988 11

cops

BY BILL KRIGE

THESE are the faces of Leon de Villiers and David Goosen, two policemen now on death row.

On the night of July 10 1986, they and eight other drunken members of a police riot unit swore a bizarre blood-brother ceremony cutting their forearms, bleeding into one another's wounds and vowing mutual support.

Then — equipped with "mooring tools" ranging from a fireman's axe to a butcher's knife — they led an unlawful foray into Cradock's black township where they randomly "panel-beat" residents

Playing

Mr Mlungisi Stuurman, 18, was playing dominoes with friends on the kitchen step of his home when the police vehicle drove up. His companions fled but Mr Stuurman's trousers snagged on a fence.

He was picked up bodily, flung to the ground and struck with rifle butts

Mr Stuurman, bleeding badly and weeping quietly, was driven off in the police vehicle. De Villiers then said he was too badly injured and must be "taken out".

They stopped near the banks of the Fish River. Goosen, two colleagues and Mr Stuurman dismounted. The injured man was made to walk to the river bank. There Goosen shot him in the head with his service revolver. His body was flung into the water.

After a lengthy trial at which other unit members gave evidence against the two men, Grahamstown judge Mr Justice N W Zietsman this week sentenced both men to the gallows.

This week, the family of the convicted men spoke of their agony during a trial which proved to be one of the most infamous in police history.

Mrs M de Villiers, mother of the convicted policeman, pleaded for mercy for her son whom she described as the "softest and gentlest person in the world"

Fishing

She said four days before his world fell apart, De Villiers, 37, a policeman for 20 years, went fishing with his close-knit family off the rocks at Port Elizabeth.

She said: "He just went to wet a line and to get away from it all. He has never known the inside of a jail before, except as part of his job."

With his wife sedated and

under medical care, De Villiers's mother spoke bitterly of the way her son had been treated by his police colleagues since his arrest, with not even the chaplain calling to offer comfort.

She said "I raised my son in God's house. He was reared as a Christian and he's been like that all along."

"Leon is the elder of my two children. His sister has 'fight' but Leon is the gentlest, softest person in the world. He's no fighter and his children have never known a hiding

"He was away every year for six years for periods of up to six months. He fought to keep this country safe."

"Leon is a good man who bitterly regrets what has happened and I beg that his fate be altered."

Bitterly

She and De Villiers's wife, Amanda, and their two children had just visited the jail in Port Elizabeth where the condemned men were being held pending transfer to death row in Pretoria.

There to see Goosen was

his wife, Ronel, and two young daughters, Donnell, 3, and Racine, 13 months.

Mrs Goosen said: "He is still strong but I don't know for how long I will be leaving PE to live with my parents in Grahamstown, probably in the next few weeks."

Unlike his colleagues, Goosen was sober when he pulled the trigger. The court was told by a psychiatrist attached to Pretoria's 1 Military Hospital, Dr Anton Potgieter, that he suffered from "Vietnam syndrome", a



SENTENCED TO HANG ... Warrant-Officer Leon de Villiers and Constable David Goosen

Drunken binge of township beatings and death leads two men to the gallows

matic day in PE a few weeks before the murder.

He entered a township shack with a police captain when a terrorist opened fire on them with an AK 47. A few hours later, he and another policeman fought another armed terrorist to the death as grenades and bullets shredded the walls of another shack.

Pitied

Goosen complained of nightmares about the incidents and said he pitied Mr Stuurman, believing the assault to be "unnecessary. He was helpless, as helpless as I was in the shack."

He and De Villiers each received a suspended jail term of six months for attempting to defeat the ends of justice by trying to persuade unrest unit members to tell a uniform story.

Mr Justice Zietsman found no extenuating circumstances and refused leave to

Top cops to face charges

By DE WET POTGIETER

SEVERAL high ranking officers of the Soweto municipal police force will be appearing in court this week on a wide range of charges ranging from motor theft, fraud and computer fraud to theft from bottle stores involving thousands of rands.

Most of the crimes were allegedly committed during the 1986 riots in Soweto and are ending in court after an intensive investigation lasting almost a year.

The investigation into the officers' activities has been completed and forwarded to the Attorney-General. The men are expected to appear in court on Friday.

The officers include two majors, two captains, one lieutenant and a former sergeant of the Soweto municipal police.

They were taken to the SAP headquarters in Klipfontein on May 19 and informed of the charges against them.

According to a police source, several of the policemen then made statements.

One of the senior officers allegedly used a stolen mini bus for seven months until the SAP became suspicious. He then burnt the vehicle.

SAP sends
'ANC film'
to Thatcher

The Star Bureau

LONDON — A South African Police film of a raid on alleged white ANC terrorists has been sent to British Prime Minister Mrs Margaret Thatcher.

It was sent in an attempt to persuade the Prime Minister to clamp down on the ANC's London base, says a report in the *Mail on Sunday*.

The film shows a security operation that netted an arsenal of weapons and allegedly revealed a white ANC command structure leading back to London.

The report adds: "The South Africans have bypassed the Foreign Secretary, Sir Geoffrey Howe, who is at odds with the Prime Minister because of his determination to maintain contact with the terrorists.

"Many top ANC men ... use London as a base and the organisation has offices in the capital."

Unlawful police action 'won't be tolerated'

By TOS WENTZEL
Political Correspondent

THE Minister of Law and Order, Mr Adriaan Vlok, today gave the assurance that unlawful actions by members of the police would not be tolerated.

He was speaking at a Republic Day function in his constituency, Verwoerdburg and said he was giving the assurance on behalf of himself and the Commissioner of Police.

Mr Vlok was speaking against the background of the death sentences passed on two members of the riot police in Cradock recently.

When members of "this proud force" were charged with murder, serious assault and misdeeds and were afterwards sentenced to long terms of imprisonment and even to death this caused tremendous concern.

When a policeman was guilty of a misdemeanour, it could never be condoned. Justice would take its course, even if it meant that the disclosure of such a misdeed harmed the image of the force, he said.

The police had served the country and its people proudly and diligently and would continue to do so.

DETAINEES

The Minister also referred to the question of children in detention.

While the Government did not wish to detain any child or juvenile unless it was absolutely necessary the police sometimes had no choice as was the case with horrendous crimes such as necklace murders, arson and looting.

It was no secret that children were being misused by revolutionaries who did not care if young lives were lost as long as their "senseless and selfish goals" were reached.

At present no one under 16 was in detention and of those aged 16 to 17 there were fewer than 100 in custody.

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Petition to save two murderers

The Argus Correspondent

JOHANNESBURG — Mr Mathiam Hoffman, who has started a petition to spare two policemen convicted for murdering drug traffickers from the gallows, is almost hoarse from responding to callers

"My telephone is burning," he said from his Witbank home.

Calls have come from many Transvaal towns — some of which Mr Hoffman has never heard of.

DEATH SENTENCE

"I hope, optimistically, that by Friday 60 000 people will have signed the petition which will be handed to the State President to spare Jack la Grange and Robbie van der Merwe of the death sentence.

"I have collected 3 000, but we expect a lot more in the post after the weekend"

The two former policemen were sentenced to death last month for the murder of alleged drug-dealers Peter Pillay and Bennie Ogle

Two of the replies Mr Hoffman received have been from critics — one who said "You deserve to be necklaced," then hung up

"But I like hearing from these critics — it's like throwing pepper on an egg," he said

SUICIDE

Another call, Mr Hoffman said, came from a tearful mother whose son committed suicide on his motorbike after his life was ruined by drug-taking

He added that he felt sorry for drug addicts who were victims of drug traffickers

"I am bitterly against drug traffickers and it costs the police a lot of taxpayers' money to haul dagga out of the mountains"

He added that La Grange's wife Tessa had phoned him to thank him for starting the petition

Van der Merwe's wife Amanda said in an interview she was touched that "total strangers" felt strongly about the affair.