

Public Sector - Govt. Police

1987

Jan -



APRIL

West Coast

town hit by race violence

Cape Times
6/1/87

251
~~275~~
~~277~~

By TONY WEAVER

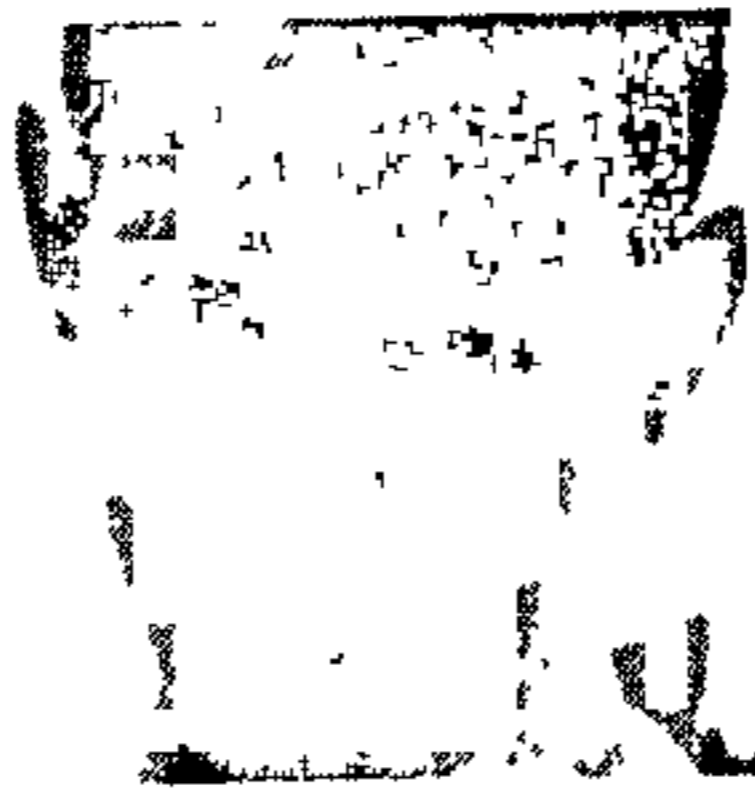
From Page 1

incidents, the local traffic official, Mr W D Luiters, arrived on the scene with a bakkie-load of white holiday-makers bearing side-arms and dressed in civilian clothes

The eyewitnesses alleged the white men took up an opposing stance to the residents

Mr Luiters last night declined to comment and said "the matter is still being investigated by the police"

Laaiplek, next to Veldrif and Port Owen, has



Jonathan Slabbert

a town centre consisting of two main tarred roads with the white and "coloured" villages merging

Unrelated incident

The Cape Times has a list of 11 names of people who were not to be found after the fracas, but it cannot be disclosed in whose care they are

The Bureau for Information's report on the incident said seven men had been arrested

Other details of the incident and allegations made by eyewitnesses have been withheld from publication pending their being sent to Police Headquarters in Pretoria for comment

□ In an apparently unrelated incident, a fight broke out at the Pelican Municipal Caravan Park, Laaiplek, about 4pm on Saturday, and Mr Johannes Saul, 22, was stabbed

The bleeding Mr Saul ran through the park office and escaped from his assailants through a back window

On Saturday morning the park was fully booked out, with 30 tents pitched, 10 caravans in use and all 15 bungalows occupied

By Sunday morning, only five tents were left and all the caravanners had left. Visitors said this was a direct result of the fight

□ Several eyewitnesses said that during the caravan park, and later

To Page 2

THE sleepy West Coast fishing village of Laaiplek was still reeling yesterday after an alleged racial incident sparked off two days of violence which left a young man dead and at least three men injured — including a policeman who is in a very serious condition.

Mr Jonathan Slabbert, 17, was fatally wounded on Saturday night after a white man opened fire in a café after another white man was "head-butted" following an alleged racist remark.

Eyewitnesses said that shortly before sunset, Jonathan was among a large group in the Oase Café when a white man said to a youth "julle Hotnots moet loop" (you Hotnots must get out)

The youth headbutted him and a fight broke out, during which another white man with a revolver allegedly fired two shots in the air. A third shot was fired. Jonathan was struck and fatally wounded.

The crowd in the café then smashed windows and overturned counters

Yesterday the shopfront, in Jameson Street, was boarded up. A large bloodstain marked the floor at the rear of the shop.

Other shopkeepers said the owner had "left town"

Jonathan's parents and a family friend found him lying in an open plot next to the café, put him in a bakkie and took him to Vredenburg Hospital from where he was transferred to Groote Schuur. He died before reaching Cape Town.

About 11am on Sunday, residents said, between 300 and 400 Laaiplek township residents gathered at the police station after morning church services

They asked to see the station commander and demanded that the white man allegedly responsible for Jonathan's death be arrested

Soon after, a squad of police arrived and warned the crowd to disperse

A young man was shot in his side, and another young man was said by family members to have been shot in his stomach and head with birdshot

During the incident, a number of stones were thrown at the police contingent and Constable P J van der Merwe was hit on the head

He collapsed two hours later while on patrol and was rushed to Tygerberg Hospital where he is in the intensive-care unit in a "very serious condition"

Reporter to appear

CAPE TIMES 7/1/87 (251) 265 277 277

CAPE TIMES reporter Mr Tony Weaver was yesterday summonsed to appear in the Cape Town Regional Court on February 9 on four charges under Section 27 (b) of the Police Act

The charges relate to reports in the Cape Times and an interview conducted by the BBC with Mr Weaver following the shooting dead by police of seven alleged ANC guerillas in Guguletu on March 3 last year. The State alleges the reports contained "untrue matter"

The summonses were served on Mr Weaver by the head of the Murder and Robbery Squad, Colonel Quinton Visser. If found guilty, Mr Weaver is liable to a maximum fine of R10 000 or a maximum sentence

of five years in prison or both — on each of the four alleged offences

Section 27 (b) of the Police Act relates to the alleged "unlawful publishing" of "untrue matter" concerning actions by the South African Police or members of the force in relation to the performance of their duties

The alleged untrue matter was that

□ A Warrant Officer Callie Bothma interviewed and took a statement from Mr Cecil Msutu concerning the shootings

□ Mrs Adelaide Mkanyuza, a receptionist at Mahlubi Funeral Services in Guguletu, alleged that a Mr Lane of the police demanded the bodies of the seven be buried five days earlier

than the scheduled funeral date or the funeral parlour would be in "serious trouble about their licence"

□ Mrs Nomvuyo Hamza, a receptionist at Mahlubi, alleged that Mr Lane had contacted her and asked her for the names and addresses of the dead men and their families and that she was told the bodies had to be buried "immediately".

□ In a BBC interview on March 4, Mr Weaver is alleged to have said the seven were "shot by members of the said force in cold blood and that members of the said force had then 'planted' weapons on the deceased claiming that they were guerillas to justify the fact that they had been shot"

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Aréus 7/11/84 Policeman hit on head by stone dies

Staff Reporter

THE policeman injured during an incident at Laaiplek police station on Sunday has died.

Constable Pieter van der Merwe, 34, had been in a critical condition since he was hit on the head by a stone about 11am on Sunday.

He died in Tygerberg Hospital last night.

Plans for a military funeral are being made.

● Five people, four men and a woman, were expected to appear in court in Vredenburg today following incidents in Laaiplek on Saturday, police confirmed.

No one is expected to appear yet in connection with the death of Constable van der Merwe, or Jonathan Slabbert, 17, who died after being shot in a cafe in the town on Saturday.

Police confirmed that murder dockets had been opened in both cases.



The parents of Jonathan Slabbert who died after being shot in the head at Laaiplek on Saturday.

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News in Brief

CVT trip 7/1/87 (23) (251)
Ex-policemen charged

PRETORIA. — Two former security policemen appeared in the Pretoria Magistrate's Court yesterday on charges of terrorism and breaches of the Protection of Information Act. Mr Matshwenyego Makgadudi, 29, and Mr Tshijhango Rabuli, 33, allegedly used their positions as members of the security police to make copies of secret documents for which they allegedly were paid by the African National Congress. They were remanded until January 14 without being asked to plead.

CAPE TIMES

Wednesday, January 7, 1987

Security forces cordon off, search squatter camp

Staff Reporter

SECURITY forces, including Defence Force foot patrols and a large contingent of police and military vehicles, threw a cordon around the perimeter of the KTC squatter camp early yesterday morning and mounted a series of spot-checks and house searches throughout the community.

The operation was confirmed by a police liaison officer for the Western Cape, Captain Jan Calitz, who referred the Cape Times to the Bureau for Information in Pretoria for further details.

However, a spokesman at the bureau said he had no details on the incident.

The bureau's daily situation report was compiled at police headquarters following information received from police districts nationwide, he said.

The bureau could possibly release details on the security force action in their situation report today, he said.

The Cape Times has several eye-witness accounts from KTC residents concerning the incident there yesterday morning and it is believed that several arrests were made.

Residents said only one entrance was left open to the camp through which people could move to and from the area and all persons were searched and asked to produce identification.

Pamphlets declaring security forces to be "friends" who acted against "intimidators" were also distributed, they said.

The operation, on the eve of black pupils returning to classes today, began several hours before dawn and finished about 10am, they added.

CAPT Timp 7/1/87

Mortgage rate cuts welcomed

Financial Editor

CUTS in the mortgage bond rate announced yesterday by the United Building Society (UBS) and Natal Building Society (NBS) will save the average family between R44 and R64 a month in repayments

Estate agents said yesterday that they would also make it possible for people at the lower end of the market to qualify for a bond, as building societies normally grant one on the basis of repayments being a quarter of the breadwinner's salary

Sapa reports that both the UBS and NBS will cut the mortgage rate for new borrowers to 13,5% from 15%, and UBS will cut the bond rate on existing loans to 14% from April 1

This means that they are both above the rate of 12,5% currently charged by the Standard Bank. But estate agents said they expected to see building society rates drop still further

Mr Jonathan Durr of Durr Estates, Mr Raymond Dunlee of Pam Golding Properties and Ms Joan Aronowitz of Real Estate

7 all said they expected to see the bond rate down to 10% by the end of the year

Ms Aronowitz said the drop would have more than a psychological effect on prospective buyers. "An extra R44 a month can mean a lot to some young families"

She noted that repayments at 13,5% or 14% would seem low to people who had become accustomed to rates of between 18% and 19,5% a year ago

A family with a bond of R40 000 over 20 years were paying R663,87 a month at 19,5% at the start of 1986

They are now paying R526 at the current 15%. A drop to 14% will mean a payment of R497,50 and at 13,5% they will pay R482,92

Mr Dunlee said the lower rate would also encourage investors to buy a house for letting, since they could expect a reasonable return

More good news yesterday was that the gold price rose to \$401,55 an ounce and the rand closed at \$0,4645 after rising briefly to \$0,47 — See Page 8

(251)

Injured policeman dies

CAPT Timp 7/1/87

Staff Reporters

A POLICEMAN who was critically injured when he was hit by a stone on Sunday after an alleged racial incident in Laai-plek, died in Tygerberg Hospital last night

Dr P Rossouw, the medical superintendent on duty at the hospital, said Constable Pieter J Van der Merwe, who sustained serious head injuries, died at 10 15pm in the intensive care unit.

He was married and lived in Vredenburg.

□ Comment, page 6

BUSINESS BRIEF

| | |
|------------------|-------------|
| Gold (close) | \$401,55 |
| Rand | \$0,4640/50 |
| FT index (close) | 1334,30 |
| BD 100 | 1534,70 |

Fleeing taxi ramp

Two on terror charges

TWO former security policemen appeared in Pretoria Magistrate's Court yesterday on charges of terrorism and charges under the Protection of Information Act.

Matshwenyego Makgadudi, 29, and Tshihango Rabuli, 33, allegedly used their positions as security policemen to make copies of secret documents.

The accused are alleged to have received payment from the ANC for information divulged.

The men failed to report sensitive information about the ANC to their superiors, the prosecution alleges.

The two are facing several charges of terrorism and of being active ANC supporters. They were remanded until January 14 without being asked to plead.— Sapa.

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REPUBLIC
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Vol. 259

PRETORIA, 8 JANUARY 1987
JANUARIE 1987

No. 10584

GOVERNMENT NOTICES

GOEWERMENSKENNISGEWINGS

MINISTRY OF LAW AND ORDER

MINISTERIE VAN WET EN ORDE

No. 101

8 January 1987

No. 101

8 Januarie 1987

NOTICE BY THE COMMISSIONER OF THE SOUTH AFRICAN POLICE.—PUBLIC SAFETY ACT, 1953

KENNISGEWING VAN DIE KOMMISSARIS VAN DIE SUID-AFRIKAANSE POLISIE.—WET OP OPENBARE VEILIGHEID, 1953

Under the powers vested in me by paragraph (a) (ix) of the definition of "subversive statement" in regulation 1 of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 224 of 1986, I, Petrus Johannes Coetzee, Commissioner of the South African Police, hereby identify the act specified in the Schedule hereto as an act which has the effect of threatening the safety of the public or the maintenance of public order or of delaying the termination of the state of emergency.

Kragtens die bevoegdheid my verleen by paragraaf (a) (ix) van die omskrywing van "ondermynende verklaring" in regulasie 1 van die regulasies afgekondig kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), by Proklamasie R. 224 van 1986, identifiseer ek, Petrus Johannes Coetzee, Kommissaris van die Suid-Afrikaanse Polisie, hierby die handeling in die Bylae hierby uiteengesit as 'n handeling wat die uitwerking het om die veiligheid van die publiek of die handhawing van die openbare orde te bedreig of die beëindiging van die noodtoestand te vertraag.

P. J. COETZEE,
Commissioner of the South African Police.

P. J. COETZEE,
Kommissaris van die Suid-Afrikaanse Polisie.

SCHEDULE

BYLAE

To support any organization which is an unlawful organization under the Internal Security Act, 1982 (Act 74 of 1982).

Om 'n organisasie wat kragtens die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), 'n onwettige organisasie is, te ondersteun.

No. 102

8 January 1987

No. 102

8 Januarie 1987

ORDER BY THE COMMISSIONER OF THE SOUTH AFRICAN POLICE.—PUBLIC SAFETY ACT, 1953

BEVEL DEUR DIE KOMMISSARIS VAN DIE SUID-AFRIKAANSE POLISIE.—WET OP OPENBARE VEILIGHEID, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 109 of 1986, as amended, I, Petrus Johannes Coetzee, Commissioner of the South African Police, hereby issue the order set out in the Schedule hereto.

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies afgekondig kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), by Proklamasie R. 109 van 1986, soos gewysig, reik ek, Petrus Johannes Coetzee, Kommissaris van die Suid-Afrikaanse Polisie, hierby die bevel in die Bylae uiteengesit uit.

P. J. COETZEE,
Commissioner of the South African Police.

P. J. COETZEE,
Kommissaris van die Suid-Afrikaanse Polisie

SCHEDULE

1. No person who holds office as editor of a newspaper, magazine or other periodical or who otherwise has control over the matter which may be published in that periodical or which may be distributed in or as an addendum to such periodical, shall allow, permit or direct, or authorize any other person to allow, to permit or to direct, the publication in that periodical or the distribution in or as an addendum to that publication of any advertisement or report calculated—
- (a) to improve or to promote the public image or esteem of an organization which is an unlawful organization under the Internal Security Act, 1982 (Act 74 of 1982); or
- (b) to commend, to defend, to explain or to justify any action, policy or strategy of such an organization, of resistance against or subversion of the authority of the State.
2. This order shall apply in the Republic including any territory declared under section 26 of the National States Constitution Act, 1971 (Act 21 of 1971), to be a self-governing territory.

BYLAE

1. Geen persoon wat die amp van redakteur van 'n koerant, tydskrif of ander periodieke publikasie beklee of wat andersins beheer het oor die stof wat in so 'n publikasie gepubliseer of in of as 'n addendum by so 'n publikasie versprei mag word, mag toelaat of magtiging verleen of gelas, of 'n ander persoon magtig om toe te laat, magtiging te verleen of te gelas, dat enige advertensie of berig wat daarop bereken is—
- (a) om die openbare beeld of aansien van 'n organisasie wat 'n onwettige organisasie kragtens die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), is, te verbeter of te bevorder; of
- (b) om enige optrede, beleid of strategie van so 'n organisasie, van verset teen of ondermyning van die gesag van die Staat aan te prys, te verdedig, te verduidelik of te regverdig,
- in daardie publikasie gepubliseer of in of as 'n addendum by daardie publikasie versprei word nie.
2. Hierdie bevel is in die Republiek met inbegrip van 'n gebied wat kragtens artikel 26 van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), tot 'n self-regerende gebied verklaar is, van toepassing.

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the case.

Police
deaths
arrest



● VLOK

POLICE yesterday arrested a suspected terrorist in connection with the killing of two policemen in Wiepe, Northern Transvaal.

The man's arrest and detention came five days after a police hunt for the suspect had been called off and 12 days after the Day of Goodwill shootings.

Police say they also seized an AK-47 rifle and ammunition.

Security forces shot it out with four alleged insurgents, killing three and arresting a fourth who escaped while being taken to jail on December 26. Warrant Officer T J Gerber and Sergeant J M Nel were killed when the man escaped.

Police said the search was called off last Friday after no trace of the man could be found.

Law and Order Minister Adriaan Vlok said yesterday: "During the investigation, police, assisted by other units of the security forces, received exceptional co-operation from all members of the public." — Sapa.

LONDON — Britain is stepping up its efforts to help wean the Frontline states away from economic dependence on SA.

This has emerged during a six-day visit to Nigeria by Lynda Chalker, Junior Minister of State in the Foreign Office, where she has been having talks with the Nigerian Head of State, Major-General Ibrahim Babangida.

It was believed Chalker was informed of Nigeria's plans to assemble an international defence force to guard the Beira corridor — Zimbabwe's most viable alternative trade route to the sea.

Foreign Office sources yesterday confirmed that foreign policy in the region was "switching to a broader approach and that the Frontline states would be the focus in the future".

They said British foreign policy was "developing as circumstances change" but it was "unlikely" Britain would part in an international defence force at this stage.

Britain has increased aid to the Frontline states through the Southern African Development Co-ordinating Conference (SADCC) as well as stepping up its military aid to Mozambique and Zimbabwe.

As well, Britain is considering the sale of more sophisticated weaponry to Zimbabwe but strictly on a commercial basis.

UK to
Front

Questions left in the trail of the two

THE abduction by South African Security Forces of two Swiss nationals from Swaziland has left a trail of unanswered questions and raised doubts about the accuracy of South African intelligence on the activities of the African National Congress in neighbouring states

South Africa's admission that its forces abducted the Swiss nationals last Friday raised the presumption in diplomatic circles that it was responsible for the kidnapping of three more people — two of them South African refugees — from Swaziland and, by implication, the death of two people, one a 13-year-old boy, during the raid

The most important unanswered question concerned the non-aggression agreement between South Africa and Swaziland, signed secretly in February 1982 and formally acknowledged in March 1984

If, as averred by Minister of Foreign Affairs Pk Botha, South African intelligence had reason to believe that the abducted Swiss

nationals, Daniel Schneider and Corinne Bischoff, were involved in activities which threatened South Africa's security, why did Pretoria not evoke the non-aggression pact?

The security treaty prohibits Swaziland from allowing its territory to be used for guerrilla attacks on South Africa and, further, commits Swaziland to take steps to counter any bid by anyone to plan subversive action against South Africa from its soil

Could South Africa have called on Swaziland police to take prompt action under the treaty? The question was put to the Department of Foreign Affairs. A spokesman replied "It was considered to be inappropriate in the specific circumstances." He did not elaborate.

Professor John Barratt of the Institute of International Affairs offered an explanation "I assume the Department of Foreign Affairs did not know about the raid"

His view is shared by many observers, who contend that the raid

The more we are told about the case of the abducted Swiss pair, the more puzzling it becomes. PATRICK LAURENCE reports

was carried out by one of the branches of the Security Forces — the SA Defence Force is the prime suspect, following unrefuted claims by the abductees — who only later informed Foreign Affairs of it as a *fait accompli*

Barratt warned that the kidnapping would undermine, if not destroy, the credibility of non-aggression agreements with South Africa. Where the pacts were designed to prevent strikes by South African commandos, last week's raid into Swaziland showed that they offered no protection, Barratt argued.

"They (the Botha government) can now forget about persuading Botswana or any other country to sign a security agreement," he said. The second question relates to a visit

by Schneider and Bischoff to South Africa less than a week before the raid. If they were a major threat to South Africa, if their presence in Swaziland put South African lives at jeopardy, why were they not detained while in South Africa?

Assuming that they were ANC agents — an assumption which they have vigorously denied — were they deliberately allowed to visit South Africa with impunity, or was South African intelligence not aware at that stage, a bare four days before the raid, of their suspected ANC links?

Were they, alternatively, genuinely innocent and was their later arrest in Swaziland a case of faulty intelligence and mistaken identity? As one diplomat observed "There have been cases of faulty intelligence before"

One of the men abducted at the same time as the Swiss couple, Danger Nyoni, appears to have been mistaken for someone else. He was released after being reportedly detained in Middelburg

The error (his release must be seen as an admission of that) cost him dearly. His 13-year-old son, Dumusane, was killed during the raid. A further unsolved question focuses on the corporate identity of the abductors

The kidnapped Swiss couple made two observations in interviews after they were released following strong protests from the Swiss and Swazi governments. Firstly, they said they were kidnapped from Swaziland by soldiers, who handed them over for interrogation to another set of people in Pretoria. Secondly, their interrogators, who were presumably Security Police, seemed unprepared for their task, asking them what they had done to cause their abduction. The SADF declined to comment on the allegation, made in a BBC interview, that the abductors were soldiers. "The Defence Force has nothing to add to the statements already made on the subject," a representative said. But, extrapolating from the

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WEEKLY MAIL
9/11/87
251

Christmas Eve order to halt cell beatings

By CARMEL RICKARD, Durban
AN urgent Christmas Eve Supreme Court application by an Umlazi widow has barred the police from assaulting her detained son

Victoria Mabaso brought an urgent appeal for an interim interdict, claiming that her 16-year-old boy, Fakazi Masondo Mabaso, was in hospital, having undergone emergency surgery to his testicles after alleged police assaults during interrogation

Mabaso brought the application against the Minister of Law and Order and it was granted in chambers by Justice Leon

Emergency regulations forbid the publication of details of the conditions of Emergency detainees, even if revealed in court. Mabaso's case can only be reported because he is held under "normal", non-Emergency security legislation

In her affidavit, Mabaso said her son "disappeared" from home on November 26 and on Monday December 15 she was telephoned by a member of the Security Police whose name she did not know

He said her son was being held at CR Swart Police Station under Section 29 of the Internal Security Act, and he informed her of clothing she should bring for him

Before she could take the clothes, she was contacted by a woman who said she was a nurse at Shifa Hospital,

The nurse told Mabaso that Fakazi was in the hospital and had asked that she contact his mother

She told Mabaso that he had had an operation "as a result of injuries he allegedly sustained when he was subjected to electrocution to his testicles by members of the Police Force during interrogation".

The nurse also said the boy had serious injuries on other parts of his body, "which injuries he had allegedly sustained when he was assaulted

during interrogation

Victoria Mabaso went to the hospital the next day, December 23, accompanied by the Director of Durban's Legal Resources Centre (LRC), Chris Nicholson, and an LRC attorney, RJ Purshotam. They saw the boy but he was under police guard and they were not allowed to speak to him

However, they spoke to a nurse who told them the boy had undergone an emergency operation the previous day "to correct a disorder of the testes" and that he had told her he had been kicked in the testicles.

The lawyers asked for a copy of the boy's medical record, but were told this could not be given them other than on an order of the court. They then spoke to Dr IS Vawda, the surgeon who operated on the detainee

He told them Fakazi was referred by a district surgeon, who had told him the boy was forced to eat his own hair. Mabaso said that when she saw her son in the ward she noticed that part of his hair was cut shorter

The surgeon said he had operated to "correct tortion of the testes", but admitted that he had not asked the boy the circumstances which caused the "tortion" and said "the police guards insisted that they be present while the doctor examined the patient".

Vawda also told the lawyers that tortion could occur naturally

Victoria Mabaso said the matter was of "extreme urgency"; that, from the information available to her, she feared her son had been assaulted and that this could happen again

The court order places a bar on unlawful police interrogation and rules that a district surgeon is to examine the boy and submit a detailed report to the court and a magistrate is to visit the detainee, inform him of the court action, and ask whether he was assaulted.

The Minister of Law and Order has until February 11 to file answering affidavits.

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Vol. 259

PRETORIA, 9 JANUARY 1987
JANUARIE 1987

No. 10585

GOVERNMENT NOTICE

MINISTRY OF LAW AND ORDER ²⁵¹

No. 116

9 January 1987

ORDER BY THE COMMISSIONER OF THE SOUTH AFRICAN POLICE.—PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 109 of 1986, as amended, I, Petrus Johannes Coetzee, Commissioner of the South African Police, hereby issue the order set out in the Schedule hereto.

P. J. COETZEE,

Commissioner of the South African Police.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the regulations published by Proclamation R. 109 of 1986, as amended, has a corresponding meaning, and—

“Education Act” means the Education and Training Act, 1979 (Act 90 of 1979);

“hostel premises” means premises on which a hostel attached to a public school as defined in the Education Act is situated;

“school premises” means premises on which a public school as defined in the Education Act is situated.

2. Any gathering organized or convened or which is organized or convened by or on behalf or under the auspices or banner of the National Education Crisis Committee (NECC) and on which a discussion is held on—

(a) the presentation or proposed presentation on school or hostel premises or on any particular school or hostel premises of a course which has not been instituted under the Education Act, in the stead of or in addition or as an alternative to any course so instituted; or

GOEWERMENSKENNISGEWING

MINISTERIE VAN WET EN ORDE

No. 116

9 Januarie 1987

BEVEL DEUR DIE KOMMISSARIS VAN DIE SUID-AFRIKAANSE POLISIE.—WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies afgekondig kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), by Proklamasie R. 109 van 1986, soos gewysig, reik ek, Petrus Johannes Coetzee, Kommissaris van die Suid-Afrikaanse Polisie, hierby die bevel in die Bylae hierby uiteengesit uit.

P. J. COETZEE,

Kommissaris van die Suid-Afrikaanse Polisie.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die regulasies afgekondig by Proklamasie R. 109 van 1986, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“koshuisperseel” 'n perseel waarop 'n koshuis verbonde aan 'n openbare skool soos omskryf in die Onderwyswet gelee is,

“Onderwyswet” die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979);

“skoolperseel” 'n perseel waarop 'n openbare skool soos omskryf in die Onderwyswet gelee is

2. 'n Byeenkoms wat gereël of belê is of word deur of ten behoeve, onder die beskerming of vaandel van die National Education Crisis Committee (NECC) en waarop 'n bespreking gevoer word oor—

(a) die aanbieding of beoogde aanbieding op skool- of koshuispersele of op enige bepaalde skool- of koshuisperseel of -persele van 'n kursus wat nie kragtens die Onderwyswet ingestel is nie, in die plek van of aanvullend of as 'n alternatief tot 'n kursus wat aldus ingestel is; of

(b) the determination of the syllabus of any such first-mentioned course with a view to the presentation or proposed presentation of any such course,

is hereby prohibited.

3. This order shall apply in the Republic excluding any territory declared under section 26 of the National States Constitution Act, 1971 (Act 21 of 1971), to be a self-governing territory.

(b) die bepaling van die sillabus van so 'n eersbedoelde kursus met die oog op die aanbieding of beoogde aanbieding van so 'n kursus,

word hierby verbied

3. Hierdie bevel is in die Republiek met uitsluiting van 'n gebied wat kragtens artikel 26 van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), tot 'n selfregerende gebied verklaar is, van toepassing.

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Star's computer
The field will comprise the runners that would have competed in the real race and they will be carrying the weights originally allotted by the Cape handicapper.

In deciding the winner The Star's computer will take into account the times recorded by the runners, their weights and their finishing positions in their last five races and the going. The going will be decided on the day by a racing personality.

The Met will be the main event at a four-race STAR

TRACK meeting Three of the races will be run at Gosforth Park with the Met at Kenilworth as an "away" feature.

Six charities usually benefit from the Met and the cancellation might have meant a bleak year for them in 1987. But The Star will donate a percentage of the pool to the five charities. They are: the Society for Autistic Children; South African Riding for the Disabled Association; Western Province Owners' and Trainers' Benevolent Fund; Cape

Woodside Sanctuary and
Corps of Commissionaires

As with the first Star Track meeting there will be a jackpot in which punters and readers are required to forecast the winner of each of the four races. Single entries — one selection in each race — cost 50c. Permutation entries will also be taken. The pool will be shared among the winners after a percentage has been donated to charity.

The first Star Track jack-

real race
Fields for the other three jackpot races have been compiled and handicapped by bookmaker Rod Bechus who will supply betting on all four races to assist readers and punters

Details of the runners, the forecast betting and the entry form will be published in The Saturday Star tomorrow. They will be repeated every day until the closing date on Friday, January 23.

Man alleges 'blackjack' beating

By Adele Baleta *all/87* *251* *STAR*

Mr Michael Buti (30) of Dube, Soweto, says he spent several days in pain after being beaten up last month by municipal police attached to the Soweto Council.

He reported the incident to the Orlando Police Station and laid a charge of assault against the sergeant in charge of the police squad.

A police spokesman in Pretoria confirmed in a telex yesterday that an allegation of assault was being investigated by Orlando police.

Mr Buti said he was talking to his girlfriend outside her home in Dube on December 30 when he was "attacked and ambushed" by municipal "blackjacks".

"They accused me of being in possession of

weapons. When I denied it, they waded into me with fists and sjamboks," said Mr Buti

He said he rushed into the house and barricaded himself inside a bedroom

He said the police told him to open the door, and he agreed on condition he was questioned in a "decent manner".

"But when I opened the door they attacked me again. They beat me so badly that I was sore for days," he said

Mr Buti said he was taken to the vocational centre in the township where he was hosed down with water and forced to roll in mud

"I had to run back to my girlfriend's house. The blackjacks told me to leave and never come back"

Aussie call to ban rebel tour results

MELBOURNE — Western Australian Labour senator, Senator Peter Cook, has urged Telecom, Australia's government communications authority, to ban results of the rebel cricket tour from its sportsphone service

He said the service gave credibility to a tour which flouted international agreements

However, a Telecom spokesman said there had been only one complaint about the service and last month 142 028 people had used it — The Star's Foreign News Service

WEEKLY MAIL

Pay-outs for police injuries ²⁵¹ at R4,5m ^{9/1/87}

By CARMEL RICKARD, Durban
GOVERNMENT pay-outs to the public in compensation for injuries allegedly inflicted by police have soared to almost R4,5-million over 13 years

Writing in the latest South African Journal on Human Rights, Don Foster, Professor of Psychology at Cape Town University and Clifford Luyt, law lecturer at the Cape Town Technikon, say compensation in 1970 was R990 compared to R4,5-million in 1983

The two academics compare claims by Louis le Grange (then Law and Order Minister), that unlawful action by police officers is not tolerated, with records of court cases for evidence that the policy outlined by the Minister is being carried out

From the cases they conclude that far from being penalised, officers who have "ill treated detainees have not only escaped punishment, but have been promoted in spite of their records"

Foster and Luyt then look at the number of people killed each year by police — official figures put deaths at 54 in 1970 and at 798 in 1985, while the number of injured people rose from 230 to 2 571. The authors compare these figures with those of Canada and the United States, and calculate that the South African police 'killing rate' is roughly 7,1 times greater than that of Canada and 2,1 times greater than the USA. They comment "This throws into question the standard mythology which views the USA as a more violent police society than South Africa"

Possibly even more alarming are the figures for annual convictions of police for violent crime usually 200, they show 250 convictions. And a substantial proportion of those convicted, 10 to 15 percent, already had previous convictions

"What is done by the authorities (about) this serious situation? On average, only about 10 percent of those police convicted of violent crimes are eventually discharged from the force (and) only a minority of those with previous convictions are subsequently discharged. Where details are given, it is apparent that the majority of those with previous convictions hold them for similar violent crimes. (This) points to the conclusion that the police are not too diligent in policing themselves nor in dealing in any serious fashion with their own infringements of the law"

They say that this view, that few restraints are placed on the police, is confirmed by examining "the amounts paid by the Minister of Law and Order to members of the public as compensation for injuries resulting from police assaults". While most of these payments were by way of out of court settlements rather than by finalised court actions, "it is clear that if there were no evidence of assault, settlements would hardly be effected"

But while there have been many civil cases involving police treatment of detainees, attempts to bring criminal proceedings have not been so successful

For example, in 1984, of the 50 charges of assault involving detainees held under Section 29 of the Internal Security Act, the attorney general refused to prosecute in 41 cases

While the Minister appears to believe these figures indicate there is little evidence that detainees are tortured, the two authors have a different view. They agree with the findings of a report by the Association of Law Societies, that complaints of assault by detainees are not investigated by police officers of high enough rank, nor are the investigations sufficiently quick, thorough or independent

"The problem lies, as usual, in the lack of independence of investigation"

9/1/87

WEEKLY MAIL, Janua

Police take over ANC man's funeral

By MONO BADELA

WHILE mourners were attending the funeral of slain ANC guerrilla LIVINGSTONE Ntlokwana, 25, in Port Elizabeth's Zwijde township at the weekend police took over the burial — reducing it to a shambles.

Of more than 2 000 mourners at the Sisonke Presbyterian Church, fewer than 100 mourners managed to reach the cemetery to bury him. Eyewitnesses said the funeral procession which went to the cemetery was led by a Casspir, followed by the hearse, a family car and several police and army vehicles. Earlier, police, accompanied by blue overalled "kits-kops" ("instant"

or hastily-trained constables) and Ibhayi municipal police, broke up the funeral service, entering the church and chasing mourners out. Scores were beaten and others loaded into huge yellow police trucks and driven away. There was no unrest.

Such direct intervention by Security Forces would never have been possible in the Port Elizabeth townships when Ntlokwana, a former Ndzondelelo high school student leader, left to train as a guerrilla in 1981. Just 12 months ago, 80 000 mourners ignored police restrictions

to bury ANC guerrilla Thanduxolo Mbethe, gunned down in a shootout with police in Kwazakale. A street in New Brighton has been renamed after him.

But five years of almost continuous conflict and confrontation have taken their toll on the area.

When he left in 1981, Ntlokwana, of Makana Street, Zwijde, was Port Elizabeth branch chairman of the now-banned Congress of SA Students (Cosas). A security policeman is reported to have told Ntlokwana's parents that Ntlokwana was killed in a shootout with Security Forces when he and three other guerrillas were

confronted at a roadblock in the Northern Transvaal. He told them their son was "a very brave man". Ntlokwana had a bullet wound on the left side of his body.

The family were to have seen civil rights lawyers in PE this week to lodge a formal complaint to Law and Order Minister Adriaan Vlok about Security Force action at the funeral.

Although the reporting of certain Security Force actions is forbidden under Emergency regulations, the *Weekly Mail* is able to report this incident because the actions of the Security Forces at the funeral do not constitute "security action". — TOPS



Warrant-Officer Barnard

Police hunt for grenade killers

Staff Reporters

A POLICE HUNT continued yesterday for the killers of a police constable who died on Friday night after a hand-grenade, which injured two other policemen, was flung into a patrol car in Guguletu.

Constable Gysbert Jakobus Labuschagne, 20, died on the corner of Elliot and Terminus streets, near the KTC Squatter Camp in Guguletu, at 11 30pm on Friday night, a spokesman for the Bureau for Information said yesterday

Police said the policemen had approached a group of people "acting suspiciously" when one of the group tossed the grenade through the open passenger window.

Warrant-Officer H C Barnard, who was driving the car, received fractures to his left arm and shrapnel wounds to his chest and shoulder. Reservist Constable G V Langford, a passenger in the rear, was hit in the legs and chest.

After the blast the car caught fire and though wounded, W/O Barnard started the car, which had three burst tyres, and drove it to the Guguletu police station.

No arrests

The police liaison officer for the Western Cape, Captain Jan Calitz, who with the Divisional Commissioner of Police, Major-General Chris Swart, visited the injured men, said both men underwent operations on Saturday and were in a satisfactory condition.

No arrests have yet been made. Permission to photograph the injured policemen and the damaged patrol car was refused.

From Page 1

gave rise to the township myth that W/O Barnard was in fact a fluent Xhosa speaker

Const Labuschagne's father, Mr Jan Labuschagne, who lives in Indwe, told Sapa in East

London yesterday that his son had "loved the police force"

"He had worked as a game ranger at the Kruger National Park for six months before he joined the force," Mr La-

buschagne said. Mr Labuschagne said his son had been posted to Cape Town as soon as he left police college. Because of his fluency in Xhosa, he was used as an interpreter with the riot control unit in Cape Town.

Mr Labuschagne said his son had become fluent in Xhosa through spending much of his time on his uncle's farm at Indwe.

One dead policeman, whose divorced father lives at Indwe, near Queenstown, was single and had been in the police force since 1984. He was acting as interpreter at the time of his death.

W/O Barnard is one of the best-known members of the police force operating in the black townships.

According to affidavits filed with an application to the Supreme Court last year, he played a leading role in the events at the KTC squatter camp which left 100 people dead and 70 000 people homeless.

A restraining order was sought in an application which named W/O Barnard, with then-Minister of Law and Order Mr Louis le Grange, and others including community leaders Mr Sam Ndima and Mr Johnson Ngxobongwana, as being responsible for the violence.

In a replying affidavit, W/O Barnard denied participating in any attempt to set shacks alight and said he had no knowledge of other policemen doing so.

W/O Barnard is known to journalists as the "Rambo of the townships" because of his habit of moving around dressed in blue jeans and T-shirt carrying a shotgun, two side-arms and belt loads of ammunition across his chest, and he has gained an awesome reputation among township residents.

It is believed he and Constable Labuschagne were inseparable and always operated as a team and that the younger man's fluency in Xhosa

To Page 2

Lawyer sues for R150 000

13/1/87 By MONK NKOMO *Sowetan*

A UNIVERSITY lecturer is claiming R150 000 damages from the Minister of Law and Order after he was allegedly assaulted by police in Mamelodi, Pretoria.

Mr Mathole Samuel Motshekga, of Mamelodi, is an advocate who holds a Master of Law (LLM) degree from Harvard University in the United States of America

He is a senior lecturer in the Department of Criminal and Procedural Law at the University of South Africa (Unisa).

Papers served 251

His lawyer, Mr Brian Currin of Savage, Jooste and Adams, a firm of attorneys in Pretoria, yesterday said summonses have already been served on the Minister of Law and Order

Mr Currin told the *Sowetan* that the Minister was contesting the R150 000 lawsuit. He added that the matter was placed on the roll in the Pretoria Supreme Court recently but the case was indefinitely postponed after the Minister's lawyers requested further particulars from the claimant.

A spokesman for the State Attorney's office yesterday confirmed receipt of the summonses and said they were defending the claim. He also confirmed that they had requested further particulars from the plaintiff's attorney.

Policeman dies in Guguletu shooting

CAPE TOWN — A policeman died and a female companion in a vehicle with him was injured in a shooting incident in Guguletu near Cape Town last night.

The policeman, whose identity was not released because his next-of-kin have not been informed, is the third to be killed in incidents in the Western Cape.

Inquiries were referred to the Bureau for Information

A short statement on the incident by the bureau read: "A policeman was shot dead at approximately 9.40 pm at NY153 in front of house no 48. In the same incident a civilian woman was also injured."

On January 6 Constable Pieter J van Der Merwe (34) died in Tygerberg Hospital after he had been hit on the head with a rock following an alleged racial incident in Laaiplek two days earlier.

On Friday night Constable Gysbert Jakobus Labuschagne (20) died on the corner of Elliot and Terminus streets, Guguletu, after a hand grenade, which injured two other policemen, was flung into a patrol car. — Sapa.

Argus (251)
13/1/87

Full military honours for Laaipek policeman

Staff Reporter

A POLICEMAN who died of brain injuries in Tygerberg Hospital after violence in the West Coast town of Laaipek last weekend was buried with full military honours at Vredenburg

The funeral service for Constable Pieter Johannes van der Merwe, 34, who died on Tuesday, was held at the Ned Geref Kerk in Vredenburg's Main Street yesterday

The other victim of the violence, allegedly sparked by a racial incident, 17-year-old schoolboy Jonathan Slabbert, was buried at the Apostolic Church at Laaipek on Sunday. He was shot dead. About 500 people attended the youth's funeral service in the tiny fishing town

Jonathan, described as a keen rugby and soccer player, leaves his parents, Mr Jacobus and Mrs Lena Slabbert, seven brothers and two sisters

Among high-ranking policemen at Constable van der Merwe's service were the outgoing commissioner of police for the Western Cape, Major General Christoffel Swart, representing the Minister of Law and Order and Commissioner of Police, and the commissioner of police for the Boland, Brigadier P C Fourie

Roads closed

In a tribute at the hour-long service, General Swart said Constable van der Merwe, who died in the line of duty, was "dedicated, conscientious and a credit to the force"

Born and educated in Porterville, where he matriculated in 1970, Constable van der Merwe graduated from the Police College, Pretoria, in 1971

He served at Calvinia and Vanrhynsdorp before resigning from the police in 1974. Rejoining in 1984, he was stationed at Vredenburg until his death. He is survived by his wife Magda and children André and Alette

Roads were closed as a procession of about 120 policemen accompanied by a band marched alongside the hearse to the graveside

The coffin was draped in the national flag and the police officer's cap. Mrs van der Merwe collapsed at the graveside as police chaplain Colonel B W van Eeden delivered the benediction. She was comforted by relatives

Shoes case: Not guilty plea to attempted theft

Staff Reporter

A PARKWOOD Estate man who allegedly tried to steal a pair of shoes from an acquaintance, causing him to take fright and jump from a moving train, has pleaded not guilty to attempted robbery

Mr Patrick Khol, 19, of Blackbird Avenue, told Wynberg Regional Court he was sitting next to Mr John Rayapen on a train travelling between Crawford and Lansdowne on December 27

"He had on a new pair of shoes and I asked him if I could try on one because I intended buying a similar pair. He refused and became afraid"

Mr Rayapen then jumped out of the window

"When the train stopped at Crawford station, four friends and I walked back along the railway line to see if we could find him, but we did not"

Mr Khol admitted that a friend, known as "Pretty Boy", stood up in the train with "a closed knife" before Mr Rayapen jumped out. He denied that anyone had threatened or scared Mr Rayapen

Mr Rayapen was injured and is still in hospital

The hearing was postponed to January 30 and Mr Khol was remanded



LAST RESPECTS Police chaplain Colonel B W van Eeden leads a closing prayer at the graveside of Constable Pieter van der Merwe, who died of brain injuries received during violence at Laaipek



Pictures DION TROMP, The Argus

BEREAVED Mrs Magda van der Merwe, wife of Constable van der Merwe, is comforted by her brother, Mr Gerrit van Jaarsveld, and mother, Mrs Bettie van Jaarsveld

The official course in
Small Business

Assault by policeman

'unjustified'

DOE. M. G. H. A.
CIVILIAN 1987
21512 75-50

CAPE TIMES 14/1/87

257

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59 403 11

Staff Reporter
A CAPE TOWN civil court magistrate has found that a police assault on a young man, Mr Christopher Knight, in Shortmarket Street in October 1985 was not justified, and has upheld Mr Knight's claim for damages against the Minister of Law and Order.

Mr Knight originally claimed R2 544 for medical expenses, loss of dignity, pain and suffering but this was later, by agreement between the parties concerned, reduced to a claim of R744

Evidence during the civil court hearing last November was that Mr Knight was struck over the head with a baton by Sergeant Geoffrey McMaster, a member of a squad of riot police under the command of Major Dolf Odendaal, on a day on which there had been unrest in Adderley Street and St George's Street

Mr Knight and two witnesses, Mr S Raubenheimer, an attorney, and Mr Roger Williams, Chief Reporter of the Cape Times, testified that there had been a relatively normal situation in



Mr Christopher Knight

Shortmarket Street at the time Mr Knight was assaulted

The magistrate, Mr W J P Marais, said in a written judgment handed down yesterday that he accepted this evidence and said the possibility of collusion in the police evidence given could not be ruled out.

He found that Mr Knight had not, as suggested in the police evidence, been part of a gathering when he was assaulted, and he also found that Mr Knight was moving away, in compliance with Major Odendaal's orders to the "normal pedestrian traffic" in

Shortmarket Street at the time

And he found that Sergeant McMaster had reacted to a remark by Mr Knight to the effect, "Why don't you remove yourselves? You are causing problems by your presence in Cape Town", by striking Mr Knight on the head with his baton

Mr Marais found that the blow struck was not justified, and that the degree of force used contravened provisions 48 and 49 of the Internal Security Act which laid down that where force was used, it must not be excessive and must be in keeping with the circumstances

Mr Marais said Mr Knight had at some stage arrived in the central city, wanting to buy a suit at Woolworths. He entered Shortmarket Street at a stage where a squad of riot police under Major Odendaal turned into the street from Adderley Street. Pedestrians were ordered by Major Odendaal to leave the street

Both witnesses, Mr Raubenheimer and Mr Williams, neither of whom had known Mr Knight, had said that Mr Knight moved along, with other pedestrians in the street, in compliance with this order

Mr Shortt-Smith was instructed by the Legal Resources Centre. The Minister of Law and Order was represented by Mr N J Treurnicht.

Magistrate praises newsman witness

Staff Reporter

MR Roger Williams was "the type of witness over whom any legal practitioner can wax lyrical", said the magistrate, Mr W J P Marais, yesterday

Mr Williams, Chief Reporter of the Cape Times, and Mr S Raubenheimer testified on behalf of Mr Christopher Knight

"Mr Williams particularly, in a calm, composed manner, stood rock-fast on his evidence, in spite of an aggressive cross-examination

"His long years of journalistic experience clearly enabled him to note details and memorize them

"He was in all material instances supported by the much younger Raubenheimer, and together these witnesses gave overwhelming corroboration to the claimant (Mr Knight) in his testimony that there was not a gathering (in Shortmarket Street) and that the claimant was in any event moving away from the police"

Mr Marais said that while the witnesses' views might in some measure be influenced by their political sentiments in this type of action, the court could not go so far as to find that such sentiments would induce them to tell deliberate lies, in order to benefit a stranger

'No justification' for police baton assault on man

Staff Reporter

A MAN has been awarded damages by a civil magistrate after a policeman struck him on the head with a baton "without justification" during unrest in central Cape Town in October 1985.

The magistrate, Mr W J P Marais, found that while Mr Christopher Knight was moving away from a riot police squad in Shortmarket Street in compliance with an order by Major Dolf Odendaal, Mr Knight addressed a remark to the police.

Sergeant Geoffrey McMaster reacted by assaulting Mr Knight, hitting him on the head with a baton

Mr Knight testified that his remark was "Why don't you remove yourselves as you are causing problems in Cape Town"

NO GATHERING

According to the police version, Mr Knight said "It's about time you people f... off out of the area because it's you people who are causing all the problems"

The blow was not justified because there was no gathering in Shortmarket Street and the people present were in the process of moving away, Mr Marais said

The reduction of Mr Knight's original R2 544 claim against the Minister of Law and Order to R744 by agreement between the parties was realistic considering that Mr Knight's "somewhat unwise remark" brought about the assault, said Mr Marais.

He said the incident followed a demonstration in Adderley Street on October 10 which attracted a large crowd

Police action caused people to move away from Adderley Street and violence broke out in St George's Street

TOLD TO DISPERSE

Mr Knight, who was then a 24-year-old student, arrived in the city centre to buy a suit from Woolworths

While he was walking towards Adderley Street, a group of riot police under the command of Major Odendaal approached him. Pedestrians were told to disperse.

Sergeant McMaster was among the group and Mr Knight was struck.

Mr J Short-Smith, instructed by Legal Resources Centre, appeared for Mr Knight. Mr N J Treurnicht appeared for the Minister of Law and Order

251 275 252 SPAN 16/1/87

Minister agrees to pay R15 000 damages

CAPE TOWN — The Minister of Law and Order has agreed to pay damages of R15 000 to a Guguletu man who lost his left eye after being struck by a rubber bullet in August 1985.

The out-of-court agreement was reached after Mr Khumbulele Victor Nolebe sued the Minister for damages of R17 000

Describing events leading up to his injury, Mr Nolebe told the Cape Town Supreme Court that he was sitting with a friend outside the KTC Bazaar, where he worked, on August 28 1985, waiting for the owner of the the store

The owner had decided to close the shop that day because of a call for all Guguletu

residents to join a march to Pollsmoor Prison, led by Dr Allan Boesak, to demand the release of ANC leader Nelson Mandela

TWO CASSPIRS

Security forces in two Casspirs stopped to ask the two men what they were doing and, apparently satisfied, they left

Mr Nolebe said he turned, saw his friend duck and the next thing he knew a rubber bullet had struck his eye

Counsel for the Minister, Mr J Slabbert, admitted at the mandatory pre-trial conference between legal representatives of both sides that if Mr Nolebe had indeed been shot, police were responsible

In court, however, he applied for leave to withdraw the admission.

He applied for leave to change the Minister's plea to claim that Mr Nolebe was injured when police legitimately fired on a crowd of about 600 people "throwing stones and bottles" near the corner of NY78 and Terminus Road

Alternatively, the Minister claimed if Mr Nolebe was injured outside KTC Bazaar, it was not police who caused the injury

Mr Justice Berman reserved judgment in October last year on whether the amendment would be allowed

In the interim, the Minister had decided to settle — Sapa

Colonel has to explain detention

By CARMEL RICKARD, Durban

A SENIOR Security Police officer will be cross-examined in the Supreme Court today about the detention of a Durban man being held under Section 29 of the Internal Security Act

Colonel Jacobus Hendrik Buchner of security headquarters in Pretoria will be asked about his reasons for detaining Shamin Shaik of Clare Estate, Durban.

It is the first time a policeman has been ordered into the witness box for cross-examination on why a detainee is being held under Section 29.

The detainee's brother, Faizal Shaik, brought an application soon after Shamin was detained early in the morning of December 12, asking that his brother be released or that reasons be given for his continued detention.

Certain reasons were given by Buchner, but they were challenged by Shaik. He asked the judge to grant an order that Buchner appear in court and give oral evidence on these reasons.

Judge David Friedman granted the order, in terms of which Buchner is to be questioned by Shaik's lawyers.

AME Times
y, January 16, 1987

Police pay man R15 000 damages

Supreme Court Reporter

THE Minister of Law and Order has agreed to pay damages of R15 000 to a Guguletu man who lost his left eye after being hit by a rubber bullet in August 1985.

Describing events leading up to his injury, Mr Nolebe told the Supreme Court he was sitting with a friend outside the KTC Bazaar, where he worked, on August 28, 1985, waiting for the owner.

The owner had decided to close the shop that day because of a call for all Guguletu residents to join a march to Pollsmoor Prison, led by Dr Allan Boesak, to demand the release of ANC leader Mr Nelson Mandela.

Security forces in two Casspirs stopped to ask the two men what they were doing and, apparently satisfied, they left.

Mr Nolebe said he turned, saw his friend duck, and the next thing he knew was a rubber bullet smashing into his eye.

The agreement was reached out of court after Mr Khumbulele Victor Nolebe sued the minister for damages of R17 000

Mr Nolebe said he turned, saw his friend duck, and the next thing he knew was a rubber bullet smashing into his eye.

Counsel for the minister, Mr J Slabbert, conceded at the mandatory pre-trial conference between

about 600 "throwing stones and bottles" near the corner of NY78 and Terminus Road

legal representatives of both sides that if Mr Nolebe had indeed been shot, police were responsible

In court, however, he applied for leave to withdraw the admission which, he said, was made "on the bona fide assumption that NY78 was Terminus Road"

He applied for leave to amend the minister's plea to a claim that Mr Nolebe was injured when police legitimately fired on a crowd of

Alternatively, the minister claimed that if Mr Nolebe was injured outside KTC Bazaar, it was not police who caused the injury

Mr Justice H Berman reserved judgment in October last year on whether the amendment would be allowed. In the interim, the minister decided to settle

WEEKLY MAIL 14/1/87 (238)
Lawyer sues police

251
By JO-ANN BEKKER (248)

A JOHANNESBURG attorney who was detained with 16 clients outside the Benoni Magistrate's Court last June has sued the police for unlawful arrest and is claiming R50 000 damages.

Prakash Diar, 30, a partner in the legal firm Ismail Ayob and Associates, filed papers before the Rand Supreme Court shortly before Christmas, alleging his arrest was "unlawful, wrongful and in bad faith". The Minister of Law and Order and a Benoni police officer are named as the defendants.

The 16 men detained with Diar were facing charges of assaulting a prison warden while detained under the 1985/86 State of Emergency.

Spy charges against cops

16/11/87
By JO-ANN BEKKER 251

THE first trial of security policemen charged with spying for the African National Congress has been set for March 12.

Matshwenyego Mokgabudi, 29, of Atteridgeville, and Tshiango Rabuli, 33, of Soshanguve near Pretoria, were allegedly recruited by the banned organisation in 1980. For six years, the state claims, they informed the ANC about police knowledge of anticipated ANC actions and the government's schemes to counter the guerrilla organisation's plans. In return they received a "contribution".

The two were not asked to plead to charges of terrorism, furthering the aims of the ANC and espionage when they appeared briefly before a Pretoria magistrate this week.

WORLD NEWS

THE PAPER FOR A CHANGING SOUTH AFRICA

VOLUME 3, Number 2 FRIDAY JANUARY 16 to THURSDAY JANUARY 22, 1987

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Mystery of the bottle store 'lock-up'

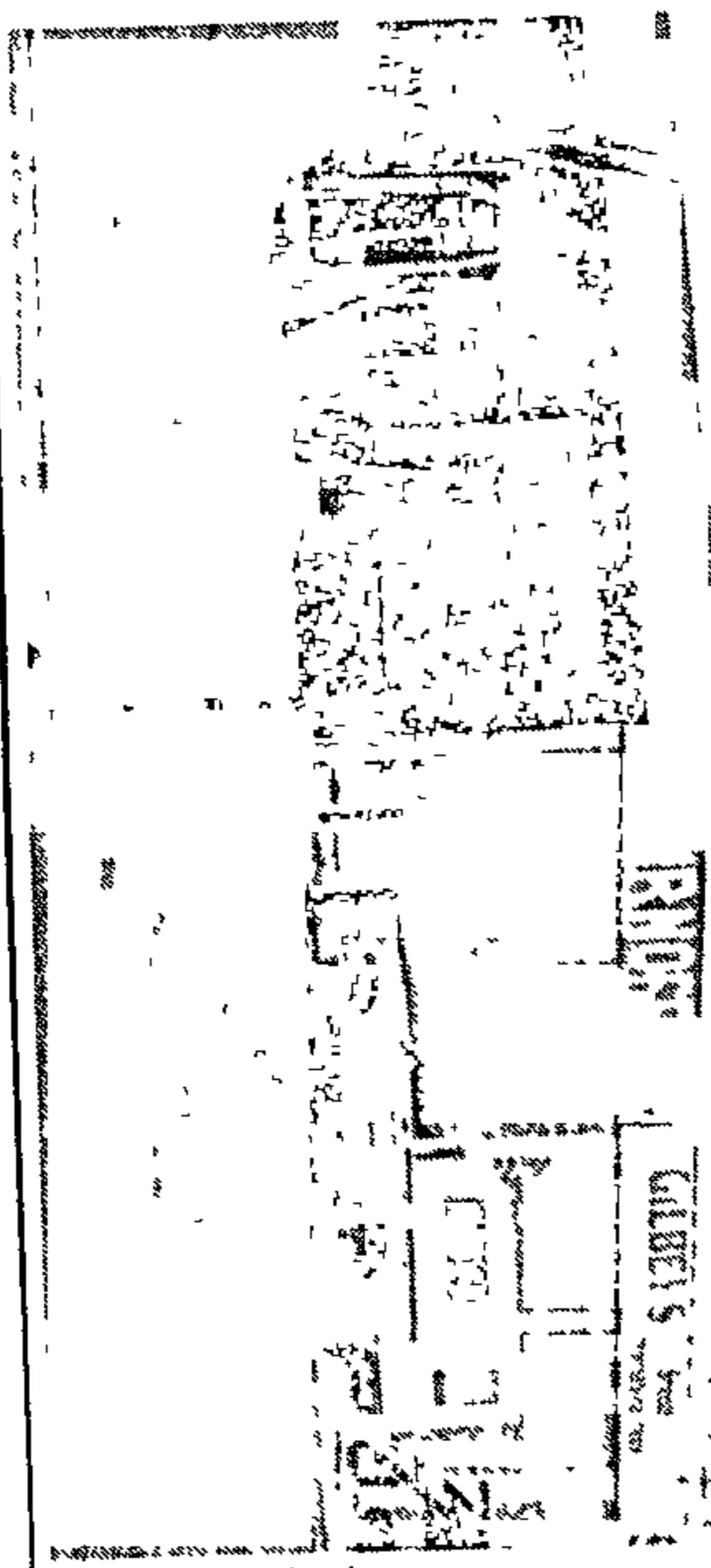
By MONO BADELAWI

THE security forces have been using a disused township bottle store as a "clearing house" for Port Elizabeth detainees.

According to some of the people who have been held there, detainees were "processed" at the old Kwabekile bottle store in New Brighton before being posted to more permanent detention barracks such as Louis le Grange Square. Sometimes, detainees have even been held in the bottle store's huge fridges, according to Progressive Federal Party organiser Roy Riordan.

Riordan said the former Minister of Law and Order, Louis le Grange, had told the party Kwabekile was used as "some sort of intelligence headquarters", but insisted no-one was detained there. He did say, however, that people had been held there for

● To PAGE 2



The mystery bottle store in New Brighton: tales of 'grilling sessions'

THE PAPER FOR A CHANGING SOUTH AFRICA

Mystery of the bottle store 'lock-up'

16/1/87 WEEKLY MAIL 251
By MONO BADELAY

THE security forces have been using a disused township bottle store as a "clearing house" for Port Elizabeth detainees

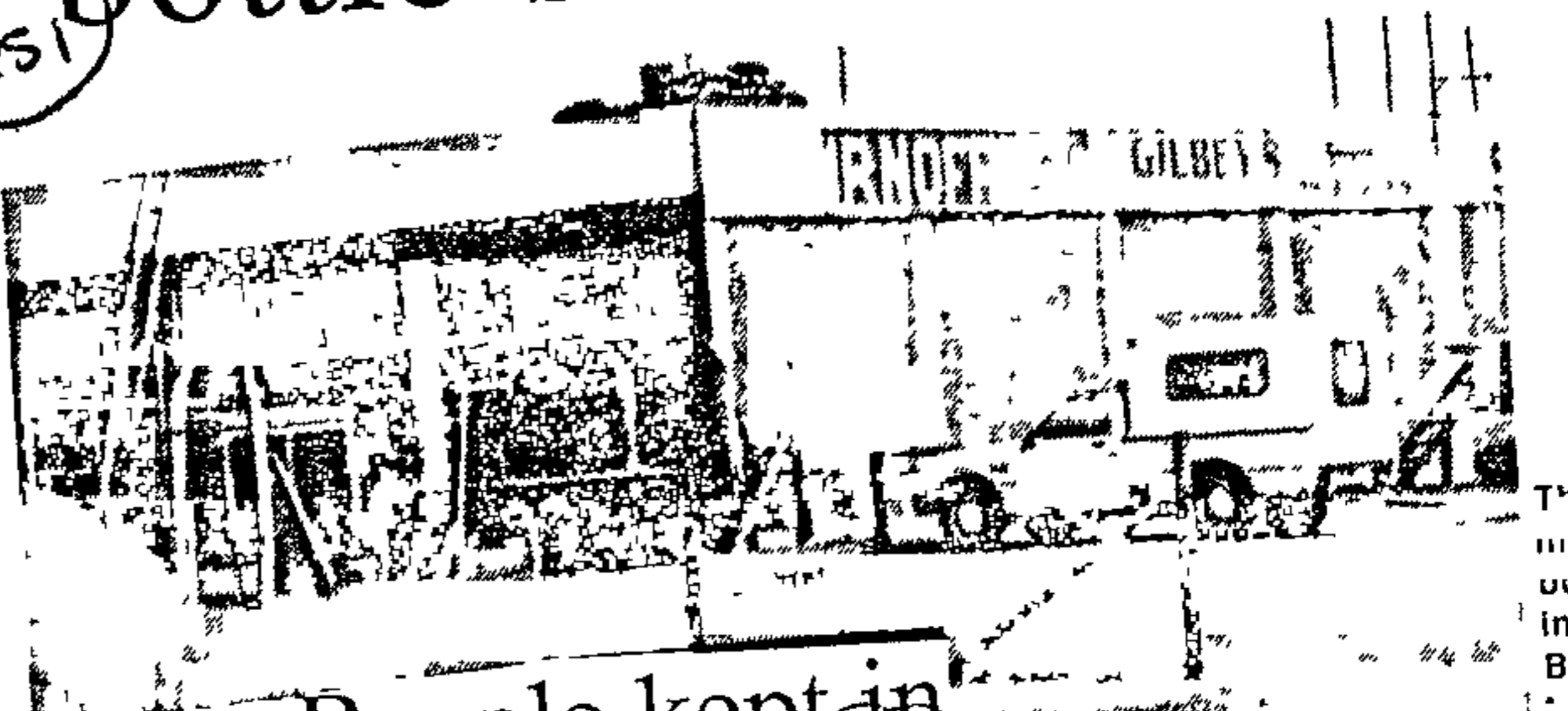
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Riordan said the former Minister of Law and Order, Louis le Grange, had told the party Kwabekile was used as "some sort of intelligence headquarters", but insisted no-one was detained there

He did say, however, that people had been held there for

● To PAGE 2



People kept in store's fridges

16/1/87 ● From PAGE 1

up to 68 hours, according to Riordan

The Bureau for Information would not comment on allegations that the bottle store was used to house detainees, as it "does not report on SA police or security force action"

It referred *Weekly Mail* inquiries to the SAP public relations division, which replied "The premises formerly known as Kwabekile bottle store are not being used to house detainees"

Riordan, regional director of the PFP's Operation Real South Africa, and former detainees are adamant, however, that the security forces are keeping State of Emergency detainees there for lengthy periods

Riordan said he had been questioned there twice last year — and, while being grilled, had seen journalists Prince Msuthu, Eric Linda and Siphon Mbikwana

He said the PFP MP for Walmer, Andrew Savage, had written to Le Grange to find out what was happening behind the bottle store doors

Savage could not be contacted for comment, but Riordan said he had seen the letter and it included confirmation that the bottle store was "some kind of security intelligence headquarters"

He said Le Grange insisted the bottle store was not used as a jail or prison, but confirmed that some people had been held there for up to 68 hours

Former trade union leader Government Zini said he was questioned there for three hours during November after being picked up at his Kwazakhele home

● Kwabekile bottle store ceased operation in the middle of last year, when township residents boycotted administration board liquor outlets in protest at the state of emergency. — TOPS.

MS OF THE EMERG

Sjambokking policeman gets suspended sentence

By YVETTE VAN BREDA
Court Reporter

A POLICEMAN who assaulted three journalists working for foreign news services during the unrest in Belgravia Road, Athlone, in 1985 was yesterday fined R500 (or 180 days) in Athlone Magistrate's Court.

The sentence on Constable Granville Vlotman, 24, who is stationed at Athlone, was suspended for three years. He was charged with assault with intent to do grievous bodily harm after beating them with a sjambok on September 5, 1985.

The court heard that Mr Craig Matthew, a cameraman for the London-based Worldwide Television News (WTN), and Mr Murray Michell and Mr Gideon Mendel, both photographers for the Paris-based Agence France-Presse, were sjambokked while sheltering from birdshot and teargas.

Mr Matthew was sjambokked on the back of his head, his back and his

hand. Mr Michell was beaten on his face and body and Mr Mendel was beaten on his back and arm.

They said they were crouching behind the wall of a house in Belgravia Road as police were firing teargas and birdshot at them. A Casspir had pulled up outside the house and Vlotman jumped out and ran towards them. He "just went mad" and hit Mr Mendel first and then the other two.

Vlotman said he had not known the men were journalists as he had not seen any cameras. He said he had wanted to arrest "stone-throwers", and thought the three on the stoep were "stone-throwers".

The magistrate, Mr D Visagie, said Vlotman should not have acted in the way he did without an order to do so, specially when there was a commander on the Casspir to give orders.

Miss Y Murray was the prosecutor. Mr I B Maartens, instructed by the State Attorney, appeared for Vlotman.

C

Minister sued

Sowetan 19/11/87



A Johannesburg lawyer is claiming R50 000 damages from the Minister of Law and Order after

he was allegedly wrongfully and unlawfully arrested and detained by the police.

Mr Prakash Diar, claims that on or about June 23, last year, he was arrested by Warrant Officer D J Kruger (the second defendant in the lawsuit), who is attached to the Benoni Police Station.

Mr Diar was arrested outside the Benoni Magistrates court. He was detained in terms of the

Emergency regulations.

His lawyer, Mr Ismail Ayob, of Ismail Ayob and Associates, a firm of attorneys in Johannesburg, said summonses have already been served on the Minister of Law and Order and W/O Kruger

Mr Diar is claiming R50 000 for damages, for his good name and reputation being injured. He also claims he was humiliated and embarrassed.

Policeman assaults 3 newsmen, gets suspended sentence

CAPE TOWN — A policeman who assaulted three journalists working for foreign newspapers during the unrest in Belgravia Road, Athlone, in 1985 has received a suspended sentence — a R500 fine (or 180 days imprisonment)

Constable Granville Vlotman, 24, who is stationed at Athlone, had his sentence suspended for three years.

He was charged with assault with intent to do grievous bodily harm by beating the journalists with a sjambok on September 5, 1985.

The court heard that Mr Craig Matthew, a cameraman for the London-based Worldwide Television News (WTN), and Mr Murray Michell and Mr Gideon Mendel, both photographers for the Paris-based Agence France-Presse, were sjambokked while sheltering from birdshot and teargas.

Mr Matthew was sjambokked on the back of his head and had four welts on his back and one on his hand. Mr Michell was beaten on his face and body while Mr Mendel was beaten on his back and arm.

They said they were crouching behind the wall of a house in Belgravia Road as police were firing teargas and birdshot at them. A Casspir had pulled up outside the house and Constable Vlotman who

had been pushed out, ran towards them.

He "just went mad" and hit Mr Mendel first and then the other two.

Constable Vlotman said he had jumped from the Casspir onto the stoep and had not known the three were journalists as he did not see any cameras. He said he had wanted to arrest people who had been throwing stones in the area and thought the "stone-throwers" were on the stoep.

Passing sentence, the magistrate, Mr D. Visagie, said Constable Vlotman should not have acted in the way he did without an order to do so, especially when there was a commander on the Casspir to give orders.

Mr Visagie asked why, if the aim of the police was to arrest, they had not arrested the men as there had been seven to 12 of them on the Casspir. The journalists were facing the wall and had their backs to Constable Vlotman when he jumped on to the stoep, he added.

He said he accepted that Constable Vlotman was married, with two young children and was a first offender. He also accepted that he had had to work under difficult circumstances at the time and photographers had not made the task of the police force easier as people seemed to get more agitated when they were around.

NR 645 20/1/87

Policeman sentenced

Staff Reporter

AN Athlone constable has been fined R500 (or 180 days) suspended for three years for assaulting three journalists in Belgravia Road, Athlone, in September 1985

Constable Granville Vlotman, 23, pleaded not guilty in Athlone Magistrate's Court to three counts of assault with intent to do grievous bodily harm to Mr Craig Matthews, Mr Gideon Mendel and Mr Murray Mitchell, who represent foreign media.

The court found on Friday that he struck the men with a sjambok.

Long arm of law may reach out to Thornhill

EVE post 29/1/87 (A) General
(251) (251)

By MICHEL DESMIDT

THE farming community at Thornhill could get its own police station following an increase in serious crimes in the area, including suspected arson and stock theft.

A senior police officer from Uitenhage told a delegation of 12 farmers at a meeting on Friday that the proposal would be studied shortly, according to the chairman of the Thornhill Farmers' Association, Mr Alan Kietzmann.

Temporary facilities would probably be provided if the report was accepted, he said, adding that the use of a rondavel adjoining the Thornhill Hotel had already been made available for this purpose.

The SA Police liaison officer for the Eastern Cape, Major Eddie Everson, confirmed the meeting, adding that since it had been "closed", he could not divulge details of the discussions.

Mr Kietzmann said the

last police station in the village had been closed about 20 years ago and until recently serious crimes such as stock thefts were reported to the Kabega Park Police Station in Port Elizabeth.

At present, the nearest police station was at Hankey, 25 kilometres from the village.

Mr Kietzmann said residents had been pushing for a police station for almost two years. In the past two decades the population was conservatively estimated to have trebled, two timber firms had been established and other developments were in the pipeline.

There was a need for a local police station to combat the increase in stock theft and serious crime, he said. Only recently, suspected arsonists had set fire to the village library and country club in two separate incidents and the number of burglaries had increased.

ARGUS 21/11/87

Watsons sought boycott exemption

Argus Bureau

PORT ELIZABETH — The Watson brothers met Eastern Cape consumer boycott leaders to try to have their shops exempted from the boycott and make "tremendous profits", the Regional Court here has been told.

Mr Valence Watson, 34, Mr Ronnie Watson, 34, and Mr Dan "Cheeky" Watson, 32, are appearing on charges of arson, fraud and attempted murder following the burning of their family mansion in 1985.

The State alleges they conspired to burn the house and use the insurance pay-out to rescue their debt-ridden chain of clothing stores.

Addressing the court yesterday, Mr Valence Watson said the meetings with the boycott leaders were aimed at gaining exemption from the boycott, which was crippling businesses in the area, and cornering the black clothing market.

"There were tremendous prospects of doing fantastic business if ours were the only stores exempted," he said.

The prosecutor, Mr H van der Walt, submitted that a major creditor threatened to foreclose on a bond on the house in the month of the fire.

The court also heard that the brothers had had an offer of R750 000 for the house, almost double their debts, but had not sold it because they hoped to get up to R1,5-million.

Mr van der Walt asked Mr Watson why he had not told the police on the night of the fire that Mr Archie Mkele and Mr Geoffrey Nocanda, who were employed by the brothers, were guarding the house.

He said he "did not like the police" and wanted "as little to do with them as possible".

He and his family had been victimised by police in the past, he added.

The trial continues today.

LOH 107/E

CHAMPION WINE ESTABLISHMENT SHOW 1985 AND 1986

1963,1 1601,1 2127,0

2 BUSINESS DAY, Monday, January 28 1987

Police exceeded powers, says Press

SUSAN RUSSELL

THE challenge of Press restrictions, begun on January 8 by two major Press groups, continues in the Rand Supreme Court today.

D Kony, SC, who is appearing for the Press, said on Friday the Commissioner of Police had gone beyond the powers vested in him by Regulation 7 (1) b (ii) by making it applicable to the entire country and that it should be declared void and of no force and effect in law.

Kony said it appeared the commissioner had not applied his mind to the implications of the order and the loopholes in it.

"The order and notice are so wide that they have created chaos and confusion in the minds of people about what they may or may not publish."

P C van der Byl, SC, who is ap-

pearing on behalf of the Minister of Law and Order and the Commissioner of Police, argued that the regulation was wide enough to allow the commissioner to make the order he had.

The regulation allowed him to regulate, control or prohibit any matter without giving reasons, any matter which in his opinion was necessary for maintaining public safety or the maintenance of law and order

251

technology over the past 153 years, we today are as much committed to our clients as we were in 1853. Still small enough to

Cape Times

Monday, January 26, 1987

Police investigate murder after 'forces' kill man

Staff Reporter

DETECTIVES are investigating charges of murder in connection with the death of a 24-year-old Guguletu man allegedly killed by security forces

Witnesses claimed that Mr Colin Phandile Goba, of NY53, died from a shotgun wound in Fezeka Senior Secondary School grounds in Guguletu early last Saturday morning

Miss Olivia Morefi told the Cape Times that Mr Goba had been at a house in NY43 about 2am when another woman, Miss Sandralyne Tima Zulu, rushed off, apparently in anger, and entered the unfenced grounds of Fezeka school

She and Mr Goba followed Miss Zulu as they were worried about her safety

Miss Zulu told the Cape Times she was stopped by four men she took to be "kitskonstabels" and questioned about her presence on the property

"I heard two shots from behind some classrooms We went there and I

saw six or seven police One of them had a torch and I saw Colin in the light He had been shot in the left side of the chest"

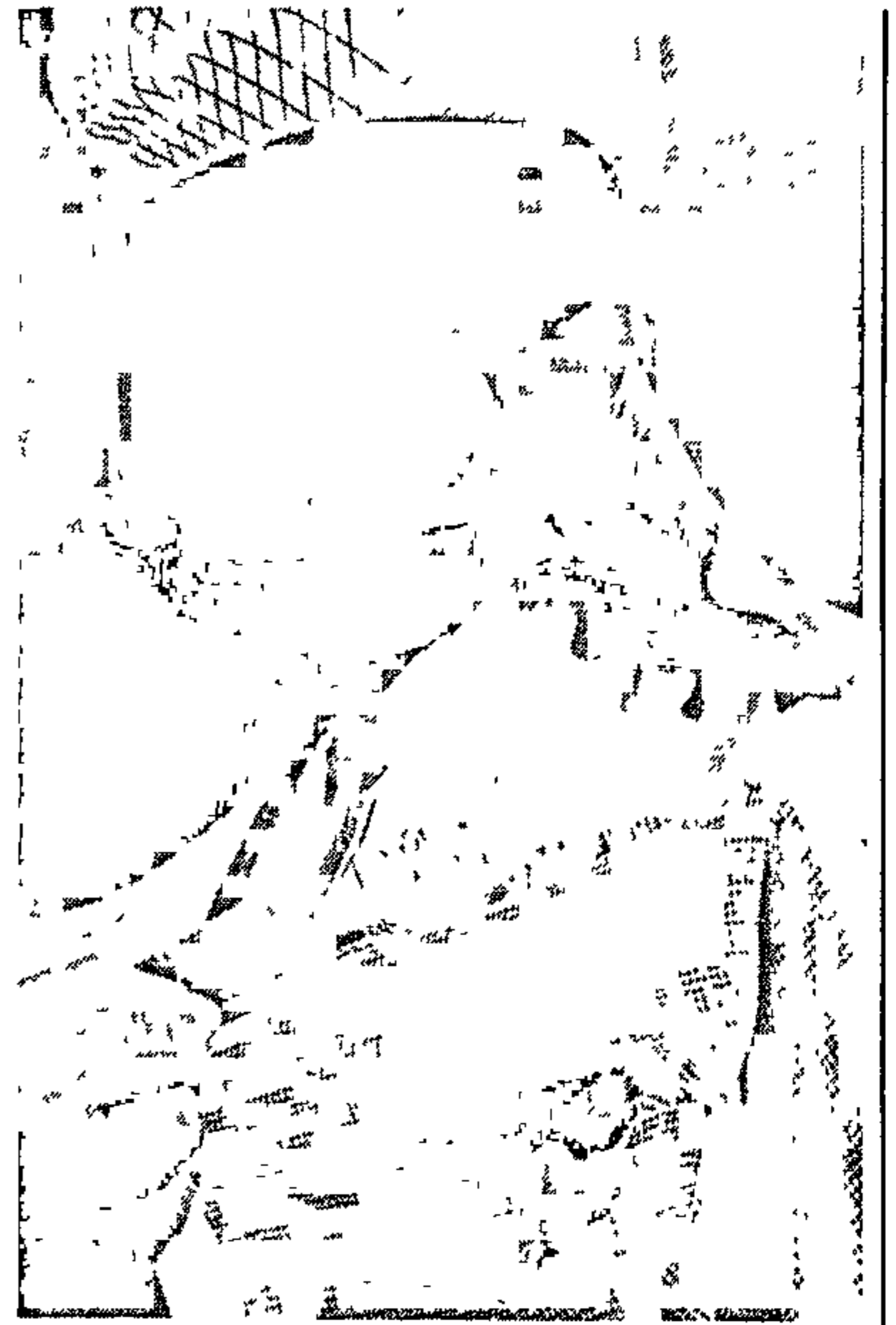
The next morning Mr Enoch Goba inquired about his son's death at Guguletu police station A detective and an assistant took statements from Miss Morefi, Miss Zulu and Mr Goba

The next day police wanted to know from the two women whether Mr Goba jr had been carrying a knife at the time

Mr Goba's employer, Mr A J Jefferies, manager at a firm of chemical manufacturers, described him as an excellent and reliable worker

A police spokesman, Colonel Steve van Rooyen, confirmed from Pretoria that police were investigating a charge of murder He could give no further details

● Members of the PFP's Unrest Monitoring and Action Committee have taken affidavits from Mr Goba, Miss Zulu and Miss Morefi



Mrs Dora Goba holds up the shirt her son Colin was wearing when he was shot. The hole above the pocket, it is claimed, was made by a shotgun blast

Picture FANIE JASON

Council policeman shot dead, another wounded

The Soweto Murder and Robbery Squad is investigating a weekend incident in which a Diepmeadow council policeman was shot dead and another critically wounded.

Major Fanyana Zwane, Soweto's police PRO, said the incident had occurred on Friday night in Zone Five, Meadowlands, while the policemen were guarding a hall.

Police are investigating a theory that they had been involved in a fight.

The killing was one of six murders reported at the weekend. The other five were stabbings.

About 2 am on Saturday, members of the South African Police and the SADF on patrol near Dobsonville Hostel were fired at by two men.

A member of the SAP wounded one of the men. A man (28) was arrested.

Armed robbers took electrical fittings from two schools in separate incidents on Friday.

HELD UP

In Zone Four, Pinville, two men held up a night-watchman at 7 am and got away with R6 000 worth of fittings.

At 2 am, four men held up a watchman at Dalwonga High School in Dube and locked him in a toilet before making off with fittings worth R2 500.

Major Zwane reported that 10 vehicles had been stolen in the township.

Four men were arrested in two cars suspected to have been stolen. Five stolen cars and another 27 suspected stolen, were recovered by the police.

Ten people were arrested for dealing in liquor without a licence and a huge quantity of liquor was confiscated.

Other incidents reported to the police were four rape cases, 17 burglaries, nine ordinary robberies and nine thefts.

Five men and a woman were arrested in separate incidents for being in possession of about 30 kg of dagga, he said.

176-43 28/1/87 (251)

Inquest told of fleeing youth being shot in chest

Tygerberg Bureau

A HALF-BRICK allegedly found in the hand of Clive Christopher Cupido, a Bellville teenager shot dead by a policeman, was ordered to be destroyed before it could be handed in as evidence, an inquest has been told.

Clive, a pupil at Kasselsvlei Senior Secondary School, died on August 29 1985 about 11pm after he was shot through the chest by Warrant Officer Gerhard Cloete of the Bellville police.

The inquest magistrate, Mr A N E Louw, found yesterday that Warrant Officer Cloete had "acted reasonably under the circumstances" and that no one could be held legally responsible for Clive's death.

At yesterday's hearing Mr Willem Pretorius, legal representative for the Cupido family, asked why Warrant Officer Cloete had not mentioned in his first formal statement to police that he had found a half-brick in Clive's hand and two more near his body.

"I'll tell you where those half-bricks really came from. You handed them in as evidence at the police station to cover yourself by saying that the man you had shot dead wanted to throw them at you," Mr Pretorius said.

Checked records

Warrant Officer Cloete denied this, saying he had looked up the whereabouts of the half-brick in the Bellville police station's "SAP-13 records" before the start of the inquest hearing yesterday.

His legal counsel, Mr D J van der Walt, handed in copies of these records as proof that the brick was ordered destroyed by a Captain van Schalkwyk on May 29 last year, 10 months after the youth's death.

Warrant Officer Cloete said he might have forgotten to mention the half-brick in his first report because "I was somewhat shocked on my arrival at the charge office because I had taken a man's life"

The policeman said he had seen Clive jump from the roof of a Bellville South flat building soon after a police colleague was pushed off the roof while pursuing fleeing teenagers. He chased Clive through the backyard of a dry-cleaning shop.

He shouted a warning but the youth jumped over a "six-foot (1,8-metre) wall". The policeman was pulling himself over the wall in pursuit when the youth turned towards him from about six paces away, making "a throwing movement".

Warrant Officer Cloete then fired a shot, hitting the youth in the chest.

One policeman killed, two hurt in Guguletu

W/S/Arms 251

Grenade attack

Wounded man drives to safety in burning car with burst tyre

By STEPHEN WROTTESELY
Weekend Argus Crime Reporter

A POLICEMAN has been killed and two injured by a hand-grenade thrown into their car while they were on patrol in Guguletu.

After the attack, one of the wounded police men drove the car to the safety of the nearby Guguletu police station, even though the car was on fire and three tyres had burst.

The policeman killed was Constable Gysbert Jakobus Labuschagne. The wounded policemen are Warrant Officer H C J Barnard and Reservist Constable G V Langeford. Both are in satisfactory condition in hospital.

The attack happened about 11.30 last night.

An extensive search is on today for those responsible.

Group of people

The Bureau for Information in Pretoria said the three policemen had been on patrol at the intersection of Elliot and Terminus roads near the KFC Squatter Camp at about 11.30pm.

A hand-grenade was thrown through an open window of the vehicle and Constable Labuschagne was killed. Two others were injured, a bureau spokesman said. He named them as W/O Barnard and Constable G V Langeford.

Information to the industry will be more effective and qualitative

A police source said the policemen had been on patrol when they saw a group of people "acting suspiciously". The grenade was thrown when they approached the group to question them.

The dead policeman was 20 years old, single and joined the police force in 1984. He was acting as an interpreter when he was killed.

According to the source, Warrant Officer Barnard has severe shrapnel wounds in the elbow. Constable Langeford was hit in the legs.

Follow-up operation

After the blast the car caught fire, the sources said. Although wounded, Warrant Officer Barnard started the car and drove to the Guguletu police station.

An ambulance was called but the interpreter was dead by the time it arrived.

Police units were called for a follow-up operation. No arrests have yet been made.

Warrant Officer Barnard is a living legend on the Cape Flats. Early last year the police took the unusual step of introducing him — and permitting him, a relatively junior officer, to answer questions at a Press conference.

A policeman with 20 years' experience, 10 of them in the Guguletu area, Warrant Officer Barnard was then driver to Major Dolf Odendaal, second-in-command of the reaction unit.

Honourable mention

His official police record says he is a dedicated policeman who has worked long hours "without pay and in exceedingly dangerous circumstances during which he at times barely escaped death".

In 1983 he received an honourable mention in Force Orders from the then 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 as a result of his "exceptional perceptiveness".

Since then, according to police, he has recovered an average of five stolen cars a month and four guns — bringing the value of the vehicles found to more than R1,4-million.

Winnie tells of cop interrogation

THE Mandela FCs, a township football team, was the main object of inquiry during Mrs Winnie Mandela's six hours of questioning by security police on Sunday night, Mrs Mandela told reporters this week.

The football club is what they were really interested in," Mrs Mandela told a group of about 40 local and foreign journalists at a hastily convened Press conference on the pavement of her Orlando West home.

Mrs Mandela and her daughter Zinzi were held at Protea Police Station on Sunday night after more than 50 security policemen spent about two hours searching through the house, she said.

The police swoop followed the funeral of 18-year-old Frank Makgatha, a member of the Mandela FCs, who Mrs Mandela and team-mates allege was shot by a member of the Kabasa vigilante gang in Phomolong, Soweto two weeks ago.

Thirteen Mandela FC members were arrested outside Mrs Mandela's home at the time of the swoop, she said.

"I just sat at the police station while they searched through my filing cabinet letter by letter and asked me about the Mandela FCs."

"I explained I was behind the team and that it consisted of young members of street committees in the Orlando West area.

The objective of the team was to keep young activists off the street and away from shebeens where recent clashes between radical 'comrades' and right-wing vigilantes have taken place. Ironically, Frank Makgatha had been shot while trying to protect a friend involved in a brawl with a member of the Kabasa Gang soon after the formation of the team, according to members of the Mandela FCs.

Mrs Mandela said Makgatha's killer was a well-known member of the Kabasa Gang and alleged that he operated



WINNIE Mandela

ZINZI Mandela

openly without police interference.

He is openly known as somebody whose mission is to eliminate comrades. He had been to Frank's home before, brandishing weapons and threatening to kill him.

Mrs Mandela said she planned to expand the

Mandela FCs into a sports club that would cater for more of the youth in the area.

On Sunday night a police spokesman in Pretoria, Lt-Col Steve van Rooyen, confirmed Mrs Mandela was escorted by police from her home to a nearby police sta-

tion, but said she had definitely not been arrested or detained.

The Mandelas' attorney, Mr Ismail Ayob said earlier that the 13 Mandela FC members were arrested under the Criminal Procedures Act.

He gave the names of

those arrested as Johannes Mabeta, Absalom Madonsela, Bonaparte Zwane, Sylvester Mazibuko, Vusi Khumalo, Kenneth Dlamini, Leonard Nhlapo, Michael Twala, Jeynard Zungu, Eustice Ngijima, Lucky Radebe, Andrew Ikageng and Montgomery Mchunu — Sapa

PSJ
Sowetan
28/1/87

Court told of violence in model community

Dispatch Reporter
CAPE TOWN — The "ugly face of racism reared its head" and ripped apart the harmony of Laaiplek, a resident told the Supreme Court yesterday.

In the urgent application for the release of Mr Henry Smeda and Mr Morgan Blaauw, both detained under emergency regulations following the violence that ripped through the village on January 3 and 4 this year, police were also blamed for a "large portion" of the violence that resulted in the deaths of a policeman and a 17-year-old youth

Mr S Desai, who appeared for the applicants, said the action, brought by Mrs Yvonne Smeda and Mrs Blanche Lorna Blaauw, had "lost its urgency" as both Mrs Smeda's husband and Mrs Blaauw's son were either released from detention or in the process of being released

Mr Justice H L Berman postponed the matter for trial to determine costs

The respondents were the Ministers of Law and Order and Justice and Prisons, the Divisional Commissioner of Police for the Boland and the Officer Commanding of Victor Verster Prison — none of whom defended yesterday's action

In her affidavit, Mrs Smeda said Laaiplek had been unique in the South African context because of the apparent lack of boundaries between "so-called black and white areas" which were almost interwoven — with a "great deal of goodwill, based on mutual respect and trust for one's fellow man irrespective of colour, religion or ethnic differences"

The town had never known unrest and could serve as a model community for the rest of South Africa "Even the police" were respected there, she said

"The peace and tranquility of Laaiplek was rudely shattered on January 3 when the ugly face of racism reared its head"

Mrs Smeda described how a cafe owner, a Mr Greef — "who has, ironically, always been regarded by the residents as a kind gentleman" — had reacted to an incident in which a white customer had called another a "hotnot"

"A fight ensued and this person was severely beaten. The wife of the assault victim appealed to Mr Greef for help," she said

By this time a crowd had gathered and shots were fired by Mr Greef, fatally wounding a

youth, Jonathan Slabbert, she claimed

Local police, stationed 50 m from the cafe, failed to react, she said

Mrs Smeda's husband and Jonathan's father had travelled to Groote Schuur Hospital with the boy, who subsequently died

On Sunday, a crowd gathered at the police station, demanding action

"The people were anxious to ensure that justice was done (They) were angered by the racist slur and inability of the police to act. The police, it seemed, were not prepared to arrest Mr Greef, a white person, for shooting a black youth," Mrs Smeda said.

The crowd was dispersed with tear gas and bird shot after a number of stones were thrown at Mr Greef's cafe. In this action, a policeman was fatally injured. Eight people were arrested the following day, January 5, she said.

"The police themselves must bear a large portion of responsibility for the violence which flared up briefly in Laaiplek because of their failure to arrest Mr Greef who, to this day, has not been arrested," she said

'Desperate' call: PFP to probe alleged refusal

By ROBERT HOUWING
Staff Reporter

THE Progressive Federal Party is to table questions in Parliament about the alleged refusal of a telephone operator to put through a "desperate" call to Paarl police headquarters after violence at Laaiplek.

The Post Office is investigating the allegation

Jonathan Slabbert, 17, died after being shot during violence which flared on January 3 after an alleged racial incident in the West Coast town.

Appeal

An account of the incident was given yesterday in an application in the Supreme Court for an urgent interdict ordering the release of two Laaiplek men detained for three weeks at Victor Verster Prison.

The application was postponed for costs after the court heard that Mr Henry Smeda, a carpenter, and fisherman Mr Morgan Blaauw were being released.

Mr Smeda's wife, Mrs Yvonne Smeda, said in an affidavit that her husband, a "respected member of the community", had appealed to Laaiplek police to defuse the situation

She said people were angry because the police did not arrest the white man who allegedly fired the shots

"Swore"

Mr Smeda, 47, who was released on Monday, said yesterday that he "tried desperately" to telephone the Boland police headquarters in Paarl to report the shooting

"I made the call about 9pm. The operator at the Velddrif manual exchange swore at me and refused to put the call through. I was outraged"

Mr Smeda said he complained to the town's postmaster. "He said I should put it in writing, but I did not get the time to do that — I was detained the next day"

The PFP spokesman on communications, Mr Alf Widman, said he would table questions

and seek an explanation in Parliament.

Mrs Val Rose-Christie, regional co-ordinator of the party's Unrest Monitoring and Action Committee (Umac), said they would raise the issue with the authorities as they viewed the allegation "in a very grave light"

"A well-meaning person, acting in the interests of a family who had just experienced the trauma of the violent shooting of their son, should have access to the police.

Discipline

"We hope the correct disciplinary action will be taken if the person is found to have acted in such an authoritarian manner."

A spokesman for the Department of Posts and Telecommunications in Pretoria said "A complaint had been filed and the matter is being investigated"

He said he would contact The Argus "the moment the findings are made known"

A white customer in a cafe allegedly referred to emergency regulations, said

Ex-policeman fined R200 for 'joke'

Star West Rand Bureau ^{25/1/57 (25)}

An ex-policeman was convicted by a Roodepoort magistrate yesterday of disguising himself with the possible intent of committing a crime.

The magistrate, Mr S B Bezuidenhout, said the excuse that the accused, Cornelis Tobias Venter (22), a first offender, had disguised himself as a joke to see people's reactions did not "hold water" with him.

Venter, who was fined R200 (or three months' imprisonment), was stationed at the Honeydew Police Station when he committed the offence in March last year.

He told Mr Bezuidenhout that he and a fellow officer had stopped at a Weltevreden Park Shopping Centre while off-duty to buy cigarettes.

He said that he had worn the disguise — a false beard, a pair of "mirror" sunglasses and a woollen cap —

to the police station in the morning.

Venter said he was in front of the building society, but did not enter it. He bought cigarettes and left in the car.

Three witnesses for the State said he had pushed the door of the building society open and then turned and walked back to the car.

Mr Bezuidenhout said that he could not see the funny side of wearing a disguise to "see people's reactions".

The accused had not cross-questioned the witnesses and therefore accepted their version. Also he had not proved that he did not have the intention of committing an offence and, especially because of the nature of his work at the time, should have known that a disguised man near a building society would look highly suspicious.

Batmizyan

in our hands will always be re-

Cape Times 29/1/87 (251) (207)

Action on 'sjambokked' girls

By ANDREW DONALDSON

TWO separate actions for damages against the Minister of Law and Order by parents of University of Cape Town students, allegedly injured after being sjambokked by police in 1985, will be heard together as a single case in the Supreme Court next month.

An application for the consolidation of the two actions — arising from police action after a protest march by UCT students in Rondebosch on August 8, 1985 — was granted yesterday by Mr Justice H L Berman.

The application, on behalf of the women students' fathers,

Mr Michael John Larkin and Mr Arnold Berthault van der Riet, was brought by attorney Ms Andrea Durbach and was not opposed

Mr Larkin's R20 000 claim against the minister for damages follows the alleged illegal assault, arrest and subsequent detention of his daughter, Miss Clare Elizabeth Larkin

He has claimed that his daughter was assaulted by police who struck her with a sjambok or quirt and dragged her across Burg Road and pushed her into a police van and subsequently arrested her on a charge of contravening the Internal Security Act She

was then held at Rondebosch police station and at Pollsmoor Prison until her release the following day

An objection to the charges against her and other students was upheld following an appearance at Wynberg Magistrate's Court on October, 24, 1985, Mr Larkin said

Replying to Mr Larkin's claim, the minister confirmed Miss Larkin's arrest and detention — but claimed these actions, including the allegations about the sjambokking, were lawful

Even if Miss Larkin had not taken part in the protest but was in "close proximity" to the

protesting students, the minister said, she had "voluntarily assumed the risk of harm being caused to her by members of the police force who were acting lawfully"

He further denied that Miss Larkin was assaulted and that the charge against her was "quashed", but claimed it was withdrawn by the public prosecutor Accordingly, the application should be dismissed with costs, he said

Details of Mr Van der Riet's action against the minister were not before the court.

Mr John Whitehead, instructed by Ms Durbach, of Bernadt, Vukic and Potash, appeared for the parents

CAPG THIS
29/1/87

225 229 251

Laaiplek peace shattered by racism, court told

By ANDREW DONALDSON

THE "ugly face of racism reared its head" and ripped apart the harmony of Laaiplek, a resident told the Supreme Court yesterday

In the urgent application for the release of Mr Henry Smeda and Mr Morgan Blaauw, both detained under emergency regulations following the violence that erupted in the village on January 3 and 4 this year, police were also blamed for a "large portion" of the violence. A policeman and a 17-year-old youth were killed.

Mr S Desai, who appeared for the applicants, said the action, brought by Mrs Yvonne Smeda and Mrs Blanche Lorna Blaauw, had "lost its urgency" as both Mrs Smeda's husband and Mrs Blaauw's son were either released from detention or in the process of being released

Mr Justice H L Berman postponed the matter for trial to determine costs

The respondents were the ministers of Law and Order and Justice and Prisons, the Divisional Commissioner of Police for the Boland and the Officer Commanding

Victor Verster Prison — none of whom defended yesterday's action

In her affidavit, Mrs Smeda said Laaiplek had been unique because of the apparent lack of boundaries between "so-called black and white areas". She said there had been "a great deal of goodwill, based on mutual respect and trust for one's fellow man irrespective of colour, religion or ethnic differences"

"The peace and tranquility of Laaiplek was rudely shattered on January 3 when the ugly face of racism reared its head" Mrs Smeda described how a café owner, a Mr Greef — "who has, ironically, always been regarded by the residents as a kind gentleman", had reacted to an incident in which a customer had called another a "Hotnot"

"A fight ensued and this person was severely beaten. The wife of the assault victim appealed to Mr Greef for help," she said

By this time a crowd had gathered and shots were fired by Mr Greef, fatally wounding a youth, Jonathan Slabbert, she claimed

Local police, stationed 50m from the café, failed to react, she said

On Sunday, a crowd gathered at the police station, demanding action. She said they "were angered by the racist slur and inability of the police to act. The police, it seemed, were not prepared to arrest Mr Greef, a white person, for shooting a black youth", Mrs Smeda said

The crowd was dispersed with teargas and birdshot after a number of stones were thrown at Mr Greef's café. In this action, a policeman was fatally injured. Eight people were arrested the following day, January 5, she said

"The police themselves must bear a large portion of responsibility for the violence which flared up briefly in Laaiplek, because of their failure to arrest Mr Greef who, to this day, has not been arrested," she said

Mrs Smeda's affidavit was supported by an affidavit from Mrs Blaauw, mother of Mr Morgan Blaauw

Mr Desai was instructed by Enver Daniels and Company

Assault: ^{9/11/87} police ^{DSU} officer in ^{DD} court

Dispatch Reporter

EAST LONDON — A senior officer in the SA Police and a station commander at Fort Beaufort, Captain G Grobber, and four subordinates made a brief appearance in the magistrate's court in Fort Beaufort yesterday in connection with allegations of assault

No evidence was led and they were not asked to plead

The case was postponed to March 23 for a trial date.

The appearance of the five policemen was a sequel to allegations of assault during disturbances in the Fort Beaufort township in 1985

More than 135 township residents made sworn affidavits, 20 of which were forwarded to the then Minister of Law and Order, Mr Louis le Grange, for investigation.

The affidavits were obtained from the residents by the Moderator of the Presbyterian Church, the Reverend Allan Maker

Mr J E A van Zyl was on the bench

~~257~~ 257

Cape Times, Thursday, January 29, 1987 3

No one legally responsible for man's death

A HALF-BRICK, allegedly found in the hand of a teenager fatally shot by a policeman, was ordered destroyed nine months after the young man's death but before it could be handed in as evidence at his inquest

Clive Christopher Cupido, 19, was shot in the chest by Warrant Officer Gerhard Cloete and died on August 29, 1985.

A Bellville inquest magistrate, Mr A N E Louw, found that no one could be held legally responsible for Mr Cupido's death

W/O Cloete's legal representative, Mr D J van der Walt, handed in copies of records as proof that a Captain Van Schalkwyk had ordered the brick destroyed, nine months after Mr Cupido's death, on May 29 last year

Counsel for the Cupido family, Mr W Pretorius, asked W/O Cloete why he had not mentioned the half-brick found in Mr Cupido's hand and two others near his body in his first statement to the police

W/O Cloete said he may have forgotten to mention the half-brick in the first report as he had been "somewhat shocked" at taking a man's life. He denied having handed the bricks in as evidence to "cover" himself by saying that Mr Cupido had wanted to throw the bricks at him

W/O Cloete said he had pursued the young man who scaled a "six-foot wall". As he was pulling himself over the wall Mr Cupido turned to him from about six paces away making a "throwing movement"

The policeman had fired a shot which hit him in the chest

Cape Times 30/1/87
Bullets: Woman acquitted

251

Court Reporter

A POLICEMAN could possibly have "planted" two bullets on a Khayelitsha woman charged with illegal possession of ammunition, a Cape Town magistrate said yesterday

Ms Eunice Poni, 25, of Site D, was acquitted of having a 7,6mm and a 7,9mm bullet in her possession when searched on Sir Lowry Road, Cape Town

The magistrate, Mr M J C Tolken, said that Detective Constable Arnoldus Visser could have "planted" the bullets in the woman's bag, as she had alleged D/C Visser had denied this.

Mr D J Brand prosecuted Mr E S Davids appeared for Ms Poni

Call Times
ay, January 30, 1987

Answers: Court warns policeman

From SHAUNA WESTCOTT

WORCESTER — A Ceres policeman giving evidence at an inquest on a Zwelethemba youth who died of multiple shotgun wounds, was yesterday warned repeatedly against giving answers that might incriminate him

The magistrate, Mr J P Botha, earlier asked the lawyer appearing for the Minister of Law and Order to alert Constable Christiaan Geldenhuys to his right to remain silent on possibly incriminating questions put by counsel for the youth's family

According to a pathologist's report, William Dyasi, 18, died of shotgun wounds

Constable Geldenhuys said that about 9 40pm on November 3, 1985, he and Constable Michael Luff went on foot to investigate an "attack" on the community hall at Zwelethemba, Worcester

He was armed with a pistol and 16 rounds and a shotgun with five rounds of heavy-calibre SSG shot and 10 rounds of buckshot

He saw about 15 youths throwing stones at the hall but went past them to speak to the Development Board guard inside the hall. He and Constable Luff then went outside again.

"After we heard about nine panes of glass break and a number of stones fall on the roof, we fired on the crowd," he said

Constable Geldenhuys said that after Constable Luff fired one shot he saw a youth wearing a light-coloured shirt and dark pants bend "as if he wanted to pick up another stone" He fired a round of SSG at him and Constable Luff fired a second time.

The youths then ran away

Constable Geldenhuys said that at 1 30am on the same night he and Constable Luff entered a shack where they saw a youth

lying on a mattress on the floor, with a bloodstain on his shirt He recognized this youth by his clothes as a stone-thrower The youth stood up when told he was under arrest for public violence

Constable Geldenhuys, who stayed in the shack to search for more wounded people, then heard a thud, heard Constable Luff shout "Stand still" and then heard a shot

He ran outside and Constable Luff told him the wounded youth had tried to escape and he had shot him after falling The shot of SSG was fired from 11 metres

William Dyasi was certified dead on arrival at hospital later

The inquest continues on March 17

Mr C Kempff led the evidence Mr Joel Krige, instructed by the Legal Resources Centre, represented the Dyasi family Mr P J Badenhorst of Robertson, Botha, Kotze and Badenhorst of Worcester, represented the Minister of Law and Order

Capt. Times 3/1/87
SAP captain in court

251

PORT ELIZABETH. — A former Fort Beaufort police station commander, Captain Gerrit Grobblaar, is to appear on March 23 in the local Magistrate's Court on eight counts of common assault. In a brief appearance earlier this week, Captain Grobblaar was not asked to plead and no evidence was led.

Cops jailed for assault

By DAN DHLAMINI

TWO Ikageng Town Council policemen who viciously sjambokked a couple 11 months ago were this week jailed for 12 months each.

Sergeant Elias "Ou Black" Mokoena, 28, and Constable Solomon "Chippa" Kgoadi, 30, were found guilty of assault with intent to do grievous bodily harm.

They sjambokked Freddie Masethle and Miriam Maseko on February 22 last year.

Passing sentence, Magistrate A.P. Bezuidenhout said the community expected protection from law enforcement officers.

He said he would set an example as a deterrent to others by giving them a jail term without an option of a fine.

Mokoena had earlier told the court he could not remember what had happened on that day because he was "bewitched" and had sustained head injuries when "comrades" attacked his home.

He also said a constable Lodewyk had threatened to lock him up if he did not make a statement.

He said he then falsely told Lodewyk that Masethle threw stones at him when he ordered him to leave school premises.

Kgoadi said he only saw Masethle at the police station when he came to lay a charge of assault. He denied having assaulted him and said he drove a patrol van that day.

Their co-accused, Joel Pitseng, 27, was not found guilty and discharged.



Picture: PETER STANFORD, The Argus

Graeme Pollock signs for a fan after his "swan-song century" at St George's Park yesterday.

● Pollock's great innings — Page 14.

ARGUS 2/2/87

Latest

147 25/ 22

Policeman stoned to death

Crime Reporter

A POLICE special constable was stoned to death and set alight in Guguletu while walking home early today.

Constable L S Kondlo, of NY 89, Guguletu, was walking home about 3am when he was allegedly attacked by a group

of people who stoned him to death. Paraffin was then poured over his body and set alight.

It is understood that Constable Kondlo was off duty at the time of the attack.

Thirteen people have been detained for questioning in connection with his death.

CML Files 3/2/87 2511

Constable was warned to quit

'I am hungry, I must eat' — policeman

By EBRAHIM MOOSA and JOHN van der LINDEN

MURDERED Guguletu "kitskonstabel", Mr Solomon Kondlo, 33, was warned several times to quit the police force before he was stoned to death and set alight by a mob early yesterday morning.

"I'm still at a loss," his father, Mr Davis Kondlo, said at his NY 89 home yesterday.

He explained why his son had joined the police force last December and told of the constant fear the Kondlo family had been living in since then.

'Jobless'

His son had been disemployed by constant unemployment and took up employment as a policeman as a last resort rather than out of choice, Mr Kondlo said.

"I was not happy that he worked for the police when I heard he was in the force I asked him to resign from duty. Otherwise I told him to go to the government to give him a special room and safe place to stay."

"Last December our house was attacked with petrol bombs on two occasions — December 15 and 16."

The dead policeman's sister, Mrs Thelma Ngayi, said she had also asked her brother to leave the police force because of the constant threats and fear the family suffered.

"But he said 'I am hungry I must eat and work and buy myself clothes'," Mrs Ngayi said.

'Pregnant'

She explained that Solomon had only planned to earn some money, after which he intended to start a business of his own.

Mrs Ngayi said his girlfriend was expecting his child.

On the night before Constable Kondlo's death, neighbours told him not to risk walking to work on his own, she said. The police vehicle came to fetch him as nor-

mal, but as he was not ready for work he told them to leave as he would walk to work.

He was attacked by a mob on the corner of Bernice and Marrion roads near his home.

His brother-in-law, Mr John Ngayi, said that the only obstacle which had prevented him from resigning was the 10-year contract he had signed.

'13 held'

A spokesman for the Bureau of Information in Pretoria, Mr Carel du Toit, confirmed the death of Special Constable Kondlo.

Police investigating the murder shortly after the killing detained 13 people for questioning.

According to the bureau he was married with one child. He was one of the first batch of special constables which completed their

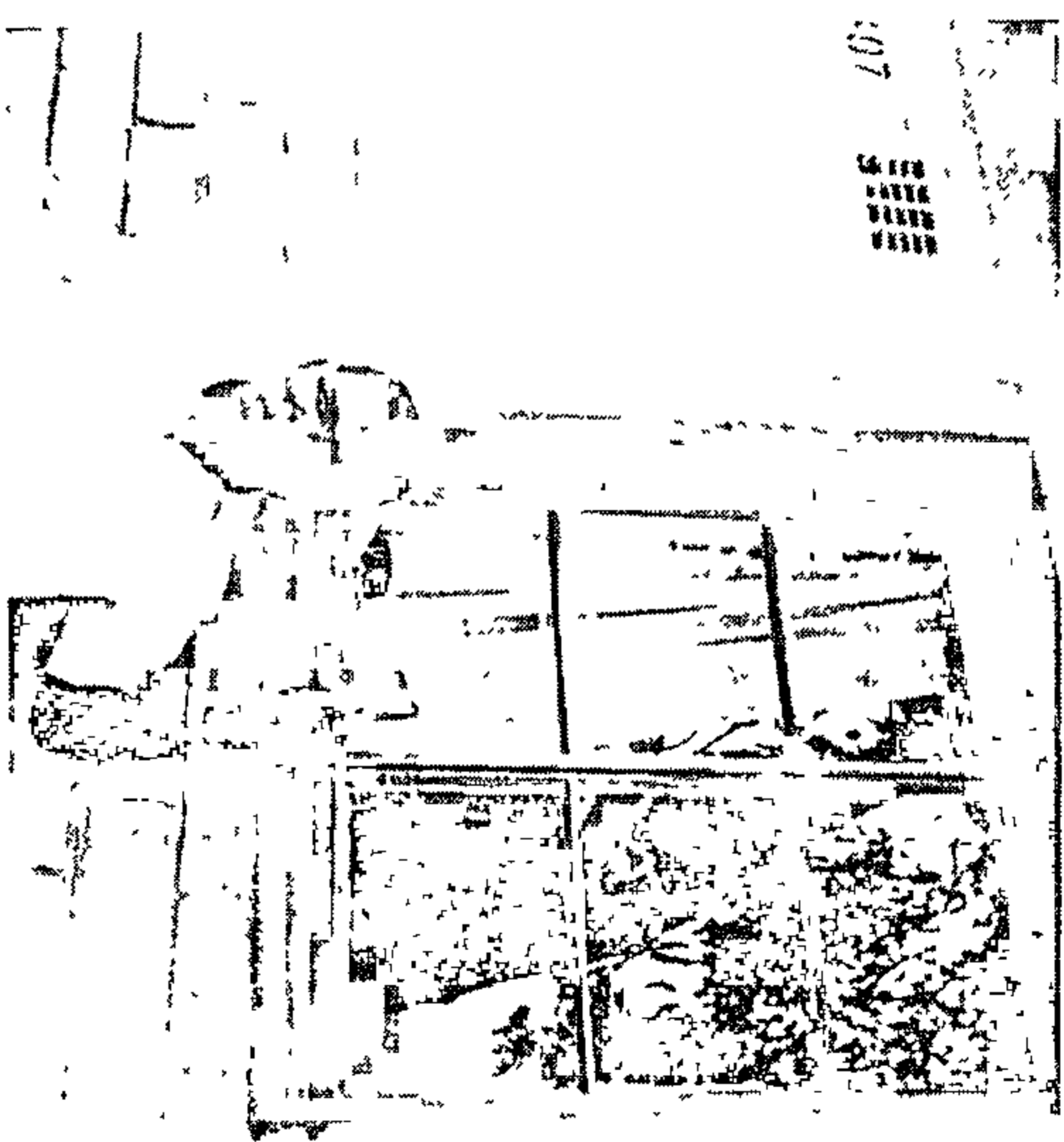
training in October last year. He was stationed at Nyanga.

It is believed that he had not been armed when attacked by the mob which used paraffin to set his body alight. There were no indications that he had been "necklaced".

Mr Jan van Eck, MP for Groote Schuur, last night called for the withdrawal of the "kitskonstabels" from the townships, saying that they had been a "source of conflict since their inception. "This brutal death is symptomatic of the alienation that exists between them and the community," he said.

Stoning

The bureau's unrest report said yesterday "Special Constable L.S. Kondlo of Guguletu was murdered at approxi-



Mr Davis Kondlo, father of murdered Special Constable Solomon Kondlo, points to the damage to their house caused by attacks last year.

Picture EBRAHIM MOOSA

mately 03h00 (yesterday) morning. It is suspected that he was stoned before being doused with a flammable liquid and set alight. Thirteen black men have been detained for questioning."

The bureau also reported that about 20 black radicals set fire to a house in Orlando East (Soweto) yesterday. Two black men were slightly injured. Damage to the house was minimal. No arrests had been made.

In New Brighton, Port Elizabeth, a group of blacks stoned a security force vehicle. A security force member was slightly injured and a black man was arrested. Several incidents of stoning buses, resulting in minimal damage, were reported in Soweto. No arrests had been made.

Policeman tells how he drove blazing car to safety

By STEPHEN WROTLESLEY
Crime Reporter

A POLICEMAN has described how he drove his burning patrol car to safety with his left arm shattered after a grenade exploded in the vehicle.

Warrant Officer H C J "Barrie" Barnard was giving his first interview since the blast four weeks ago, which killed a colleague and injured him and a police reservist.

He believes the attack was an assassination attempt, and that he was the target.

Warrant Officer Barnard, 39, a member of the Reachon Unit

and with more than 20 years of police experience, said he, Constable Gysbert "Lappies" Labuschagne and Reservist Constable Gordon Langford were on a crime-prevention patrol in Guguletu on the night of January 9 when they were attacked.

Constable Labuschagne was sitting next to him and Constable Langford was in the back.

"We were driving in Termunus Road. All the lights (in the township) were out and it was about 11.30pm.

"It was very dark and we passed a truck on the left-hand

side of the road, on the passenger side of the car.

"As we drove past it, I saw four or five people sitting on a concrete wall. As I went past, the window in the left rear door shattered.

"I realised something had hit it and thought it was a rock. As I stopped, the grenade went off. I didn't really think it had gone off in the car.

"I shouted 'grenade' and got out of the car and ran towards the people, who were behind the car.

"At that stage I had my fire-arm in my right hand. I rea-

used one of them had thrown the grenade. I tried to cock my gun and felt my left hand was out of action.

"In the light of the car, I saw Gordon collapse in the road. I realised he was out of action. I went back to the car and saw Labuschagne slumped in the front seat and he was out of action, too.

"I realised we had to get away. I went to Gordon and got him standing and helped him back to the car.

"As I was about to get in, I saw my part of the car was smoking. I thought we might

have been hit by a petrol bomb."

Warrant Officer Barnard said he put out the fire and started driving to safety. About 1km from the scene, the other side of the car started burning.

"I lost consciousness while driving. The next minute, I remember I heard a bang and we hit the kerb on one side of the road and then the kerb on the other side.

"I regained full consciousness, got through the gate at the police station and reported. The fire was then put out."

Constable Labuschagne died



Picture JIM McLAGAN, The Argus

WOUNDED: Warrant Officer "Barrie" Barnard describes how he drove a burning vehicle to safety after a grenade exploded inside it.

Constables held after

township

shootings

Mercury Correspondent

PORT ELIZABETH - Four

and five wounded in a gunfight in a Grahamstown township and three 'special constables' have been suspended from duty and are being held in custody.

Capt Peet Grobler, liaison officer for the S.A. Police in the Eastern Cape, said an investigation into the incident had started.

The shots, allegedly fired by the constables, killed Mrs Topsy Peter, 51, Mrs Sontweni Mantini, 24, her husband, Phikile, 26, and Mr Lele Mbenge, 24.

Four of the five people injured in the incident were treated in hospital and discharged.

The fifth person, a man aged 50, was later admitted to the Settlers Hospital.

According to a statement from the police directorate of public relations, the three 'special constables' have been suspended from duty and are in custody.

Three special constables were keeping watch at the new Samuel Ntsiko school in Victoria Street, Tanti.

Reports said they were shot at whereupon they answered the fire and four people were killed.

Police held in killings

Own Correspondent

PORT ELIZABETH — Three "kitskonstabels" have been arrested after four people were killed and five wounded in a gunfight in Grahamstown on Monday night.

And in Mdantsane near East London, six people were hacked and bludgeoned to death on Sunday night and their piled-up bodies soaked in petrol and set alight, police said yesterday.

Police have launched an investigation into the Grahamstown killings, police confirmed yesterday.

Shots were allegedly fired about 9pm by three "kitskonstabels" keeping watch at the new Samuel Ntsiko School in Victoria Street, Tantyi. They killed Mrs Topsy Peter, 51, Mrs Sontweni Mantini, 24, her husband, Phikile, 26, and Mr Lele Mbenge, 24.

'Suspended from duty'

Only one of the five people injured in the incident — a 50-year-old man — was seriously hurt.

According to a police statement, the three "kitskonstabels" have been suspended from duty and are in custody. The statement said police were urgently investigating "the justifiability of the actions" of the "kitskonstabels". "All three members were suspended from duty and are in custody," it said.

One unidentified resident said it appeared the "kitskonstabels" had gone into a house in Victoria Street and started shooting at people inside.

The gruesome killings in Mdantsane were apparently carried out to avenge the fatal stabbing of Mr Mkhusele Jaambi, 22, of Zone 1, in a shebeen fight the previous night.

Serious burns and injuries

The pyre of charred bodies was discovered in a scrapyard near Mdantsane station after one of the victims, Mr Mbulelo Willem Tutu, escaped and raised the alarm after being left for dead by the attackers. Mr Tutu was admitted to Cecilia Makiaane Hospital with serious burns and injuries.

The identities of the dead men — all aged between 18 and 22 — have not yet been released.

One resident said she saw a group of men armed with assorted weapons conducting a house-to-house search about 8pm for the youths responsible for Mr Jaambi's death.

Ciskei police said it appeared that the six had been bludgeoned and hacked with blunt instruments and pangas. Their bodies were then piled up and covered with grass, tyres and petrol before being set alight.

They said 30 men had been arrested and would appear in court soon.

Cape Times
4/2/87
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JJA

Biday 4/2/87
Special constables in custody *(25)*

THREE special constables have been suspended and taken in custody in connection with the death of four people and the wounding of four others in an exchange of gunfire in a Grahamstown township on

Monday night

A police spokesman said the three were keeping watch at a school in the Tanje township, Grahamstown. Police are investigating. — Sapa.

And 4 are left dead

THREE "special constables" have been detained and suspended from duty following a shooting incident which left four people dead and four others injured in Grahamstown on Mon-

By SOWETAN REPORTERS
day night.

According to information received by the *Sowetan* last night, the three policemen were guarding the Samuel Ntsiko Lower Primary School in the Grahamstown.

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Sowetan
4/2/87

'Special' police shoot four

From Page 1

black township of Tanti when gun shots were heard at about 8pm on Monday.

An eye-witness told the *Sowetan* yesterday that more than twenty shots were fired on the scene. Windows of a nearby house were also shattered, he said.

A spokesman for the Police Directorate of Public Relations in Pretoria confirmed the incident yesterday. He said the three policemen were keeping watch at the school when a shot was allegedly fired from a certain direction

Custody

The "constables" then returned the fire, killing four people and wounding four others.

"Police are urgently investigating the justifiability of the actions of

the three special constables. All three were suspended from duty and are in custody," he said

In Mahwelereng, Potgietersrus, a policeman was injured when three hand grenades were thrown into a house early on Monday morning.

'Radicals'

The Bureau for Information has confirmed the incident, saying "unidentified radicals" were responsible.

All was quiet in Mahwelereng township yesterday, but residents said scores of policemen scoured the township on Monday apparently in search of the attackers. Several houses were raided, residents said

The house that was bombed, is a hostel used by members of the police force. It is in a street known in the township as "police street" because most of the houses are occupied by policemen.

Sowetan
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~~251~~
4/2/87

Argus 4/2/87 (251)

Constables held after four die in shooting

Argus Bureau

PORT ELIZABETH. — Three special constables have been suspended from duty and held in custody following a shooting incident in Grahamstown in which four people died and five were wounded.

A police spokesman said the incident happened about 9pm on Monday when the constables were on guard duty at the Samuel Ntsiko School in Tanje township outside Grahamstown.

The spokesman said the constables alleged they had come under fire and fired back. He said the dead and wounded had been in a house near the school.

Those killed were Mrs Topsy Peter, 51, Mr Phikile Mantile, 26, and his wife Mrs Sontweni Mantile, 24, and Mr Lele Mbenge, 24.

Four of the five wounded were treated at Grahamstown's Settlers Hospital and discharged. The fifth had an emergency operation on his arm.

The spokesman said police were investigating the actions of the special constables and said the three were in custody.

Cop warned by judge

(25)
A COLLEAGUE of the policeman who shot dead two Soweto schoolboys, was closely questioned by a Rand Supreme Court judge yesterday.

Warrant Officer N J Visser was giving evidence in the trial of Mr Jacobus Johannes Laubscher (22), of Esselen Street, Hillbrow, for the murders of Spencer Simelane and Thuso Godfrey Phuroe, both 17, in August and September respectively, 1985. He is also accused of attempting to murder a third schoolboy.

Mr Laubscher has pleaded not guilty to all charges, citing the emergency regulations in his defence.

On Tuesday Warrant Officer Visser was warned by Mr Justice M J Strydom that he could be prosecuted for attempting to defeat the ends of justice.

The warning was given after the court heard that, while investigating the shootings, Warrant Officer Visser had removed a statement by Mr Laubscher from the docket and substituted it with a different statement.

Yesterday, Warrant Officer Visser said he would fire on schoolchildren stoning his vehicle

"if his life was in danger".

He would be unlikely to fire a warning shot "because we have found it has little effect in such circumstances," he said.

However if he was driving in a vehicle and was attacked with stones, he would keep driving rather than shoot.

Warrant Officer Visser was also questioned by defence counsel, Mr

P A Hattingh, SC, on whether "he would fire into the group or pick out individual leaders".

He said he would probably fire into the crowd, but would pick out individuals if he could.

On Tuesday, Mr Laubscher's counsel said he could not be prosecuted because the policeman was granted an indemnity by Emergency Regulation 11.

The hearing continues.

*of Sowetan
2/82*

DETAINEE'S

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Sowetan 5/2/87

**'Police ignored
all pleas for
assistance'**

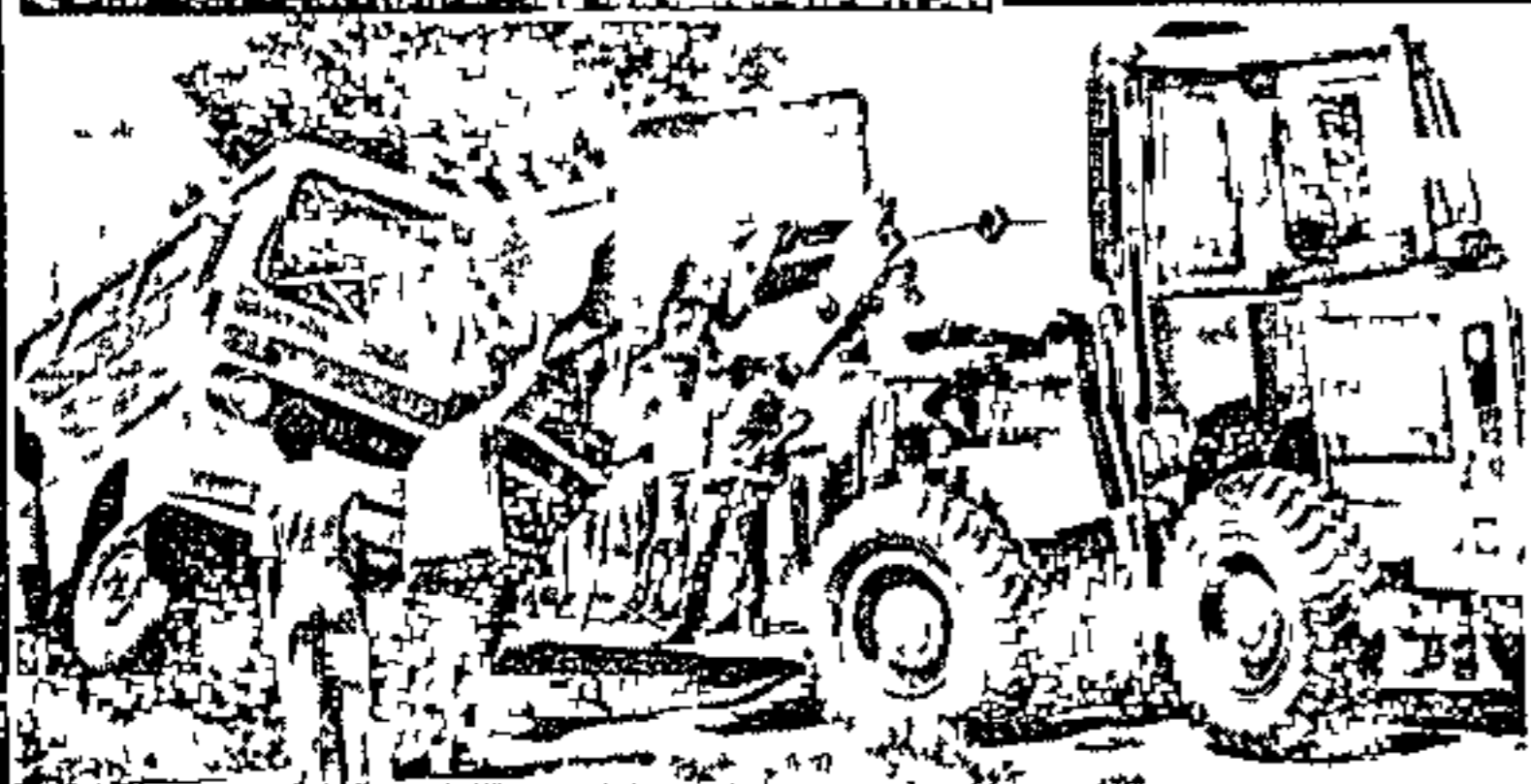
LAST 24

HOURS

By MATHATHA TSEDU

THE last moments of journalist Lucky Makompo Kutumela — who died in police custody less than 24 hours after his arrest — were recounted yesterday when the inquest hearing into his death started at the Makopane Magistrate's Court, near Potgietersrus, in the northern Transvaal.

**40 student
teachers
in narrow
escape**



THE bus which nearly killed 40 student teachers in Sebokeng township yesterday

ABOUT 40 Sebokeng College of Education students narrowly escaped death yesterday when the mini-bus in which they were travelling, overturned at a T-junction near the local post office.

Two of the students — Tebogo Nong, whose left arm was fractured and Annah Modla whose legs were fractured — have been admitted to the Sebo-

By JOSHUA RABOROKO

keng Hospital

The rest of the students, mostly women, were all treated for minor injuries and shock. They were later allowed to go home

The driver of the bus, Mr Stephen Nyambose, had his right arm sprained during the accident

The accident happened when the mini-bus that was ferrying students in the morning to the college outside Sebokeng township, overturned at the T-junction

Eye-witnesses described how they rushed to pull the students out of the wrecked bus. Ambulances later arrived and took them to the hospital

Warrant Officer M M Morare testified before Mr M B Mabuza that he had found Mr Kutumela still alive and lying on blankets but unable to speak or move when he visited the cell on the morning of April 5 last year

He said another detainee had told him that Mr Kutumela should have been taken to hospital long ago but that the police had ignored all pleas for assistance

"I went away to arrange for a van to take Mr Kutumela to hospital, but when I returned after 10 minutes he was dead. We carried him to the passage and covered him with blankets," Warrant Officer Morare said

Under cross-examination by Mr Dikgang Mosenke, for the family, Warrant Officer Morare said he saw two fresh

To Page 3

Don't forget the Sowetan's ballot box

Detainee's death

From Page 1
wounds on the head and face of Mr Kutumela
He said the sergeant on duty during the night had told him that the detainee had been assaulted while resisting arrest

This had not been recorded in the occurrence book, he said

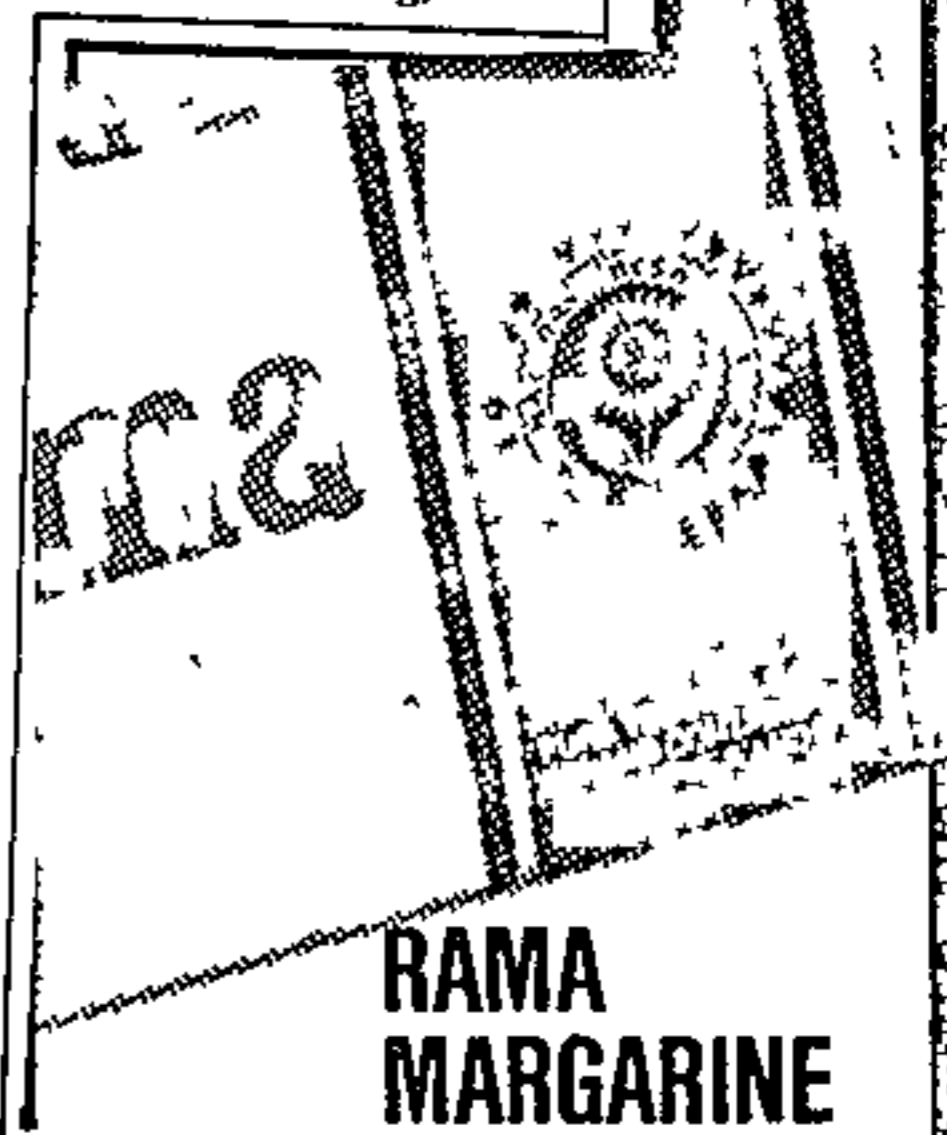
He said three other detainees who were in the same cell with Mr Kutumela were later taken to hospital and admitted with serious injuries

The station commander, Captain Isaac Lebeso, said he saw eight sjambok marks on the body of Mr Kutumela but did not ask who had caused them "because I knew that all the policemen had been issued with sjamboks"

He said he accepted that the sjambok marks were caused by his po-

licemen
Sgt Solomon Machete, who was in charge during the night when Mr Kutumela and the other detainees were brought in, testified that he had not seen any injury on any of the detainees

(Proceeding)



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THURSDAY, FRIDAY, SATURDAY ONLY

get more from

SCORE
SUPERMARKETS

Judge warns cop — p3

Sergeant tells inquest of death shots from Casspir

17/6/85
5/2/87.

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Staff Reporter

A POLICEMAN told an inquest court today he fired five shots with his R-1 rifle at Mr Abdul Karriem Friddie during unrest in Thornton Road in October 1985 after Mr Friddie had fired at his parked Casspir.

Sergeant Frederick Christian Engel was giving evidence at the inquest on Mr Friddie, 29, of Grassy Park.

He said: "Mr Friddie was behind a tree when I fired my fifth shot — he fell so that part of his body was in the road, between 40m and 50m away from me. He didn't move.

"Earlier I had seen this man running in the middle of the road. The first sign of aggression from him was when he pointed his arms towards us.

SAW FLAME

"I didn't see a weapon in his hands. I saw only a flame as he fired a shot and I heard a gunshot.

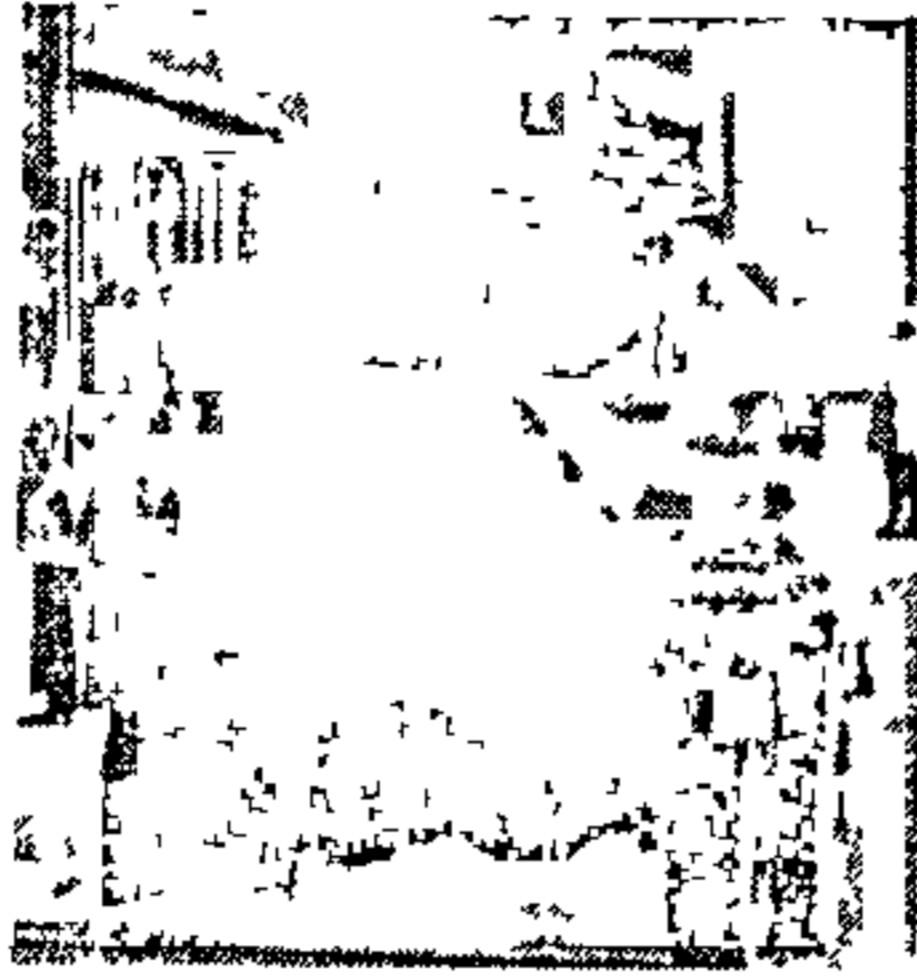
"When he fired his second shot we were firing back, so I couldn't hear his shots. I merely saw the flame."

Sergeant Engel said there was general unrest near where his Casspir was parked in Thornton Road.

"The road was blocked by burning vehicles and barricades of flaming tyres.

"Behind the tyre barricades walls of sand had been built up to a height of about 1,5m."

He added that his Casspir had tried to get nearer the



A Casspir police vehicle.

fallen body of Mr Friddie, but could not because more shots were fired and cars were blocking the road

Mr MB de Vries, for the State: Was it necessary to shoot the man when he was behind the tree?

Sergeant Engel. Yes. We had to remove the burning tyres because Thornton Road is one of Athlone's main roads.

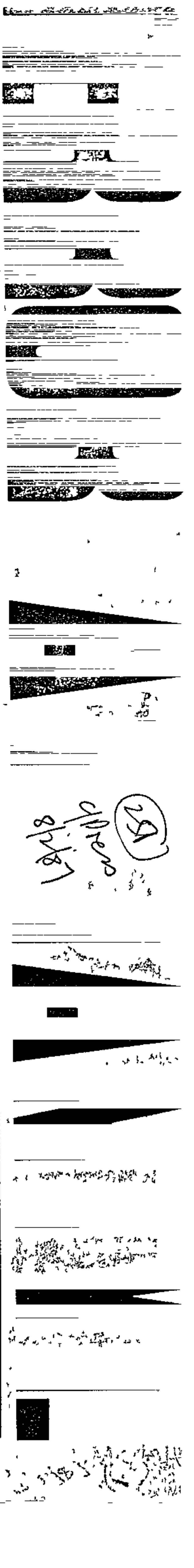
POLICEMAN SHOT

And earlier that evening a policeman had been shot near there. We could have been shot through the shooting hatches of the Casspir, which are about the size of a R5 note

Magistrate Mr W J P Marais: While he was behind the tree and not firing, why did you fire?

Sergeant Engel We wanted to clear up the situation so that we could get the burning tyres out of the way, to prevent further incidents there.

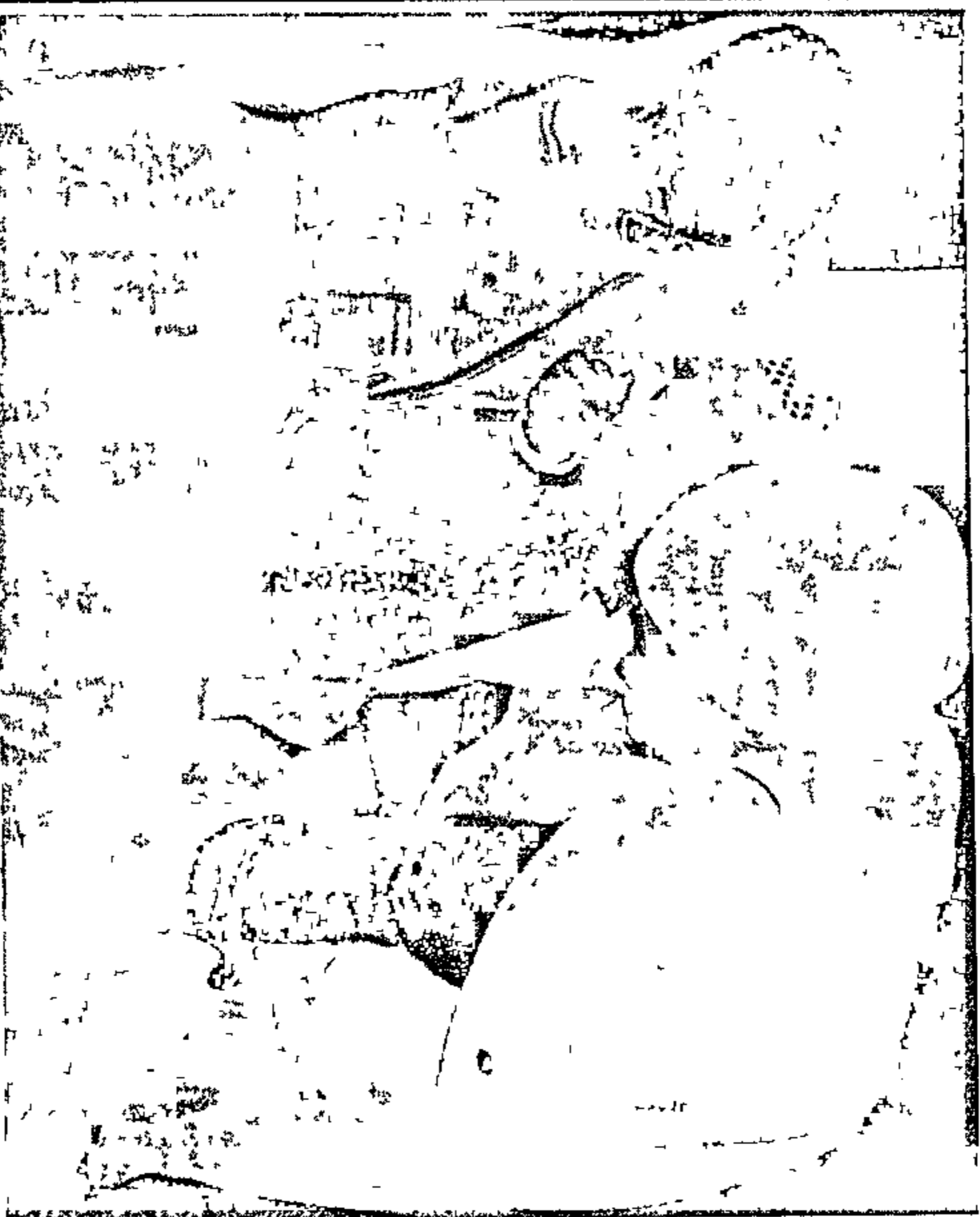
(Proceeding)



281
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8/18/87

Hand osing ment ch

ICK LUTHATI
B.F.E.'s most
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And now the weeping... these women were holding vigil at the Mantle house this week after the blazing raid in which four people died

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By ZB MOLEFE
THIS week Progressive
Federal Party MP for Ron-
debosch Jan Van Eck
called for the withdrawal of
kiskonstabels from town-
ships because they had
been a source of conflict
since their inception
He was echoing summer-
ing tension in the townships
- which started last Sep-
tember when 6 000 kiskon-
stabels were recruited for a
three-week crash-course at
a makeshift school near the
Koeberg nuclear power sta-
tion in the Western Cape

Storm over the 'instant' boys in blue

She said It is absolute-
ly essential that police sent
to unrest areas should be
properly trained and dis-
ciplined and should under-
stand the meaning of self-
control in difficult situa-
tions
In a nationwide outcry
critics said the constables
training was a dangerous
step in a policy of arming
and training black people to
contain revolt by black peo-

under community councils
Compared to the kiskon-
stabels the council police
were to receive relatively
better training in their
three-month stint
At a passing-out parade
last October for 300 kisk-
konstabels at the Western
Cape base Major-General
A.J. Wandrag said the
graduates would receive
further in service training
Wandrag said he was
amazed at the number of
applications received for
the course but warned
graduates that all would
not be rosy on their town-
ship beats
He warned them "Your
firearm must be used only
when necessary and then
with the greatest caution

CP Correspondent

THREE special kiskonstabels - arrested after Monday's bloody shooting at Tanyti township in which four people were killed - appeared in Grahamstown Magistrates' Court yesterday charged with murder.

They are charged with four counts of murder and five counts of attempted murder
The three men are Mzamo Naka of Fort Beaufort, Vuyo Haban, of Alicedale and Madoda Tlu of Fort Beaufort
Their appearance in court follows the bloody shooting at 23 Victoria Street in Grahamstown's Tanyti township in which four people were killed
The dead were pensioner Topsy Peter 51, domestic worker Sontweni Mantle 33, her husband, Phikile 44 who was employed by the Department of Water Affairs and Lelie Mbenge 48 who lived off a disability pension
An ambulance driver, who was one of the first on the scene said the first body he saw was that of a woman with over 20 bullet wounds
A witness to the shooting who refused to be named for fear of reprisal said Phikile Mantle had just returned from work when the kiskonstabels arrived
A paraffin lamp went out, plunging the room into darkness and when she emerged from her refuge under a bed she found Mantle was dead
Soon after this Mrs Mantle was shot
She was still breathing when her six year-old daughter Lindwe - reportedly the only other witness to the shooting of her parents - ran to fetch her grandfather at a nearby house
Lindwe and her two brothers Mbulolo, 8, and Mkuochi 17, were said to be in a state of shock
"I saw the scene where the people died. There was a lot of blood around and I saw impact points of a number of shots," said shaken Grahamstown lawyer David de la Harpe
De la Harpe said that on Tuesday while he was visiting the scene of the massacre he had a chance meeting with a high-level police delegation including Eastern Cape Divisional Commissioner of Police Brigadier Ernest Schen-
elder
Brig Schenelder was accompanied by about 10 senior policemen, said De la Harpe

Kondlo ignored appeals

SOLOMON Kondlo, 33, the Gugulethu kiskonstabel murdered this week, spurned appeals from his family to resign
Thelma Ngayi said she asked her brother to leave the force because of the "constant threats the police received"
"But he replied 'I am hungry I must eat, work and buy clothes for myself,' she said"
David Kondlo, the dead man's father, said that his family had lived in fear ever since his son had joined the kiskonstabels last December
"In December our house was petrol-bombed twice I was unhappy and asked my son to resign, or go to the government and get a safe place to stay"
Solomon Kondlo was stoned to death and set alight near his home
Thirteen people have been detained for questioning in connection with the attack

At the time P.F.P. Law and Order spokesperson Helen Suzman said it seemed impossible for a competent force to be recruited in three weeks

Teacher sues cops

Lawyers acting on behalf of a Bophuthatswana teacher who was allegedly injured in a shooting incident involving the homeland's policemen are claiming damages in the Mmabatho Supreme Court.

9/2/87 Sacoeba
The teacher, Mr Benjamin Modise of Temba, is claiming R12 000 from the Bophuthatswana Minister of Law and Order for injuries to him and damage to his car as well as shock to his wife, Caroline, with whom he was travelling at the time of the shooting.

A spokesman for his lawyers, Mr Willie Seriti, said the incident took place on January 17 this year, when the couple were travelling from Soshanguve to Temba. A man they were with at the time, Mr Israel Letlhage, was struck by a bullet and had to undergo treatment at the Jubilee Hospital.



SENIOR officials of the Azanian People's Organisation were present yesterday at the Delmas Treason Trial (From left), Mr Pambili Ntloko, national organiser, Mr Muntu Myeza, publicity secretary and Mr George Wauchope, vice-president.

Police acted without provocation — witness

(251)

Southern
10/2/87

A PEACEFUL protest march by the Vaal Triangle residents was dispersed by police who fired rubber bullets and tearsmoke, recalled a witness in the Delmas treason trial yesterday.

Mr Naphtalie Nkopane (42), the second defence witness, told the court in his evidence in chief that the police never gave them any order to disperse nor any opportunity to say anything before they (police) started shooting. This was on September 3, 1984.

He said rubber bullets as well as tearsmoke were used in dispersing the march. He said he ran to Zone 11 where he met one of the accused, Mr Sam Matlole who was also running in that direction.

Mr Nkopane added that the marchers were

well behaved and he did not see one lifting a stone and throwing it at the police.

He said the marchers appeared angry and others started shouting at police and calling them dogs.

Dispersed

The court heard that the procession was dispersed in the vicinity of Hunters Garage. Mr

By ALI MPHAKI

Matlole said as the procession was approaching the garage he noticed about seven police vehicles and a hippo approaching in an opposite direction. In anticipation of inquiries from the police he together with Mr Esso Raditsela walked fast together with the intention of giving an account of the

reasons for the march to the police.

He denied allegations that the march was in furtherance of a campaign of the ANC, AST and UDF in order to incite people to riot. He said pamphlets that were used in the march read "Asinamli", "Away With Rent Hikes" and "Councillors must resign".

(Proceeding)

Alexandra leaders in court

SEVEN Alexandra community leaders yesterday appeared briefly in the Randburg Magistrate's Court, charged with sedition or alternatively subversion.

One of the accused is Metal and Allied Workers' Union general secretary Mr Moses Mayekiso (38), who has been in custody since June last year. Also appearing with him are Mr

Mzaneni Mdakane of 62 Eighth Avenue, Paul Ndlovu Tshabalala of 5 14th Avenue, and Mr Obed Kopeng Bapela of 62 19th Avenue.

Mr Bapela appeared separately yesterday after he arrived late in court. He is also in custody after being held last year.

Three other Alexandra political activists, who appeared separately

in the same court, are Mr Michael Lebogang Beka (45) of 11 8th Avenue, Mr Stephen Tutu Morake (23) of 56 18th Avenue, and Mr Aaron Tuka Vilakazi (21) of 14th Avenue.

Custody

All have been remanded in custody until the next hearing on February 23. Their applications for bail, made formally at yesterday's ap-

(5) No

The LEADER OF THE OFFICIAL OPPOSITION Mr Speaker, arising from the reply given by the hon the State President, is he in a position to make the text of that speech available at this stage for public information in view of the fact that there is no statutory provision which precludes its publication?

The STATE PRESIDENT Mr Speaker, I am prepared to let the hon the Leader of the Official Opposition have a copy of the speech should the Director-General have it at his disposal

The LEADER OF THE OFFICIAL OPPOSITION Can it be made public?

The STATE PRESIDENT Mr Speaker, the text of the speech can be made public as long as every word of it is published, and not certain extracts only [Interjections]

Mr SPEAKER Order

Chissano: discussions

10/2/87

*3 THE LEADER OF THE OFFICIAL OPPOSITION asked the State President

Whether he intends to meet with President Joachim Chissano of Mozambique to discuss (a) the Nkomati Accord and (b) other matters of mutual interest, if so, when is it intended to hold such a meeting?

†The STATE PRESIDENT

It is generally known that the South African Government is in favour of talks on a variety of subjects with the governments of all its neighbours, including Mozambique. However, it is not customary to make public statement in this connection

Ministers

Booklet, "Talking with the ANC..."

*1 Mr P G SOAL asked the Deputy Minister of Information

HOA

(1) Whether the Bureau for Information has reprinted the booklet entitled "Talking with the ANC", which was originally published in June 1986, if so, (a) when, (b) why and (c) how many additional copies were printed,

(2) whether any changes were made in the reprinted booklet, if so, (a) what changes, (b) why and (c) on whose instructions were these changes made?

The DEPUTY MINISTER OF INFORMATION

(1) Yes

(a) July 1986

(b) Because of overwhelming demand for the publication, both in South Africa and overseas

(c) 100 000 copies

(2) Yes

(a) A photograph was replaced by another and some linguistic and technical improvements were effected

(b) This was done to improve continuity between the text and the photographs and to improve the text technically

(c) On the instructions of the management of the Bureau for Information

*2 Mrs H SUZMAN—Law and Order [Reply standing over]

*3 Mrs H SUZMAN—Law and Order [Reply standing over]

*4 Mrs H SUZMAN—Law and Order [Reply standing over]

Pietersburg: meeting

*5 Dr W J SNYMAN asked the Minister of Law and Order †

10/2/87

(1) Whether, with reference to his reply to Question No 16 on 2 September 1986, the departmental investigation into the vacating of a hall in Pietersburg during a meeting of the National Party on 22 May 1986 has been completed, if not, why not, if so,

(2) whether the District Commissioner of the South African Police, Far Northern Transvaal Division, received instructions from a certain person in connection with the vacating of the hall, if so, (a) what were the findings of the departmental investigating team in respect of this person, (b) what was the nature of the instructions concerned and (c) how long were those present given to vacate the hall before tear-smoke was used,

(3) what is the policy of the South African Police in respect of the use of tear-smoke in partially closed spaces in which members of the public are present?

†The MINISTER OF LAW AND ORDER

(1) Yes

(2) (a) to (c) This departmental investigation is considered to be a domestic matter and the findings were brought to the attention of the officers of the South African Police concerned, in writing, thus it is not considered to be of interest to supply additional information regarding the matter, except to say that the necessary remedial steps were taken

(3) No fixed policy in respect of the use of tear gas, also in partially closed spaces is determined, since every event is handled according to circumstances attached thereto

†Dr W J SNYMAN Mr Speaker, arising from the reply of the hon the Minister, can he categorically state that the hon the Minister of Foreign Affairs had absolutely nothing to do with the instruction or in any way influenced the actions of the brigadier?

HOA

†The MINISTER Mr Speaker, I have indicated to the hon member that the inquiry was of a departmental nature, that it has been finalised and that it is not in the interests of those officers that we should give further information about it.

10/2/87 House renewservice fees

*6 Dr W J SNYMAN asked the Minister of Constitutional Development and Planning †

What total amount was owing to institutions under his control in respect of arrears (a) house rent and (b) service fees in Black residential areas in the Republic on the latest specified date for which figures are available?

The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING AND OF PUBLIC WORKS AND LAND AFFAIRS

The control over the former development boards was devolved to the respective Administrators on 1 July 1986 and that over Black local authorities on 1 October 1986. Separate figures in respect of house rents and service fees which are in arrears in Black residential areas are not available. The amount owing to the local authorities in the respective provinces as on 30 November 1986 and which is recoverable, is R177 647 546,87

Indications are that there has recently been an improvement in the rate of recovery in various townships. Special measures to shorten the procedures for recovery of the outstanding amounts, are under consideration

B14A forms

*7 Mr S S VAN DER MERWE asked the Minister of Home Affairs

Whether a shortage of B14A forms (notice of change of address) used for the purposes of the population register and the voters' roll occurred at any regional offices or the head office of his Department during the course of January 1987, if so, (a) at which specified offices, (b) why and (c)

751

Guguletu youth tells of police van beating

Supreme Court Reporter
 A GUGULETU youth told the Supreme Court that policemen struck him with a rifle butt, sjambokked and kicked him and left him to struggle home

Mr Mlungisi Andrew Ngoma, who was 17 at the time of the alleged assault on September 30, 1985, testified yesterday in the civil trial in which his mother, Mrs Nomroyo Mavis Ngoma, is suing the Minister of Law and Order for R10 000 damages

Mrs Ngoma claims in papers her son was assaulted in NY2 Guguletu and in police vehicles in Guguletu and New Crossroads

The boy's gall bladder had to be removed, an artery was torn and he had pancreas trauma, Mrs Ngoma alleges. He was treated at Tygerberg Hospital from September 30 to October 7 and from December 14 to 20

In an affidavit, the Divisional Commissioner of Police, Major-General Christoffel Swart, said the log book showed the police unrest unit did not take action at NY2 Guguletu that day

Mr Ngoma said he was on his way to a supermarket about midday when he saw children running towards him, away from uniformed policemen. He ran down the street, through a house and into a "bungalow" in a backyard

A policeman followed him and hit him with a rifle butt. Another policeman dragged him by his collar and struck him with a sjambok

He was then pulled into a large, yellow police van. About 15 policemen were sitting on benches inside. A policeman asked Mr Ngoma "Where do people have their meetings?"

Mr Ngoma told the court he did not know what meetings he was talking about. A policeman hit him in the face with his fist. Others kicked him in the stomach

When the van stopped, a policeman pulled a sjambok tight across Mr Ngoma's mouth while four others held his arms and legs. He was then removed from the van, which drove off. He fell down three times, then sat down

A woman he knew was a passenger in a car which gave him a lift home. He was then taken to hospital by ambulance

Hospital wanted k



BEAR HUG: Archibald the teddy bear hugger, Richard Wright of Pennsylvania, who posed with him at Sotheby's in London. He has bought bears in five years and has 200 of his own made in 1904 in Germany and is to the tune of what a Stradivarius is to violins

R50 000 restoration grant for oldest church

Staff Reporter
 STRAND Street's historical Evangelical Lutheran Church has been voted a R50 000 grant for restoration, spread over five years, by Cape Town City Council's Executive Committee.

The church, the oldest church building in use in South Africa, is in bad shape, according to a report from the committee.

An estimated R1-million will have to be spent on restoration

committee has voted more than R70 000 for a R25 000 experimental Monument

According to the report, damp has caused the brickwork to crack and the roof to rot and the building is in danger of collapse.

To make the foundations safe, the building will have to be underpinned. The building is 174 years old.

CMG Times 1/12/87 251

Mother sues Minister over battered son

Supreme Court Reporter

A GUGULETU mother is suing the Minister of Law and Order for damages of R10 000, claiming that police kicked, sjambokked and throttled her son, injuring him so badly that his gall bladder had to be removed

In papers before the Supreme Court, Mrs Nomvoyo Ngoma claims her son was assaulted by police on September 30, 1985, near NY2 in Guguletu and in a police van moving around in Guguletu and New Crossroads

Mlungisis Andrew Ngoma, who was 17 at the time of the alleged assault, told the court yesterday he and a friend left home to go to the shops about midday

Hot pursuit

On the way they saw a group of children running towards them with uniformed police in hot pursuit.

"I also ran because my mother had told me not to leave home. I ran down the street with no name to house number 53A and through the house to a bungalow at the back."

A white policeman followed the boy inside and beat his hands and back with a rifle butt. A black policeman then dragged him out of the shack by his collar and whipped him on the back with a sjambok.

Mr Ngoma alleged further that he was pushed into a big yellow police van and that two hippos or Casspirs ("I don't see any difference") were parked alongside

"The van pulled off and police inside it asked me, 'Where do people have their meetings?' I said I didn't know. Then the policeman sitting next to me hit me on the nose with his fist

"Others kicked me on my stomach with their boots and hit me with fists. I was sitting in the corner crying

"When the van stopped a white policeman got out of the front, got into the back and put a sjambok inside my mouth and pulled it tight behind my head while four other policemen held my arms and legs"

A sworn statement made by the then divisional commissioner of police, Major-General Christoffel Swart, reads: "The relevant log book shows that the unrest squad did not take action at NY2 Guguletu on September 30, 1985."

The case continues
Mr Justice P W E Baker presided. Mr L A Rose-Innes, instructed by Bernadt Vukic and Potash, appeared for Mrs Ngoma. Mr C Y Louw, instructed by the State Attorney, appeared for the Minister.

Sash deploras deaths of

four people in township

Star By Adele Baleta

The Albany Black Sash in the Eastern Cape has condemned the deaths of four people in an incident involving three South African Police "kitskonstabels" in Grahamstown on February 2.

The four were killed and five wounded while special constables were guarding a school in Grahamstown's Tanti township.

A police spokesman previously said the three went to investigate after they were fired at from a township house.

The Albany Black Sash said: "The SAP special force receive a pitiful three weeks' training before they are sent into black townships, armed with guns, sjamboks and all the powers of regular policemen.

DISCIPLINE

"When the force was introduced in September 1986, the Commissioner of Police dismissed fears that they would not have the necessary discipline to deal with the tense situation in the townships.

"Now it appears that we may have witnessed tragic confirmation of those rejected fears and warnings," the statement said.

The Minister of Law and Order has ordered an investigation into the shooting, and three men are appearing in court in connection with the incident.

"We extend our deepest sympathy to the bereaved families and members of the community who have suffered so grievously, and call for the immediate disbanding of this ill-conceived force," said the statement.

CAPE TIMES 12/2/87

Claims settled out of court

Staff Reporter

TWO actions for damages against the Minister of Law and Order — instituted by parents of University of Cape Town women students who were allegedly sjambokked — were provisionally settled out of court yesterday

In each of the actions, R20 000 in damages had been claimed from the minister. Both claims arose out of police action at a protest march by UCT students in Rondebosch on August 8, 1985.

Mr M J Larkin and Mr A B van der Riet brought the actions on behalf of their daughters. Mr Van der Riet's affidavit was not before court.

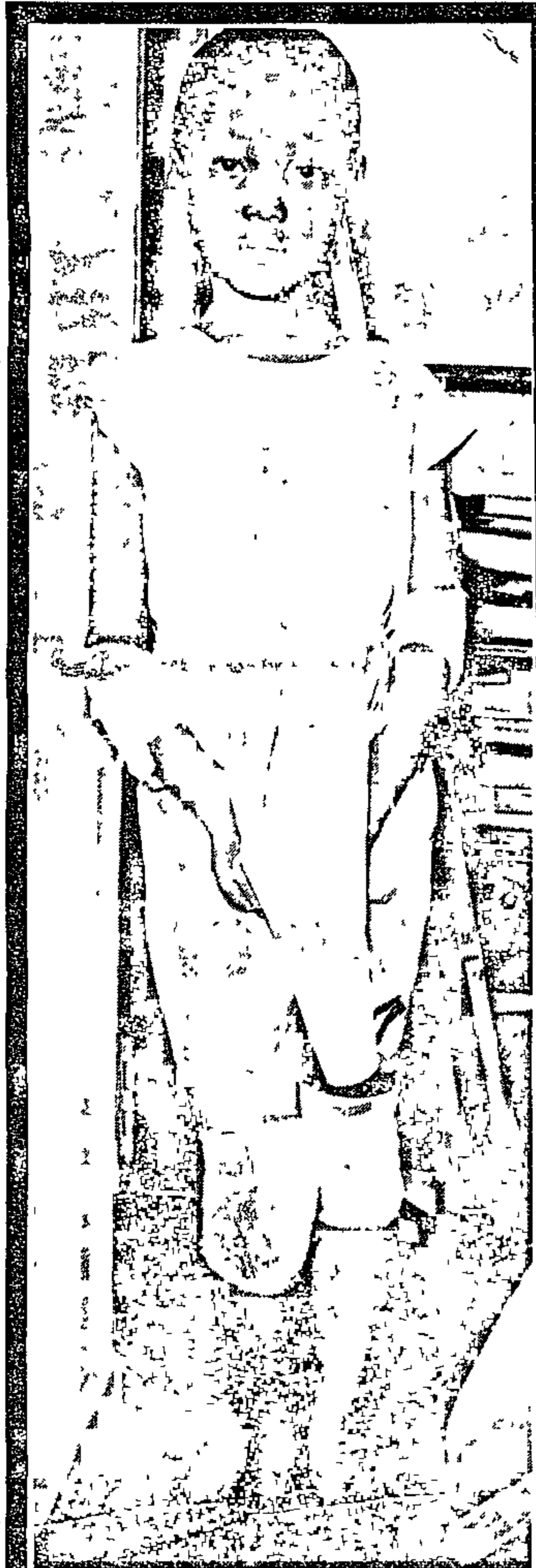
Mr Larkin claimed his daughter Clare had been "illegally" assaulted with a sjambok or quirt and dragged across Burg Road, pushed into a police van, arrested on a charge of contravening the Internal Security Act and held until the next day. The charge against her was later withdrawn.

The minister said in reply that the sjambokking, arrest and detention had been lawful.

The hearing was postponed sine die until confirmation of the settlement.

Mr Justice H L Berman presided. Mr J Whitehead, instructed by Ms A Durbach of Bernadt, Vukic and Potash, appeared for the complainants. Mr N Treurnicht appeared for the Minister of Law and Order.

IT TOLD LIES



SEVEN-year-old Gugu Siwela . . . cuts on the elbows and knees

— MR X

A STATE witness in the Duduza terrorism trial yesterday admitted he was "a self-confessed perjurer" who had obtained a Supreme Court interdict against the police under false pretences.

Mr X, who may not be identified following a court ruling, also told the court under cross examination by defence counsel Mr Nick de Vos that he was prepared to tell lies "to save my skin"

He was giving evidence in the trial of seven alleged members of the banned Congress of South African Students who have pleaded not guilty before Mr Justice Stafford, sitting with an assessor to charges of terrorism, attempted murder and possession of handgrenades and a bomb

Interdict

The accused are Mr Joseph Titus Mazibuko (18), Mr John Mlangeni (21), Mr Samuel Lekatsa (19), Mr Humphrey Tshabalala (19), Mr Johannes Veli Mazibuko (18), all of Duduza, Nigel, and Mr Hosea Lengosane (20) and Mr Cedric Dladla (19), both of Tsakane, Brakpan

By MONK NKOMO

Mr X, who once obtained an interdict against the police stopping them from harassing him, said he gave an untruthful statement to his lawyer claiming among other things that he was a member of Cosas

Asked by Mr Justice Stafford if that interdict was granted in a Supreme Court by the judge on the strength of his lies, Mr X replied, "yes"

Under cross examination he alleged that three lawyers had changed the "true" version of his statement to that which succeeded in the interdict being granted

Mr X said he signed the affidavit knowing it contained untruths

"I told untruths because I wanted to be protected and to get an interdict," said Mr X

Earlier he told the court that he, together

To Page 3

Page 3

'I LIED'

From Page 1

with five of the accused were members of the "hit squad" who were trained by two ANC men in the usage of handgrenades

Mr X told the court that he lied when he told his lawyers that he was a member of Cosas. Asked by Mr de Vos why he did not tell his lawyers that he was a member of the hit squad, the witness said it was well known in the township that Cosas members belonged to the hit squad

Asked by Mr de Vos if he was a self-confessed perjurer who was prepared to tell lies to save his own skin, Mr X replied "Yes — I told untruths to save my own skin"

(Proceeding)

Sowetan 12/2/87

Diepkloof wardens restrained

(251) By SANDILE MEMELA

THE Johannesburg Supreme Court has granted an interdict restraining wardens at Diepkloof Prison from further assaulting emergency detainees.

Five detainees made an application for the interdict after allegedly being beaten with batons, kicked, punched and tear-gassed inside cells and harassed by wardens.

The five detainees – Abey Mokone, 23,

Gilmore Anderson, 20, Moses Ratlou, 16, Joseph Morathela and Eric Masia, 16 – are held under emergency regulations.

The interdict determines that:

- There should be no common law infringement of detainees.
- A doctor should visit and examine detainees immediately and report to the court.
- The prison commander should read the interdict to the detainees.

Arbans 13/2/87

275 229 251

MS

**AGE PEOPLE
PLE**

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OLSTERY, ETC.
SERVICE.**

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9 — 47 6640**

ACCEPTED

(agp74188)

Mother lied to prevent son's arrest, court told

Supreme Court Reporter

A GUGULETU char lied to Tygerberg Hospital officials because she was afraid her son would be arrested if she said he had been assaulted by police, the Cape Town Supreme Court heard.

Mrs Miriam Ngoma, who is suing the Minister of Law and Order for R10 000, said she told doctors her son had stomach pains because he had fallen, although he told her he had been beaten and kicked by police. She also lied about his age, saying he was 13, not 16.

Asked why she had lied, Mrs Ngoma said: "I feared he would be arrested. Kids who were assaulted by police were being arrested in hospital and locked up ... I thought they wouldn't arrest a child of 13."

Mrs Ngoma claims in papers that her son Andrew was assaulted by police on September 30 1985 in NY2 Guguletu and in a police van travelling in Guguletu and New Crossroads.

Andrew Ngoma has testified that he was walking to a supermarket with a friend when he saw a mob running towards him, chased by policemen.

He ran into a house. A policeman followed him and assaulted him.

He was then kicked, sjambokked and throttled by police in blue uniforms inside a large yellow police vehicle.

The then divisional commissioner of police, Major-General Christoffel Swart, denies in papers that riot police took action in NY2, Guguletu, on September 30.

Mrs Ngoma said her son complained of stomach pain and his nose was swollen.

He was reluctant to tell her the cause of his injuries, but eventually told her he had been beaten and kicked by Zulu-speaking police.

(Proceeding)

Mr Justice Baker is presiding Mr LA Rose-Innes, instructed by Bernardt, Vukic and Potash, appears for Mrs Ngoma. Mr CY Louw, instructed by the State Attorney, appears for the Minister.

Valley

85 2171

RDPHOEK

TOMORROW

FEB 14 AT 11 am

OVER R50 000 IN PRIZES TO BE WON

PLUS

WELCOME

IN

SON

WELCOME ● FREE



13/2/87 - 17/2/87
W/Mail (2SD)

Officer accused of cuffs assault

DURBAN City Police are investigating claims that a white municipal traffic officer arrested a black man, handcuffed him to his motorbike and then rode off — forcing his prisoner to run alongside.

A representative of the City Police, Inspector Victor Unger, said no report was made directly to his force, but a man who alleged he had witnessed the incident reported it to a local newspaper.

The witness said the incident took place on Tuesday in the South Beach area, and was seen by "hundreds of people".

Unger said a man — believed to be the person who was handcuffed — had been taken to Point police station, where he was warned to appear in court on March 10 on unspecified charges.

Members of the city police are now trying to trace him "somewhere in Clermont" for a statement about the incident. Once this was obtained, Unger said, there would be an inquiry.

PFP investigates 'kitskonstabel crime'

Staff Reporter
PROGRESSIVE Federal Party MPs are investigating several alleged "kitskonstabel" misdemeanours amid growing concern over the role of the township-based special police force.

The PFP deputy spokesman on Law and

Order, Mr Tian van der Merwe, said he would raise these incidents with the Minister of Law and Order, Mr Adriaan Vlok.

Mr Van der Merwe this week visited the sister of a Philippine woman, Mrs Maureen Mbobo, who was shot dead by her

"kitscop" husband, Mr Enoch Mbobo, on January 29

The PFP's Unrest Monitoring Action Committee (UMAC) is also investigating an incident on January 30 when a man allegedly shot dead a Khayelitsha man, Mr Sidney Siyo, 39, outside a Khayelitsha shebeen

Murder docket

Witnesses said the killer was an off-duty special constable.

Police have confirmed that a murder docket has been opened, but said there "is no evidence to suggest the man was a special constable".

Mrs Val Rose-Christie, a UMAC spokeswoman, said yesterday that UMAC, which had been investigating the shootings, was looking into more allegations.

Mr Van der Merwe said that claims by Mr Vlok that the constables were a "success" and that the scheme was working were "complete nonsense".

"The crime rate may or may not have gone down, but at what cost. It is patently obvious that discipline and control of special constables is hopelessly inadequate," he said.

Mother 'lied out of fear for son'

CMT ~~Times~~ 13/2/87

20 25
stranger picked him up
and took him home

Supreme Court Reporter

A GUGULETU mother suing the Minister of Law and Order for R10,000 told the Supreme Court yesterday she lied to doctors at Tygerberg Hospital about how her son was injured because she feared he would be arrested.

Mrs Nomvuyo Ngoma, a domestic worker for over 15 years, was giving evidence in an action brought on behalf of her son.

She claims that he was kicked, beaten and sjambokked by policemen who injured him so badly that his gall bladder had to be removed.

Andrew Ngoma, 16 years old at the time of the alleged assault, has told the court police beat him up near NY2 and in a big yellow van moving between Guguletu and New Crossroads. They then dumped him at the side of the road where a friendly

He was taken to hospital by ambulance.

Mrs Ngoma told the hospital that Andrew was injured in a fall. "I feared to speak the truth because it was the time riots were taking place and when kids were admitted to hospital they were arrested," she said.

She also told the hospital her child was 13. "I told the hospital the incorrect age so that he wouldn't be arrested. I thought that they wouldn't arrest a child of 13."

Police have denied that the riot squad took any action at NY2 Guguletu on the day in question — September 30, 1985.

The case continues

Mr Justice P W E Baker presided. Mr L A Rose-Innes, instructed by Bernadt Vukic and Potash, appeared for Mrs. Ngoma. Mr C Y Louw, instructed by the State Attorney, appeared for the minister.

Call for equal police pay (25)

By Rich Mkhondo

Katlehong mayor Mr Thami Siluma has called on the Government to equalise the salaries of municipal police and South African Police since they have all been receiving a six-month training from December 1.

Mr Siluma, whose municipal police went on rampage in October last year demanding salary increases, has requested an ur-

gent meeting with the Minister of Constitutional Development, Mr Chris Heunis, and Law and Order Minister Mr Adriaan Vlok

The municipal police, previously called law enforcement officers, dispatched into the trouble-torn townships after a shortened three week-course in basic police work, revolted.

They are now demanding a salary increase from R250 a month to R500.

'Kitscop' tells of struggle

251
Cm-Times 4/2/87

Court Reporter

A TWELVE-FINGERED "kitskonstabel" fatally shot a man and injured a woman 10 days after starting duty. Athlone Magistrate's Court heard yesterday.

Constable Mawetu Magenuka was testifying in the trial of Mr Enoch Dumile Dikeni, 36, Mr Pedros Themba Siphuka, 26, and Miss Julia Nonsikelelo Manjiya, 34, all of Nyanga, who pleaded not guilty to attempted robbery.

The State alleges they attempted to rob Constable Magenuka of his shotgun in Nyanga on December 7 last year.

Constable Magenuka said he had been approached from behind by three women and two men. They had "mocked" him and the deceased, "Errol", grabbed his gun and they had struggled for it.

He said he fired a shot from about seven metres away, hitting Miss Manjiya in the lower leg. He then fired a second shot, killing "Errol".

In an explanation of plea, the three conceded having been present, but denied any unlawful conduct.

The hearing continues on March 3.

Mr R. Jagger was the magistrate. Mr B. Julies prosecuted. Mr D. Kawalski, instructed by K. Amien, appeared for the defence.



Valentine's Day card that says it all.

Valentine's Day - the ECC way

By S'BU MNGADI

THE END Conscription Campaign has added a new dimension to Valentine's Day by distributing thousands of 'different' Valentine cards and stickers.

They all bear the slogan "Make Love Not War".

Natal's ECC spokesman Richard Steele said this was a symbolic campaign, and that ECC wished to assist in the peaceful transition of society.

ECC maintains that the traditional Valentine's Day message of love and understanding should be extended to each day of the year, and to the country as a whole.

Plessis of University of Stellenbosch, Prof. G. F. van der Merwe, and Bruce M. ...

'Forced to jog'

CP Correspondent 15/2/87

(251)

DURBAN'S city police became embroiled in controversy this week with claims that a white policeman acted "inhumanely" towards a black man he had arrested.

The municipal police are investigating claims that, watched by hundreds of people, a white policeman cuffed a man to the crash bar of his motorbike and then drove off - with his unfortunate "prisoner" forced to run alongside.

The alleged incident came to light when a man, who claimed to have witnessed it, complained to a Durban newspaper.

A city police official said no direct complaint was made, but that they were investigating the paper's report.

He said the man - presumed to be the prisoner in handcuffs - was taken to the Point police station on Tuesday and handed over to the SAP.

He was released without bail and warned to appear in court next month.

Unionists slam Seifsa

By ZB MOLEFE

THE Metal and Allied Workers' Union this week slated the giant Steel and Engineering Industries Federation of SA for refusing to ask the authorities to grant bail to detained Mawu general secretary Moses Mayikeso, 38.

Seifsa told Mawu on Wednesday it would not intervene on Mayikeso's behalf.

Mayikeso and seven Alexandra residents appeared in the Randburg Magistrate's Court on Monday on a charge of sedition or alternatively subversion. The hearing was postponed to February 23. Their bail application was stayed pending the Attorney-General's decision.

Hundreds of Mawu members have written to their employers demanding Mayikeso's release. The employers, mostly Seifsa members, referred the matter to Seifsa - who this week refused to make representations.

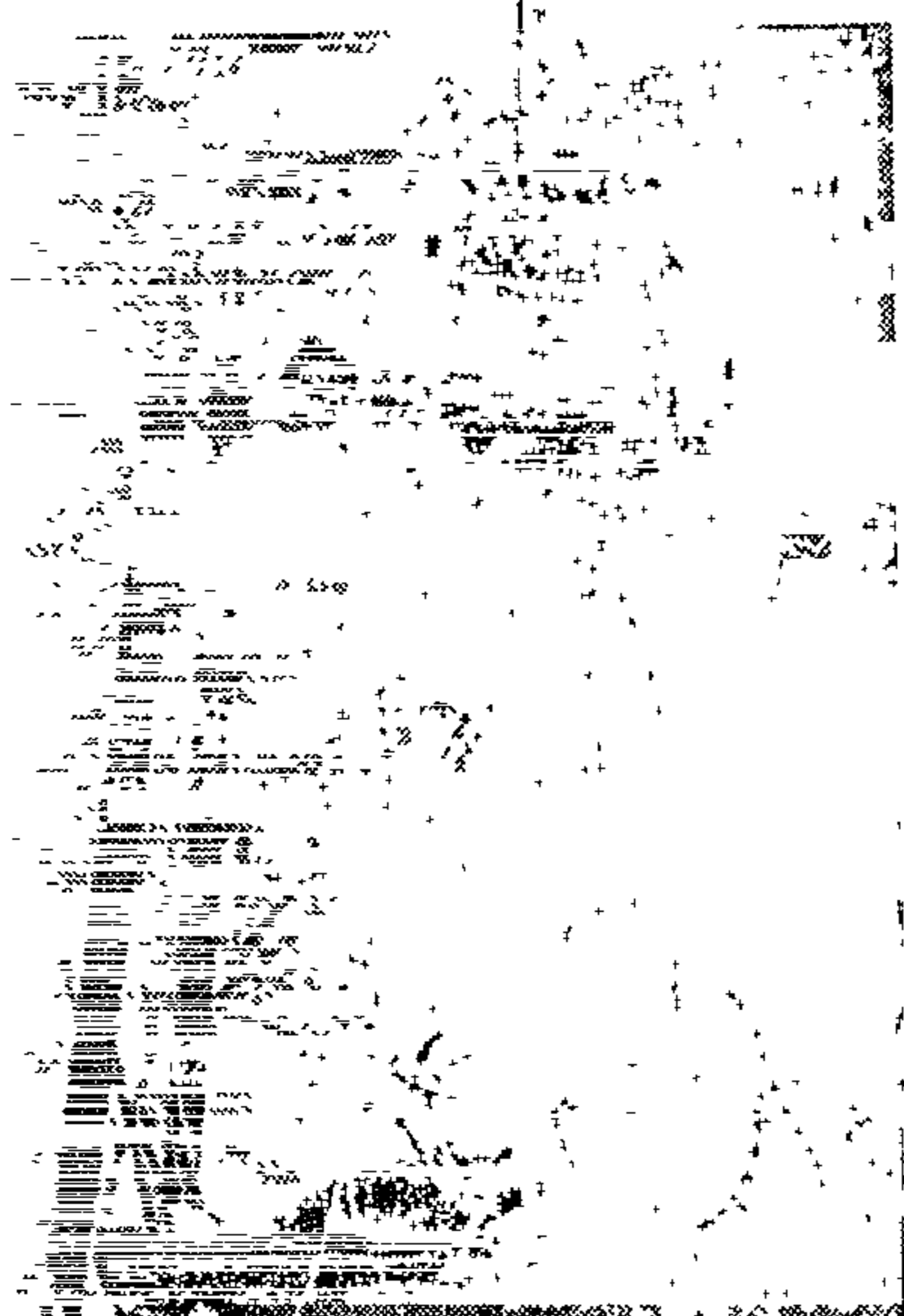
Reacting to Seifsa's refusal, a Mawu statement said: "Workers are now confirmed in their belief that Seifsa and its member companies fall firmly on the side of President PW

THE REMOVAL of troops and security force roadblocks from New Brighton in Port Elizabeth last Friday caused residents to celebrate in the streets at the weekend.

Taxi drivers were ecstatic about the removal of the roadblocks.

"Now we won't have to wait for so long or pay tolls of cigarettes and cool-drinks," said one.

Mawu ... the sudden



15/2/87

Policemen 'too poor' for bail

CP Correspondent

THREE Cape kitskonstabels - charged with murder after four people were shot dead in Tantya last week - have told a Grahamstown magistrate they fear for their lives in prison

They also said they could not afford to pay bail - so they were remanded in custody

The three - Madoma Tiki,

20, Vuyo Habane, 24, and Mzamo Ntaka, 31, - appeared on Monday

They face four charges of murder and five of attempted murder

None of them has been represented by lawyers

When Magistrate Stander granted the three men bail of R300 each, they told him they could not afford it

They said they earned between R390 and R410 a month, but they had "other commitments"

Madoda Tiki then told the court the three feared for their lives in jail

The magistrate told him to report this to the prison authorities and remanded the case to March 6

● Meanwhile, an emotional funeral service for the four victims of the shooting was held in Tantya on Saturday

Father Lunga Sebotho, who conducted the service, said there had been a feeling of "great resentment" among the thousands who attended the service. East Cape News Agency

Laughter, then death

A FORMER Pinetown police constable, who left his shoes behind at the scene where he shot a man dead, was this week found guilty of murder in the Durban Supreme Court

Justice ABM Wilson sentenced Innocent Mandlenkosi Mulo, 26, to eight years' imprisonment, of which four years were suspended for five years

On June 26 the deceased, Siphopho Prince Dlamini, and three companions came across the accused, who appeared to be talking to himself. They laughed at him.

A gun was produced and Dlamini was shot in the chest

Miss NSL, Africa that already could not hoodies.

CAPE TOWN 16/2/87 (327 128 785)

Mamelodi residents: TV film 'pack of lies'

(25)

Staff Reporter

MAMELODI residents are furious about a documentary screened by SATV on Tuesday night claiming they welcome the presence of security forces in their township, according to Mamelodi community workers

The documentary, which featured an interview with the Mamelodi mayor, Mr Bennet Ndlazi,

and footage of soldiers playing with local children, was screened on both TV2 and Network.

It was made by an independent Swiss film company, according to Network chief Mr Christo Kritzinger, who said the SABC was satisfied that the programme was "a true reflection of the situation in Mamelodi" and that the mayor was "an elected leader"

But people living in Mamelodi have described the documentary as "a pack of lies" and claim almost the whole of the township is "hopping mad" about it

Thirteen Mamelodi residents were shot dead by police in November 1985 when 50 000 people marched to the local administration board offices to protest at conditions in the township

AN Atteridgeville high school teacher who was allegedly assaulted by a policeman and was later acquitted on a charge of resisting arrest is claiming R5 000 damages from the Minister of Law and Order

Mr Joseph Patrick Dau of Masemola Street, who is a teacher at the D H Peta High School has claimed in papers that he had been injured in his dignity and self-esteem.

In his affidavit, Mr Dau said on or about July 16, 1985 Constable Lesley Tebogo Mokgosi wrongfully, maliciously and falsely preferred a charge of resisting arrest against him without reasonable and probable cause.

He also submitted

Govt, cop sued for R5 000

(251)
Sowetan
17/2/87

that Constable Mokgosi caused for the prosecution of such a case in the Atteridgeville Magistrate's Court where Mr Dau was acquitted of such a charge.

He cited the Minister of Law and Order as the first defendant Mr Mokgosi is the second defendant. Mr Dau submitted that the po-

liceman was at all times in the employ of the Minister and was therefore held responsible jointly and severally for his acts.

Mr Dau submitted that his dignity was impaired and he has thus suffered damages in the sum of R4 000. Mr Dau is also claiming R1 000 damages for being allegedly assaulted by Mr Mokgosi.

A spokesman for Seriti, Mavundla and Partners, a firm of attorneys in Pretoria, yesterday confirmed that they had already served summonses to both defendants.

A spokesman for the State Attorney's office yesterday said they were defending the lawsuit.

Cape Times 17/2/87

SA police free Swazi abductee

JOHANNESBURG. — A Swazi woman employed by a Canadian relief agency has been freed by South African police, more than two months after she was abducted from her home in Swaziland, her lawyer said yesterday.

But a spokesman for the police Directorate of Public Relations in Pretoria told the Cape Times last night that while police they did confirm detentions, they did not "as a matter of course" comment on the release of Internal Security Act detainees.

Mrs Grace Cele, a widow in her late 40s, was one of four people abducted from Swaziland in mid-December in a series of raids by attackers believed to be working for South Africa. Two people died.

The other three kidnap victims were freed by South African security forces within a week of their abduction, but Mrs Cele remained in police custody until Saturday, according to her lawyer.

He said he was told in January that Mrs Cele, a secretary for the Unitarian Services Committee of Canada, was being detained under the Internal Security Act as part of an investigation of the African National Congress.

He said police told her she was suspected of helping transport "terrorist weaponry" into South Africa, but no charges were filed against her. — Sapa-AP and Staff Reporter

The MINISTER OF TRANSPORT AND FAIRS

The attention of the honourable member is drawn to the fact that the 1986/87 financial year will only terminate on 31 March 1987 and that the figures indicated below represent payments for the period 1 April 1986 until 31 January 1987

- (a) Vaal Triangle
- (b) Cape Town/Pennsula
- (c) Cape Port Elizabeth/Uitenhage
- (d) Durban/Pinetown

R 2 018 514,89
R23 580 894,35
R 8 456 209,69
R46 540 327,265

Public Service: employees

236 Mr S S VAN DER MERWE asked the Minister in the State President's Office entrusted with Administration and Broadcasting Services

the latest specified date for which figures are available?

The MINISTER IN THE STATE PRESIDENT'S OFFICE ENTRUSTED WITH ADMINISTRATION AND BROADCASTING SERVICES

Information in regard to persons in the Public Service, as defined in section 7 (1) of the Public Service Act, 1984 (Act 111 of 1984), excluding the National Intelligence Service, as at 30 September 1986 is as follows

| | (i) | (ii) | (iii) | (iv) |
|-----------------|---------|--------|-------|---------|
| (aa) A Division | 71 074 | 4 517 | 3 596 | 1 214 |
| (bb) B Division | 51 636 | 20 344 | 3 304 | 35 805 |
| Services | 64 023 | 8 522 | 2 735 | 29 239 |
| Non-classified | 5 831 | 29 669 | 1 487 | 109 849 |
| Whites | 192 564 | | | |
| Coloureds | 63 052 | | | |
| Indians | 11 122 | | | |
| Blacks | 176 107 | | | |

Television licences

249 Mr D J DALLING asked the Minister of Communications

- (a) How many television licences were issued in 1986 and (b) what was the amount collected in licence fees in that year?

The MINISTER OF COMMUNICATIONS

- (a) 1 818 002,
- (b) R108 677 955,41 This amount includes penalties for late payments

Mines

308 Mr B B GOODALL asked the Minister of Economic Affairs and Technology

- (a) How many mines received financial assistance in terms of the Gold Mines Assistance Act, No 82 of 1968, (b) how many persons were employed by each of these mines, and (c) what was the amount of the assistance in respect of each such mine, in the 1985-86 financial year?

The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY.

(a) Five

(b) (i) Balmoral Gold Mining Co Ltd — 470 as at 31 December 1985

(ii) Stanhope Gold Mining Co Ltd — 410 as at 31 December 1985

(iii) Durban Roodepoort Deep Ltd — 11 780 as at 31 December 1985

(iv) ERPM (East Rand Proprietary Mines Ltd) — 21 458 as at 31 December 1985

(v) Witwatersrand Nigel Ltd — 1 911 as at 31 December 1985

(c) (i) R 203 376

(ii) R 4 400

(iii) R 1 258 902

(iv) R21 430 793

(v) R 5 489 039

Telephones

406 Mr D J DALLING asked the Minister of Communications

- (1) How many telephones were installed in Alexandra Township for (a) private and (b) business purposes in 1986,
- (2) how many applications for telephones for (a) private and (b) business purposes were received in 1986 from (i) residents and/or (ii) business persons in this township?

The MINISTER OF COMMUNICATIONS.

(1) (a) 634, and

(b) 18;

(2) (a) 1 601, and

(b) 32

WEDNESDAY, 18 FEBRUARY 1987

+Indicates translated version

For written reply

General Affairs

Potgietersrus: meeting

1 Mr J H VAN DER MERWE asked the Minister of Law and Order +

- (1) Whether any members of the (a) South African Police and (b) other specified security organisations were present at a meeting held at Potgietersrus on or about 16 October 1986, if so, (i) why, (ii) how many in each case, (iii) what was the nature of the meeting and (iv) who was the main speaker at this meeting,
- (2) whether any (a) vehicles, (b) weapons, (c) ammunition and (d) other specified equipment were made available by the South African Police in view of this meeting, if so, (i) of what type, and (ii) in what quantities, in each case,
- (3) whether the South African Police made use of barricading devices on this occasion, if so, (a) of what type, (b) in how many cases and (c) why,
- (4) whether the South African Police made use of helicopters, if so, (a) for what purpose and (b) to whom do these helicopters belong,
- (5) what was the (a) total cost and (b) cost per item in respect of the police activities in this connection?

The MINISTER OF LAW AND ORDER

(1) (a) Yes

- (i) To ensure the necessary security in the vicinity visited by the State President be-

HOA

17/2/87
Jawward

18/2/87
Jawward

cause rumours of terrorist infiltration existed and six armed terrorists were shot dead in the police division concerned, shortly before the date in question

(ii) 450 members of the South African Police

(iii) A National Party Meeting

(iv) The State President

(b) No

(i), (ii), (iii), (iv) Fall away

(2) (a) to (d) Yes

(i) and (ii) Sufficient to curb a given situation

(3) Yes

(a) Barbed wire

(b) In one instance

(c) To apply access control whereby the highest degree of security could be ensured

(4) Yes

(a) To scout a busy area adjacent to the place of meeting

(b) The South African Police

(5) Because separate calculations of cost in respect of individual police functions are not done, the cost in respect of the activities concerned is not available

Trespass

15 Mr P G SOAL asked the Minister of Law and Order

How many (a) Whites, (b) Coloureds and (c) Indians were arrested for trespass by the South African Police in 1986 in

each of the police station areas on the East Rand?

The MINISTER OF LAW AND ORDER

| | (a) Whites | (b) Coloureds | (c) Indians |
|--------------|------------|---------------|-------------|
| Springs | 17 | 19 | — |
| Sundra | — | 8 | — |
| Delmas | — | 1 | — |
| Heidelberg | 1 | — | — |
| Germiston | 7 | 20 | — |
| Edenvale | 9 | — | — |
| Bedfordview | — | 7 | — |
| Elsburg | 3 | 19 | — |
| Primrose | 2 | 34 | — |
| Benoni | 3 | — | 1 |
| Puifontein | — | 4 | — |
| Boksburg | 11 | 118 | — |
| Kempson Park | 3 | 15 | — |
| Brakpan | 5 | 13 | — |
| Nigel | — | 4 | — |
| Dunnotar | — | 2 | — |
| Total | 61 | 264 | 1 |

At police stations not mentioned, no arrests were made

Joint operations

16 Mr P G SOAL asked the Minister of Law and Order

(1) Whether the police forces of South Africa and Bophuthatswana undertook any joint operations in 1986, if so, (a) on what dates, (b) where and (c) what (i) was the purpose and (ii) were the results of each joint operation,

(2) whether any persons were arrested or detained on these occasions, if so, (a) how many, (b) by whom, (c) where, (d) when, and (e) in terms of what statutory provisions, in each case?

The MINISTER OF LAW AND ORDER

(1) and (2) I am not prepared to make known information of this nature because

co-operation between the South African Police and the police force of this Independent State takes place on a continuous basis on different levels of command, which information are not centralised I do not consider it in the interest of security to comment upon the comings and doings of a police force of another State

Mnundwa Kleinbooi Mahlangu

17 Mr P G SOAL asked the Minister of Law and Order

(1) Whether, with reference to his reply to Question No 20 on 27 May 1986, the inquest into the death of Mnundwa Kleinbooi Mahlangu 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 with the death of this person, if not, why not, if so, (a) who and (b) when?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) and (b) Fall away

(i) 12 June 1986

(ii) That the deceased was obviously killed in self defence

(2) No, I refer the honourable member to the above paragraph (1) (ii)

(a) and (b) Fall away

Unrest-related offences

23 Mr S S VAN DER MERWE asked the Minister of Law and Order:

(1) How many persons were arrested by the security forces in 1986 in connection with the unrest-related offences of (a) public violence, (b) malicious

damage to property, (c) arson, (d) murder and (e) assault,

(2) how many of those arrested in 1986 for the above offences (a) were charged and (b) were (i) under the age of 16 years and (ii) between the ages of (aa) 16 and 18 years and (bb) 18 and 20 years?

The MINISTER OF LAW AND ORDER

(1) (a) 6 046

(b) 1 188

(c) 1 324

(a) 839

(e) 1 609

(2) (a) 7 710

(b) (i) 1 144

(ii) (aa) 2 076

(bb) 2 599

Note Although it was attempted to do the classification according to the question, it is not possible to classify unrest related crimes correctly and categorically, because in some instances the crimes are overlapping. In some instances a person is linked to more than one of such crimes, and therefore the category of persons charged cannot be correctly supplied

Detainees

24 Mr S S VAN DER MERWE asked the Minister of Law and Order

(a) How many persons detained under the 1986 emergency regulations in terms of the Public Safety Act, No 3 of 1953, were subsequently served with restriction orders and (b) to what areas were they restricted in each case?

HOA
18/2/87
Spurward

18/2/87
Spurward

R2 000 fine for policeman who kicked homosexual to death

By CHRIS RENNIE

A YOUNG policeman who hit and kicked a man to death for making homosexual advances to him, was convicted of culpable homicide by the Port Elizabeth Supreme Court today.

Constable Pieter Jacobus Karelsen, 23, was originally charged with the murder of Mr Charles George Truter in a flat in Central on the night of September 17 last year

He was sentenced to a fine of R2 000, to be paid off at the rate of at least R250 a month, plus five years' jail conditionally suspended for five years

In his judgment, Mr Justice Solomon found that Karelsen had acted instinctively when he lashed out with his fists after persistent homosexual advances made to him by Mr Truter

He accepted that there were various contributory

factors to Karelsen's reaction, such as liquor and his vulnerability arising from the recent break-up of his marriage

He did not lose sight of the fact that Karelsen had subsequently kicked the unconscious Mr Truter in the head several times but considered this part of the whole process

Mr L Battiss had said that he never gained the impression that Karelsen really intended to kill

Mrs A Battiss said Karelsen stopped assaulting Mr Truter when she told him to.

He accepted the defence submission that there had been a high degree of provocation

"For any heterosexual male to be confronted by the suggestion of homosexual liaison would result in a high degree of anger," said the judge.

It was also clear that more than one approach

was made

"This is one of those unfortunate cases that occur all too frequently these days, when decent young men are picked up in bars and lured into flats by homosexuals"

Mr Justice Solomon said this was not in any way a premeditated attack. The blows that caused death were a spontaneous reaction. Possibly, Karelsen had underestimated his own strength

Considering Karelsen's clean record and personal circumstances, sentencing him to jail would only make a criminal out of him. The interests of society did not demand it, as this was an isolated incident

He stressed that he was dealing with Karelsen as a young man and not as a policeman. The fact that he was a policeman had no bearing on the situation.

News in Brief

CAPE TIMES 19/12/87
Squatter leader held

NYANGA BUSH squatter leader, Mr Melford Yamile, was held for questioning at the Nyanga East Police Station yesterday, after he was taken into custody by "kitskonstabels" in the morning. A police spokesman for the Western Cape yesterday confirmed that Mr Yamile was briefly held for questioning and released. No further details were available.

Cape Times 19/2/87

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Shooting: SAP to pay widow

By SHAUNA WESTCOTT
Supreme Court Reporter

A POLICEMAN who shot a Salt River father of three in the head at point-blank range has been condemned by the Supreme Court as "a person with little regard for the sanctity of human life".

Lieutenant John Baird, a warrant-officer at the time of the shooting of Mr Ebrahim Carelse, was cited with the Minister of Law and Order in a damages action for R51 975 brought by Mr Carelse's widow, Jawaya.

The exact sum to be paid to Mrs Carelse is still to be determined

Mr Acting Justice B Hoberman ruled yesterday that police had failed to establish that they were justified in arresting and therefore shooting Mr Carelse

Mr Carelse was shot on the night of September 5, 1985, outside the kitchen door of a neighbour's house. He died of his wounds five days later.

The lieutenant made "a poor impression" on the judge, who dismissed his evidence saying "He was obviously a

Mrs Carelse to spend the money on children

By RENEE MOODIE

"ALL the things my husband would have bought the children if he had still been here", is what Mrs Juwaya Carelse will spend the money on

She said she was "very pleased" with the court's finding that her husband had been shot illegally.

Mrs Carelse said she did not yet know how much money she would receive, although she has claimed nearly R51 975.

Mrs Carelse has been living with her mother and has been supporting her three children, Galieha, 15, Sirraaj, 12, and Erifaan, 7, on a widow's pension of R200 a month.

"There is just never enough money to buy the children the things they want — so that is what I will use the damages for," Mrs Carelse said.

She expressed her gratitude to her lawyers, advocate Mr Paul Hoffman and attorney Mr Barry Halliday. "Without them we would have gotten nowhere," she said.

well-experienced witness who gave his evidence with an air of confidence which often verged on arrogance. He was scornful of any criticism of his conduct.

"Where a fair-minded man would, in retrospect, have conceded that he should have acted differently, he chose to laugh at the suggestion

"I carefully observed him in the witness box. I was left with the firm impression that he was

bent on exculpating himself rather than answering the questions put to him honestly and objectively.

"What I also found disquieting is that his evidence revealed him as a man with little regard for the sanctity of human life — a trait that is not without relevance in this matter," the judge said.

Mr R P Hoffman, instructed by Herbsteins, appeared for Mrs Carelse. Mr W J Louw, instructed by the State Attorney, appeared for the defendants.

Policeman jailed for killing of youth

9/2/87 NIM 251

Pietermaritzburg Bureau

A DURBAN riot policeman was jailed for an effective term of eight years by the Judge President of Natal, Mr Justice Milne, in the Supreme Court in Pietermaritzburg yesterday for the 'totally unprovoked' killing of a Kwa-Ndengezi youth and the wounding of another youngster in the township during February last year.

Mr Justice Milne sentenced Sgt John Edmund Howard, 23, a member of the Durban West Anti-Riot Unit, to eight years' imprisonment for culpable homicide in the fatal shooting of Ephraim Mgedezi, 17, which took place on February 9 last year.

Accessory

Howard was sentenced to a further three years in jail on a charge of assault with intent to do grievous bodily harm for seriously injuring Delani Sithole, 18, by shooting him with a shotgun in

the same incident. Both sentences are to run concurrently.

Co-accused W/O Michael Graham Turner, 25, was sentenced to two years for being an accessory after the fact of culpable homicide.

A third accused, Const Aubrey Miles Sutherland 21, was sentenced to 12 months' imprisonment, conditionally suspended for three years, for the same offence.

Howard and Turner were granted bail of R500 pending an application for leave to appeal against both conviction and sentence.

The three were acquitted on charges of murder and attempted murder by Mr Justice Milne on Tuesday. Howard was convicted of culpable homicide and assault with intent to do grievous bodily harm after the Court found that he had not intended to kill the youths.

The Court found that Turner and Sutherland had conspired with Howard to cover up his crime by agreeing not to report the incident.

Mr Justice Milne said that members of the S A P had a great responsibility to act with restraint and moderation, and that an unjustified killing of this kind could, in the present circumstances, have had 'catastrophic results'.

Penitence

He said Howard had shown no penitence over his actions, having left the scene of the shooting immediately without seeing if anyone had been killed or injured and had attempted to conceal what had occurred.

He added that defence arguments would have operated more strongly in mitigation had Howard actually been carrying out his duties as a policeman, but that he had known he was

acting in an unlawful and unjustified manner.

He said that Turner, the senior officer of the three, had not acted out of altruism in failing to report the incident, but had rather attempted to avoid responsibility for an unwarranted shooting and killing by men under his command. Also, as the officer in command, his was the prime responsibility to report the incident.

Mr Justice Milne said that Sutherland, the most junior officer, had been 'a very minor actor in the whole tragedy'.

Mr C Lee appeared for Howard and Mr S Slabbert for Turner and Sutherland. Mr L Roberts and Mr P Blomkamp appeared for the State.

19/2/87
Somerset

Minister sued for R50 000

A 28-YEAR-OLD night watchman is claiming R50 000 damages from the Minister of Law and Order.

(152)

Mr Abraham Rakgoale of Saulsville hostel in Atteridgeville, Pretoria, alleges that he was deprived of his liberty and freedom after police arrested him.

Mr Rakgoale, a night watchman at a firm in Sunnyside, was arrested on January 16, 1985, on charges of theft.

Withdrawn

He appeared in the Pretoria Magistrate's Court the next day and the case was postponed to February 7. Charges against him were withdrawn that day.

A spokesman for J M Weiman and Partners, lawyers engaged by Mr Rakgoale, yesterday confirmed that they had already issued summonses against the Minister of Law and Order.

Summonses

The spokesman said the matter has already been placed on the roll in the Pretoria Supreme Court and would be heard on March 13.

A spokesman for the State Attorney's office in Pretoria confirmed they had received summonses in which the plaintiff was claiming R50.000 damages. They would defend the matter.

(25) DD 19/2/87

PE death: policeman fined

Dispatch Correspondent
PORT ELIZABETH — A young policeman was yesterday sentenced to a fine of R2 000 in the Supreme Court here — to be paid in monthly instalments of at least R250.— for hitting and kicking a man to death

A police spokesman said an inquiry would now consider the future of the policeman in the police force

Constable Pieter Jacobus Karelsen, 23, said he had retaliated when his victim, Mr Charles George Truter, made homosexual advances to

him in a Central flat.

Karelsen pleaded not guilty to murdering Mr Truter on September 17 last year, but guilty of culpable homicide

He was convicted and sentenced on the culpable homicide charge, and in addition to the fine he was sentenced to five years imprisonment, conditionally suspended for five years

Mr Justice Solomon found Karelsen acted instinctively when he lashed out with his fists after repeated homosexual advances were made to him. He doubted Ka-

relsen had appreciated the possible results of his actions

There were contributory factors to Karelsen's reaction, such as the recent break-up of his marriage.

He did not lose sight of the fact that Karelsen had kicked the unconscious Mr Truter in the head on several subsequent occasions, but considered this part of the whole process.

Considering Karelsen's clean record and personal circumstances, sentencing him to jail would only make a criminal out of him

| Number of Persons | Period (days) | Number of Persons | Period (days) |
|-------------------|---------------|-------------------|---------------|
| 2 | 96 | 5 | 182 |
| 3 | 97 | 6 | 183 |
| 2 | 99 | 4 | 187 |
| 2 | 106 | 5 | 192 |
| 1 | 114 | 5 | 196 |
| 2 | 118 | 1 | 202 |
| 2 | 120 | 1 | 213 |
| 1 | 122 | 1 | 216 |
| 2 | 124 | 2 | 223 |
| 5 | 125 | 4 | 229 |
| 3 | 128 | 1 | 234 |
| 2 | 133 | 2 | 266 |
| 1 | 138 | 7 | 273 |
| 1 | 140 | | |

Note The lengthy period of detention results from the fact that detainees in many cases are linked to more than one act of sabotage. This demands intensive and lengthy investigations. It must also be kept in mind that these crimes are Marxist-ideologically inspired. Therefore it has been experienced in virtually every case, that accused try to withhold important information, which contributes to lengthy investigations and periods of detention.

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Special township constables

55 Mr J VAN ECK asked the Minister of Law and Order

- (15)*
- 20/2/87*
- (1) How many special township constables had been trained and deployed as at 31 January 1987 and (b) where had they been deployed,
 - (2) how many fire-arms of each specified type were issued to these constables,
 - (3) whether any fire-arms so issued have been reported stolen, if so, how many,
 - (4) whether any of these fire-arms have been recovered, if so, how many,

HOA

(5) whether any of these fire-arms have been used in the commission of any crimes, if so, what were the circumstances surrounding the use of such fire-arms in each case?

The MINISTER OF LAW AND ORDER

- (1) (a) 1 750 special constables
(b) In various centres in the Republic
- (2) I do not consider it in the interest of the public to reveal this information
- (3) Yes, 26 arms
- (4) Yes, 15 arms
- (5) Yes, three arms during attempted murders and one arm during a murder

Note A number of these arms were robbed during unrest related incidents. The losses are investigated and although a high percentage of the arms have already been recovered, indications are that some of the other missing arms will also be recovered

Riots

59 Mr E K MOORCROFT asked the Minister of Law and Order

- (1) How many members of the South African Police were (a) killed and (b) injured in the Republic in attempts to contain rioting in 1986,
- (2) (a) how many buildings belonging to (i) the State and (ii) private individuals were destroyed or damaged as a result of rioting in 1986 and (b) what is the estimated (i) value of the buildings so destroyed and (ii) amount of the damage so sustained,
- (3) (a) how many arrests of civilians were made in this connection in 1986, (b)

Handwritten: Handover 20/2/87

(15)

on what charges were they arrested and (c) how many such civilians were still being held as at the latest specified date for which figures are available?

The MINISTER OF LAW AND ORDER

- (1) (a) 18 members
(b) 192 members
- (2) (a) and (b) I do not consider it to be in the interest of the safety of the Republic to reveal the information
- (3) (a) 4 982 persons
(b) On a variety of crimes inter alia murder, arson, public violence, attempted murder, intimidation and malicious injury to property
(c) 590 persons awaiting trial on 4 February 1987

Note A large percentage of the number of persons in the above paragraph 3 (a) was already convicted on the charges accused of and were sentenced. Some of these cases are not yet finalised in court

Persons not attending school

72 Mr R M BURROWS asked the Minister of Education and Development Aid

- (1) Whether his department has made a calculation of the number of Black persons of school-going age in the Republic who are not attending any school at present, if not, why not, if so, (a) what is the total number involved, (b) on what basis was the calculation made and (c) in respect of what date is this information furnished,
- (2) whether he will furnish information on the number of Black persons of school-going age in the national states who are not attending any school at present, if not, why not, if

HOA

so, (a) what is the total number involved in respect of each of the national states, (b) on what basis was this number calculated in each case and (c) in respect of what date or dates is this information furnished?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

- (1) No not yet for the present year. Calculations will be based on enrolment of pupils, which has not yet been finalised
(a) to (c) Fall away
- (2) No See reason as stated above

Detainees

84 Mr D J DALLING asked the Minister of Law and Order

Whether any persons detained in terms of security legislation or emergency regulations have been held at the Sandton police station since 1 January 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), (b) and (c) I refer the hon member to my summarised answer to oral question number 2 which I answered on 17 February 1987

Meetings prohibited

111 Mr S S VAN DER MERWE asked the Minister of Law and Order

(a) How many meetings have been prohibited in terms of the emergency regulations in each police district since 12 June 1986 and (b) in respect of what date is this information furnished?

Cape Provincial Administration which is concerned with the alienation of property and is being investigated

Case 2

(i) (aa) N G Congregation Bloemfontein, Signal Hill

(bb) 86-09-18

(cc) President Brand Primary School, Bloemfontein

(ii) No, the building is being utilised as music school

Case 3

(i) (aa) N G Congregation, Bainsvlei

(bb) 86-12-10

(cc) Bainsvlei Primary School

(ii) None, negotiations are continuing

Case 4

(i) (aa) Judge H A Koize

(bb) 86-11-20

(cc) Glen Primary School

(ii) None, negotiations are continuing. In this case only the ground is under discussion as the temporary buildings were removed

Case 5

(i) (aa) Local Board, Bainsvlei

(bb) 86-12-11

(cc) Willem Pretorius Primary School and Bainsvlei Primary School

(ii) None, negotiations are continuing. In this case only halls and grounds are under discussion as the temporary buildings are being removed

HOA

Case 6

(i) (aa) Town Council, Viljoens-kroon

(bb) 86-08-06

(cc) Classrooms being utilised as a primary school

(ii) No, buildings are still being used as a school

Case 7

(i) (aa) Baptist Union, Mayfair Convent, the Post Office and the South African Defence Force

(bb) 86-10, 86-10, 86-11 and 87-01

(cc) John Ware Primary School

(ii) It has been recommended that the Transvaal Works Department consider letting the property

Case 8

(i) (aa) City Council, Germiston

(bb) 87-02

(cc) Margaret Brammer Primary School

(ii) The matter is under consideration by the Transvaal Education Department

FRIDAY, 20 FEBRUARY 1987

+Indicates translated version

For written reply

General Affairs

Assault/arrest

26 Mr S S VAN DER MERWE asked the Minister of Law and Order

Handwritten: 251, Hansard 20/2/87

Whether any money was paid to members of the public in 1986 in respect of (a) assault by members of the Police Force and (b) unlawful arrest, if so, (i) what was the total amount paid and (ii) in respect of how many complainants in each category?

The MINISTER OF LAW AND ORDER

(a) Yes

(i) R1 209 780,46

(ii) 124 complainants (a decrease of 82 complainants compared to 1986)

(b) Yes

(i) R196 723,23

(ii) 79 complainants (a decrease of 39 complainants compared to 1986)

Note 1 Cases dating back to 1978, were finalised during 1986

2 So called assaults also include shooting incidents and injuries sustained during the application of police dogs

3 A large volume of the functions of the South African Police unfortunately transpires directly and indirectly in the handling of violence and unrest situations—with accompanying frequent opportunity for injuries etcetera to persons involved or present at scenes

Fire-arms

28 Mr S S VAN DER MERWE asked the Minister of Law and Order

(a) How many (i) pistols, (ii) revolvers and (iii) rifles issued to members of the South African Police Force were reported (aa) lost and (bb) stolen during the latest specified 12 month period for which information is available and (b) how many of these (i) pistols, (ii) revolvers and (iii) rifles had been recovered as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER

(a) (i) (aa) 189

(bb) 144

(ii) (aa) 77

(bb) 40

(iii) (aa) 55

(bb) 23

(b) (i) 44

(ii) 12

(iii) 14

Particulars are furnished until 31 January 1987

Note Many of these arms were stolen during unrest related incidents where members of the Force were murdered or overpowered by mobs

All incidents of thefts or losses are investigated and although some of the arms have since been recovered, I am confident that most of the lost arms will still be recovered

Internal Security Act

29 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) (a) How many persons were detained in terms of the Internal Security Act, No 74 of 1982, in 1986 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 the above-mentioned year?

The MINISTER OF LAW AND ORDER

(1) (a) 3 989 persons

Handwritten: 251, Hansard 20/2/87

HOA

N/14 2/2/87

SAP captures Gaddafi men

(251)

Ormande Pollok
Political Correspondent

CAPE TOWN—Police have arrested five South African Gaddafi-trained terrorists, some of them members of a radical Muslim organisation called Qibla, which is based in the Western Cape.

It is understood they were captured while infiltrating from Botswana to attack 'soft targets' in South Africa. At least one other escaped wounded.

Details of the dramatic coup were announced yesterday by the Minister of Law and Order, Mr Adrian Vlok, who said arms, explosives, parts of Libyan army uniforms and money were captured

Police were also holding two other people for allegedly assisting the terrorists.

Mr Vlok said three of the five were among the 12 Libyan-trained terrorists arrested in Athens last year.

'The 12 were all South Africans en route to Harare when Athens customs officials noticed irregularities with their travel documents,' said Mr Vlok.

'They were later released and returned to Libya where they received further military training.'

Three of the five presently being held were among the original 12.

'The five terrorists were captured when they infiltrated South Africa through Botswana from Harare. A sixth suspected terrorist managed to escape back into Botswana. It is thought he may have been wounded,' Mr Vlok said.

'The arms and explosives seized include Scorpion machine pistols, AK47 rifles, several blocks of TNT, electrical detonators, safety fuses and a large quantity of ammunition.'

'Some of those detained are members of Qibla, a Leftist, radical organisation which operates under the banner of the Pan African Congress.'

It is understood that Qibla also works in co-operation with the ANC.

Mr Vlok said the terrorists had orders to attack 'soft targets' and the security forces.

Police investigations were continuing

City Times 2/12/87

R1,2m paid for assaults by policemen

By BARRY STREEK
Political Staff

251

THE police paid out R1,2 million to members of the public last year for assaults by policemen and R196 723 for unlawful arrests.

The Minister of Law and Order, Mr Adriaan Vlok, said yesterday that the R1,2 million was paid out after 124 complaints, 82 fewer complaints than in the previous year.

The R196 723 for unlawful arrests was paid out after 79 complaints, a decrease of 39 complaints.

Mr Vlok, replying to a question from Mr Tian van der Merwe (PFP Green Point), said cases dating back to 1978 were finalized during 1986.

He told Mr Errol Moorcroft (PFP Albany) that 4 982 people were arrested in 1986 for unrest-related crimes, including murder, arson, public violence, attempted murder and intimidation.

There were 590 people awaiting trial on February 4 this year on these charges.

Eighteen members of the police force were killed during attempts to contain rioting and 192 injured.

He told Mr Van der Merwe 3 989 people were detained in terms of the Internal Security Act last year and 3 512 under the preventive detention provisions of the law, but only 263 had been charged and 37 convicted.

He told Mrs Helen Suzman (PFP Houghton) that 499 women were detained under the Internal Security Act last year and 23 women were currently being held under Section 29 of the law, but he declined to tell her how many women had been detained under the emergency regulations.

~~CPA Times~~ 2/12/82 231
'Kitskonstabel' tally

THE police had trained and deployed 1 750 "kitskonstabels" (special constables) by the end of January this year, Mr Vlok told Mr Van Eck. He said he did not consider it in the interest of the public to disclose how many firearms had been issued to these constables but 26 firearms issued to the constables were reported stolen and 15 of these had been recovered.

The stolen weapons had been used during three attempted murders and one murder.

CP candidate

THE Conservative Party has nominated businessman Mr Mario van Eeden as its candidate in Humansdorp, making the contest a three-way tussle. The sitting MP, Mr W D Meyer, will represent the National Party, while the PFP has nominated the present MP for Walmer, Mr Andrew Savage. — Political Staff and Sapa

(251) CP Press 2/2/87

CP Correspondent

A POLICEMAN who had "little regard for the sanctity of human life" illegally shot Ebrahim Carelse in a friend's home, the Cape Town Supreme Court has found

Acting Judge Hoberman said in his judgment that Carelse's widow will get damages from the policeman, Lieutenant John Baird, and the Law and Order Minister, Widow Juwaya Carelse claimed R51 975, but the exact amount she will get will be determined later

Carelse, a messenger for a law firm, died on September 10, 1985 as a result of being wounded on September 5, 1985 when he was intentionally shot by Baird

Judge Hoberman said it was "most unlikely" that Carelse had tried to petrol-bomb a shop as police claimed

The defendants have failed to establish that Lieutenant Baird was entitled to arrest Carelse. The shooting of the deceased was accordingly not justified," he said

The judge said Baird "made a poor impression on me in

Shooting was illegal

the witness box" Baird gave his evidence with "an air of confidence which often verged on arrogance"

Baird was not above tailoring his evidence to suit the occasion, the judge said

What I also find disquieting is that his evidence revealed Lieutenant Baird to be a person with little regard for the sanctity of human life - a trait which is not without relevance in this matter "

The judge said he had little doubt that when Baird fired the shot which killed Carelse, he knew it would probably be fatal

The crucial question was whether Baird was correct in identifying Carelse as the suspect. He identified him solely by his clothes - but Mrs Carelse testified that her husband was wearing clothes of a different colour

The judge "had no hesitation in accepting Mrs Carelse's evidence on this point" He described her as, "an honest witness"

A forensic expert testified that the clothing which Mrs Carelse said her husband wore, bore traces of blood

The judge accepted evidence of witnesses called by Mrs Carelse which showed that Carelse was not the suspect

Mrs Carelse said her husband spent the early part of the evening at home then intended to visit friends, who had returned that day from Mecca. A minute or even less after he left the house, she heard a shot

Mystery death of a 'jolly man'

By JO-ANN BEKKER

WHEN Mangaliso Lucas Sibeko's relatives last saw him alive, his face was swollen and he was accompanied by eight men who did not identify themselves

The following day one of Sibeko's colleagues from Barclays Bank's Evander branch in the Eastern Transvaal, where he worked as a cleaner, came to tell his relatives he was dead

The South African Police public relations department said the 22-year-old man from Leandra township near Evander had been arrested on a charge of housebreaking on January 15. Nine minutes after he was arrested, he was found hanging in his cell

A report in *Die Secunda Echo* proclaimed he had hanged himself after being arrested in connection with a R4 860 Barclays "Bob-card" robbery in Evander

Sibeko's relatives, however, said

they found it difficult to accept he had committed suicide — saying he was "a jolly fellow"

They told the *Weekly Mail* Sibeko had appeared in pain when he was brought to his brother's home in Evander by four white and four black men in civilian clothes

"As he walked in he was punched from behind," one relative recalled. "The men took him to the main bedroom, and he was punched again and fell against the dressing table, cracking the mirror. A man asked him 'Where's that thing?'. He said he didn't know and they led him out, without taking anything."

The relative said Sibeko's face was swollen and he appeared in pain. He was barefoot, and was wearing neither a necktie or a belt. They subsequently heard reports that he had hanged himself with a necktie.

30/1-5/26/87
W/Mail 251
"The police never sent a message to inform the family of his death and we have not been told when his post mortem will be held," the relative said

All these allegations were put to the SAP public relations division. This is the full text of their reply

"Mangaliso Lucas Sibeko was arrested at 1987-01-15, on a charge of housebreaking. He was placed in a cell on his own. At 19h10 he was found hanging in the cell

"At the time of the arrest, the deceased's employer, Barclays Bank, was informed of the arrest. Since the police did not know where the deceased lived, the bank official, who knew the family, offered to inform them of the death

"If anyone has evidence of illtreatment or neglect of police duties, we suggest that it be made available in the form of an affidavit"

Unimpressive record of the 'kitskonstabels'

By **STEPHEN WROTTESELEY**
Crime Reporter

THE "kitskonstabel" force has had an unimpressive record since it started operations last October.

The special constables are stationed in townships to help the regular police force. However, their training has been slated as too short and as inadequate.

Senior policemen say the constables are a success and that there are plans to expand recruitment to include coloured and Indian men.

But privately members of the force are questioning the value of the 'kitskonstabels'.

Since the establishment of the special force in the Cape

● They have been robbed of their firearms about six within less than a month of being deployed,

● One was stabbed to death while walking home,

● Another was saved from being "necklaced",

● One was stoned to death and set alight,

● Another died after shooting dead his common-law wife and turning his shotgun on himself,

● A special constable's firearm is understood to have been used in the killing of a 16-year-old girl in Khayelitsha and the Progressive Federal Party has launched an investigation into the death of Mr Cohn Coba, 24, who was shot on January 16, and

● In Grahamstown three special constables have been suspended following a shooting incident in which four people died and five were wounded

The first contingent of constables had a six-week training course before being stationed in townships around the country

Statements about the actions of special constables are issued only after being cleared by police headquarters in Pretoria

It is expected that there will soon be more than 1 000 constables who will have had basic weapon training and briefings on their powers

About 300 passed out in October, and more than 300 passed out last Saturday. Another 300 have been recruited in Durban

300 'special constables' recruited

The Argus
Correspondent

DURBAN — Three hundred "special constables" have been recruited here to strengthen the police force

This was announced by Brigadier Johan van Niekerk, Divisional Commissioner for the South African Police, Port Natal Division, last night

"We have a big waiting list of black people wanting to join the police force," he said

Brigadier van Niekerk said the men would start their six-week training course at Koeberg, in the Cape, at the end of the month.

After their training they would assist with crime prevention in the townships, he said

Court hears attack on Emergency

WEEKLY MAIL REPORTER

void, or alternatively that they be declared unlawful

THE Minister of Law and Order believes children are being "used" in unlawful acts "planned and organised in terms of recognised revolutionary principles"

In papers lodged with the Supreme Court in Maritzburg, minister Adnaan Vlok says this was one of the reasons why the State of Emergency was introduced on June 12 last year

Vlok was responding to an application by the United Democratic Front and the Release Mandela Campaign challenging recent Emergency regulations

A full bench of the Natal Supreme Court heard argument yesterday when the UDF and the RMC asked that Emergency regulations promulgated on December 11 be declared null and

void, or alternatively that they be declared unlawful

Vlok's answering affidavit gave lengthy reasons for the Emergency, including the fact that "illegal gatherings" were being held where slogans were shouted and people responded "in a violent way, demonstrating their resistance in such a way that it demands security action, not only because of its illegality but also because of damage to property".

Emergency the media has been relatively freely publishing news and comment on situations this experience has taught that the free publishing of all such news and comment promotes the aims of those with the revolutionary ideology to such a degree that the safety of the public and the maintenance of public order is threatened," Vlok alleged

the reasons given by Vlok. In court yesterday, counsel for the UDF, Ismail Mohamed, said the regulations would be attacked on three grounds — they were unreasonable, vague, and gave officials "unfettered discretion without proper guidelines"

Citing boycotts, stayaways, civil disobedience and illegal strikes, Vlok said lawful structures and the authority of the courts were being

towards the media — saying organisations like the UDF saw the media as "absolutely necessary" for them to achieve their aims.

He said the definition of a subversive statement gave the Commissioner of Police "powers to make *ad hoc* definitions" of what these were

Since the declaration of the

State President PW Botha confirmed in his affidavit that he had declared the State of Emergency for

Yesterday's matter was heard by Justices Page and Galgou It continues today

Friddie killer shots fired by 'unknown'?

CA 11005 6/2/87
Court Reporter

251

A CAPE TOWN inquest magistrate yesterday found that a "third, unknown" person could have shot Mr Abdul Karriem Friddie, who was killed outside the St Athens Road Mosque in Athlone in October 1985.

The magistrate, Mr W J P Marais, said: "On the available evidence it's not possible to determine that the man who was hit by Sgt F C Engels was the deceased. There is a possibility that a third, unknown person might have shot him."

The inquest arises out of an incident during police action.

General unrest

Sgt Engels told the court he had seen a man running in the middle of St Athens Road.

"The first sign of aggression from the man was when he pointed his arms towards us.

"I didn't see a weapon in his hands. I saw only a flame as he fired a shot and I heard a gunshot. When he fired his second shot we were firing back, so I couldn't hear his shots. I merely saw the flame."

Sgt Engels said there was general unrest near where his Casspir was parked in Thornton Road. The road had been blocked by burning vehicles and a barricade of flaming tyres.

He said Mr Friddie was behind a tree when he fired his fifth shot with an R-1 rifle. Mr Friddie fell so that part of his body was in the road.

Best shot on the Casspir

"When he was behind the tree I could see only his silhouette and I could not see what kind of weapon he had."

Lt Jakobus du Plessis, who had been in charge of the Casspir, said he saw an unoccupied car in the middle of St Athens Road. He saw a man taking up the stance of someone about to shoot in the middle of the road. He had ordered Sgt Engels to shoot at the man as he was "the best shot on the Casspir".

Mr M B de Vries led the evidence. Mr B Waglay appeared for the family of the deceased. Mr S A Kuhn appeared for the Minister of Law and Order.

Kitskonstabels in court

W/Mail 6-12-87

(25)

THREE kitskonstabels appeared in the Grahamstown magistrate's court yesterday in connection with a shooting incident earlier this week in which four people were killed

The trio, recipients of a controversial three-week crash course in police methods, were not asked to plead and are due to appear in court again today

They are Mzamo Nyaka, 31, and Madoda Piki, 26, both of Fort Beaufort, and Vuyo Habane, 24, of Alcedale

Their appearance follows an urgent police investigation into the shooting incident on Monday night while a group of kitskonstabels was guarding a school in Grahamstown's Tanti township

A police spokesman said three kitskonstabels had been fired at from a house and went to investigate

The shooting was raised in parliament on Wednesday, where Progressive Federal Party MP Helen Suzman described it as "another dangerous indication that kitskonstabels receive inadequate training"

Bus shelter bomb

A BUS shelter was blown up just 200 metres from Alwyn Schlebusch's ministerial home in Cape Town yesterday.

Few details were available, but the Bureau for Information said it "presumed" the blast was caused by a limpet mine

Initial reports said one woman was injured in the blast, which took place at noon in Main Road, Newlands, near the Groote Schuur Estate which houses several cabinet ministers

The roof was blown off the bus shelter, and the woman — who was crossing the road nearby — fainted

— Sapa

W/Mail 6-12-87

NUM to court

THE National Union of Mineworkers is taking Anglo American to court over the dismissal of 2 200 workers at President Steyn gold mine in Welkom last Monday

NUM representative Marcel Golding said his union was only consulted after the workers had been dismissed

He also questioned Anglo American's initial insistence that the workers had resigned

"Resigning is a voluntary action and it is clear the workers did not resign — they were fired"

Anglo representative John Kingsley-Jones, who said earlier this week that the workers had resigned, admitted late yesterday that the workers had actually been dismissed

He said, however, that this had only happened after President Steyn management, "faced with the prospect of renewed violence and the

Almost 29 000

ONE big political prison — that's the status of South Africa today, where nearly 29' 000 men, women and children have been detained in the past year

The phrase is used by the Detainees' Parents Support Committee (DPSC) in its annual report on state action during 1986

The report, issued this week, gives a graphic breakdown of the effect the Emergency has had on millions of South Africans

It states that 25 000 of the 28 471 people detained last year were held in terms of Emergency legislation. Of the 25 000, about 10 000 — or 40 percent — are children under the age of 18.

The United Democratic Front and its affiliates were hardest hit, accounting for approximately 75

the event was a racial gathering and

the liberation theology

W/Mail 6-12-87

Key press
trial starts
this week

By MOIRA LEVY

A SIGNIFICANT press freedom case which will test the scope of legislation curtailing the right to report on any police action begins in the Cape Town Regional Court next week

Cape Times journalist Tony Weaver faces four charges of contravening Section 27(b) of the Police Act during his coverage of a shootout in Guguletu last March, in which seven alleged African National Congress guerrillas were killed

If found guilty of reporting "untrue matter" about security force actions, Weaver faces a maximum penalty of 20 years in jail and a fine of R40 000. The onus is on him to prove he took "reasonable steps" to ensure the information was true

Weaver's trial is believed to be the third trial under Section 27 (b), and the first where a journalist is charged for material published overseas. His prosecution stems from an interview he gave to the BBC in which he reported the mothers of two Guguletu victims believed their sons were shot by the police. They believed the police then planted weapons on the men and claimed they were ANC guerrillas to justify the shooting

Weaver told the BBC: "The families of both insist that neither of them have ever been involved in politics of any sort, and that both were on their way to try to find work — they were unemployed — and that both men had never been involved in any kind of ANC activity, and not even activity of any political grouping in South Africa

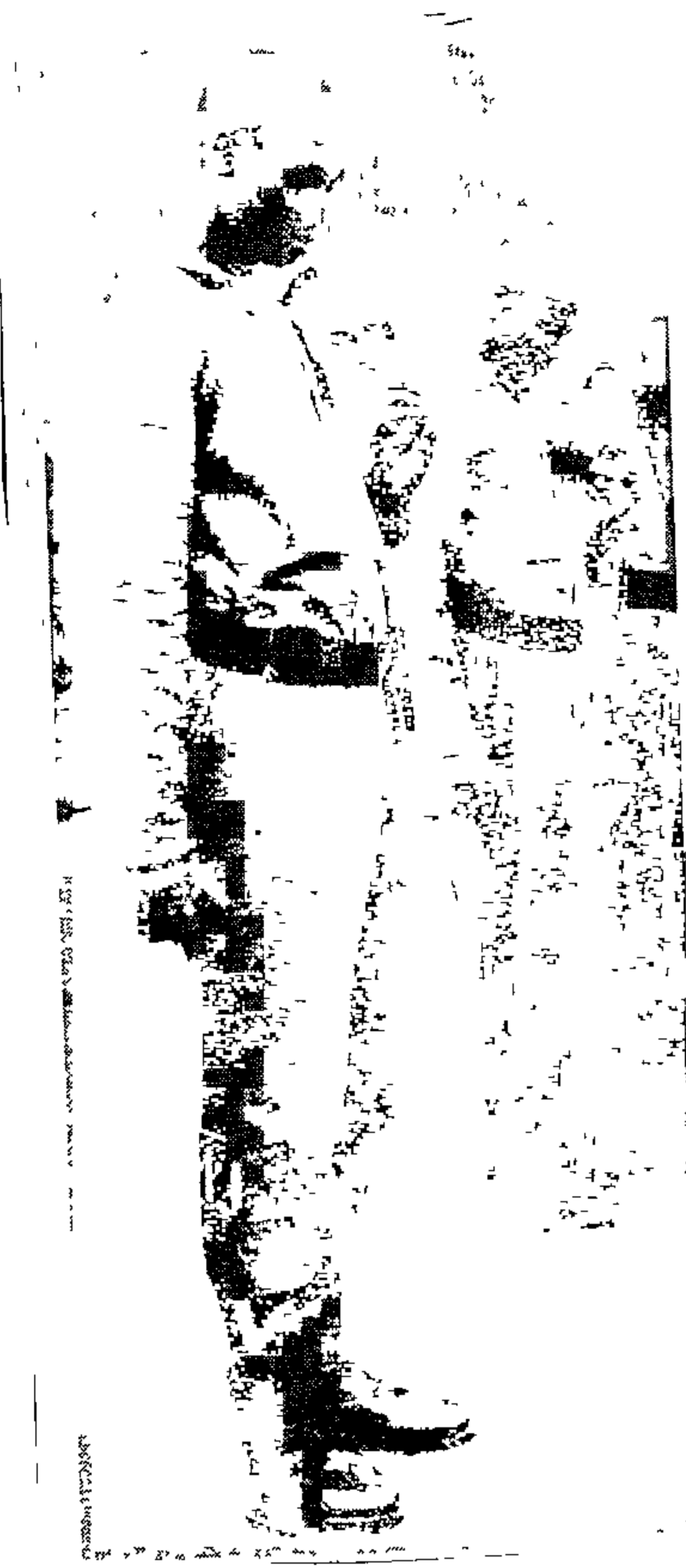
Both sets of parents believe — they are obviously extremely bitter about what has happened — they believe that their sons were set up, the whole thing was a set up. This was their feeling and obviously we have no proof of that"

Weaver's case is significant in that his defence could hinge on how he could be expected to take reasonable steps to establish whether the feelings expressed by the parents of the victims were true or untrue

In April last year Juliette Saunders, a reporter on the Eastern Province Herald was found guilty of contravening the act in a report giving eye witness accounts alleging members of the security forces had used sjamboks and fired teargas and rubber bullets at a funeral crowd

She has lodged a notice of appeal against her conviction and sentence of R100 or 20 days' imprisonment. The Herald's editor, JC Viviers, was found not guilty

(251)



Passing-out parade — in quick time

SIT 8/1/87
251
'Instant' cops

By ELSABE WESSELS

THE use of 2 000 special constables — mcknamed "kitskonstabels" (instant cops) after their short training period — is raising public concern

The special police have already been involved in several killings involving firearms. And new alarm bells were rung this week after the death of four Eastern Cape township residents

Police confirmed that three of the special constables were suspended from duty and arrested in connection with the four deaths in Grahamstown on Monday night

Shooting

Incriminating evidence has been accumulating at an alarming rate since the deployment of the first contingent of special police in October last year

● A murder docket was opened to investigate the shooting of 24-year-old Colin Coba in Guguletu on January 16 — allegedly by a group of "kitskonstabels"

● In December a second murder docket was opened after the shooting of Mr Richard Ntoyati

● A third murder docket followed the death of a Khayelitsha resident, Mr Sydney Siyo, 41, on January 30

● Police are also investigating the death of Miss Thombeki Roses Charlie, 16, at her family home in Khayelitsha on January 24

These are only a few of the incidents causing widespread concern and raising serious questions about the effectiveness of the special police force.

A police spokesman has confirmed that 1 973 spe-

spark public alarm

cial constables — all trained at Koeberg, near Cape Town — are already serving on the Reef and in the Western and Eastern Cape

Meanwhile, the debate over the unit's discipline is continuing. The special constables, who operate under the control of white senior non-commissioned officers, are very often young and nervous

Inevitably, they come under immense pressure from residents critical of their role in the townships

Tragedies

Critics say these factors, allied to a very brief training programme, are responsible for the tragedies that have already occurred

It's not a bed of roses for the special police either — violence against them has also increased

In Cape Town about six have been robbed of their firearms. One constable was stabbed to death while walking home, one was saved from being "necklaced" and another was stoned to death before being set alight

But police say the scheme is working. A spokesman said the constables were a success — and there were plans to include coloured and Indians

...the public asking whether there was anything we could do to stop young children frequenting these places," a police spokesman said.

Nozipho is real stunned

Sergeant back - in leg irons

By DAN DHLAMINI

A FORMER Ikageng Council police sergeant, presently serving a jail term for assault, this week appeared in a Potchefstroom court in leg irons to face a murder charge.

Anthony Mokwena, 29, pleaded not guilty of killing Nicodemus Ntoagae with a shotgun last October 14 in Ikageng. Magistrate Schalk van der Sandt adjourned the case to February 27 pending the Attorney General's ruling.

Mokwena and Solomon Kgwadi were each jailed for a year last month for sjambokking an Ikageng couple.

Last week Ikageng policeman Aaron Molo appeared before Magistrate Van der Sandt charged with murder and six counts of attempted murder. Molo allegedly shot dead Victor Nthongo and injured six others last December 14.

● Two of Zecrust's Mokutu Black Municipal Police Training College instructors were last week acquitted on a culpable homicide charge.

Benjamin Mokeretla and Belinda Legodi had been accused of causing the death of police student Reginald Sithole on February 11 last year.

But Zecrust Regional Court magistrate JH Pretorius found them guilty on several common assault charges.

Mokeretla was fined R50 or 25 days, conditionally suspended for two years. Legodi was also fined R50 or 25 days, conditionally suspended for two years.

Suspects

IT IS almost a year since Jo Matotie, former member of Tlokei's National Assembly died under mysterious circumstances.

Three weeks after his disappearance on March 11 last year, his partially decomposed body was found in a shallow grave in Duncan Village.

Thirty four people appeared in East London Magistrate's court on a murder charge, but they were asked to plead and no evidence

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Unrest related and non-unrest related deaths and wounding are not always separable

Deaths in police custody

35 Mrs H SUZMAN asked the Minister of Law and Order

Whether any persons died in police custody in 1986, if so, (a) how many, (b) what were their names, (c) on what date did each die, (d) in terms of what statutory provisions were they being held (e) in the custody of which police station was each such person when he died and (f) what was the cause of death in each case?

The MINISTER OF LAW AND ORDER

Yes

(a) 83

(b) and (c) From a practical point of view I am not prepared to furnish the particulars

(d) On a variety of charges, inter alia drunkenness, assault with the intent to do grievous bodily harm, rape, housebreaking, stock theft, theft, disturbance of the peace, murder, trading in dagga, public violence and robbery

(e) At various police stations country wide

(f) 27 persons as a result of natural causes

12 persons committed suicide

3 persons as a result of shooting wounds when they tried to escape from custody before being locked up

1 person as a result of stabbing wounds inflicted by fellow prisoners

Note In not one of the 43 instances finalised, have the presiding officers, in their findings, laid blame on the South African Police

HoA

In the remaining 40 deaths the Inquests are not finalised yet and I do not consider it in the interest of justice to furnish particulars regarding these cases

Juveniles killed/injured

38 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) (a) How many juveniles were (i) killed and (ii) injured as a result of action taken by the South African Police in unrest situations in the Republic in 1986 and (b) where did each (i) death and (ii) injury occur,

(2) whether any charges have been laid against the South African Police in respect of the deaths and injuries referred to above, if so, (a) in which specific cases and (b) what were the results of the investigations into each of these cases?

The MINISTER OF LAW AND ORDER

(1) I refer the honourable member to my reply to written question number 25 which is suffice

(2) Yes

(a) 41 charges, inter alia of murder, attempted murder assault with the intent to do grievous bodily harm and assault. Because of the extent and volume of the work involved in the compilation of these particulars, I am not prepared to furnish the information I, however, wish to draw the attention of the honourable member to the fact that the murder charges originated not from information forthcoming from the public, but were preferred as a result of routine police investigations

(b) In some of the cases the Attorney-Generals and Senior State Prosecutors declined to prosecute, in other instances the

23/2/87

cases were disposed of as under-
tected and false, one murder case presently serves before the Supreme Court while a number of cases are still being investigated

Note In comparison with these charges, I wish to draw the attention of the honourable member to the fact that 195 charges of assault, 33 of murder and 1 of attempted murder, where members of the Force, were the victims are also the subjects of investigations

Unrest, complainants

39 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) Whether any complainants were received and charges were laid against members of the South African Police in 1986 in connection with their actions during unrest situations, if so, (a) when, (b) how many and (c) what were the circumstances surrounding these complainants and charges,

(2) whether these complainants 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 South African 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

(b) 338

(c) Because of the variety of complainants I do not consider it feasible to supply the circumstances of each event, except to say that these complainants and charges include assault, attempted murder,

malicious injury to property, theft and crimes injuria

(2) Yes
(a) Immediately after each complaint was reported

(b) Undetected 44
False 73

Attorney General declined to prosecute 123

Withdrawn 11

Aggrieved 1

On trial 1

Under investigation 85

(3) No (a) and (b) Action will be considered after the completion of the various investigations

Note I wish to point out to the hon member that in comparison with the 338 complainants and charges submitted against members of the South African Police, 634 unrest related crimes were committed against members of the Force which crimes include assault murder, attempted murder arson and malicious injury to property

Police men, assault/homicide/murder

44 Mr S S VAN DER MERWE ask the Minister of Law and Order

(1) Whether any policeman were convicted in 1986 of (a) common assault, (b) assault with intent to do grievous bodily harm, (c) culpable homicide and (d) murder, if so, how many in each category.

(2) whether any of these policemen had previous convictions, if so, (a) how many in each category and (b) on what charges in each case,

(3) whether any of the policemen (a) with and (b) without previous convictions were discharged from the force, if so, how many in respect of each race group?

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251

HoA

Unrest related and non-unrest related deaths and woundings are not always separable

Deaths in police custody

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Whether any persons died in police custody in 1986, if so, (a) how many, (b) what were their names, (c) on what date did each die, (d) in terms of what statutory provisions were they being held, (e) in the custody of which police station was each such person when he died and (f) what was the cause of death in each case?

The MINISTER OF LAW AND ORDER

Yes

(a) 83

(b) and (c) From a practical point of view I am not prepared to furnish the particulars

(d) On a variety of charges inter alia drunkenness, assault with the intent to do grievous bodily harm, rape, housebreaking, stock theft, theft, disturbance of the peace, murder, trading in dagga, public violence and robbery

(e) At various police stations country wide

(f) 27 persons as a result of natural causes

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1 person as a result of stabbing wounds inflicted by fellow prisoners

Note In not one of the 43 instances finalised, have the presiding officers, in their findings, laid blame on the South African Police

HOA

3/2/87 Howard

15

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(a) 41 charges, inter alia of murder, attempted murder, assault with the intent to do grievous bodily harm and assault. Because of the extent and volume of the work involved in the compilation of these particulars, I am not prepared to furnish the information I, however, wish to draw the attention of the honourable member to the fact that the murder charges originated not from information forthcoming from the public, but were preferred as a result of routine police investigations

In some of the cases the Attorney-Generals and Senior State Prosecutors declined to prosecute, in other instances the

23/2/87

cases were disposed of as undetected and false, one murder case presently serves before the Supreme Court while a number of cases are still being investigated

Note In comparison with these charges, I wish to draw the attention of the honourable member to the fact that 195 charges of assault, 33 of murder and 1 of attempted murder, where members of the Force, were the victims, are also the subjects of investigations

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(2) whether these complainants 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 South African 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

(b) 338

(c) Because of the variety of complainants I do not consider it feasible to supply the circumstances of each event, except to say that these complainants and charges include assault, attempted murder,

malicious injury to property, theft and crimen injuria

(2) Yes (a) Immediately after each complaint was reported

(b) Undetected 44
False 73
Attorney General declined to prosecute 123
Withdrawn 11
Acquitted 1
On trial 1
Under investigation 85

(3) No (a) and (b) Action will be considered after the completion of the various investigations

Note I wish to point out to the hon member that in comparison with the 338 complainants and charges submitted against members of the South African Police 634 unrest related crimes were committed against members of the Force which crimes include assault, murder, attempted murder, arson and malicious injury to property

Policemen: assault/homicide/murder

44 Mr S S VAN DER MERWE ask the Minister of Law and Order

(1) Whether any policemen were convicted in 1986 of (a) common assault, (b) assault with intent to do grievous bodily harm, (c) culpable homicide and (d) murder, if so how many in each category,

(2) whether any of these policemen had previous convictions, if so, (a) how many in each category and (b) on what charges in each case,

(3) whether any of the policemen (a) with and (b) without previous convictions were discharged from the force, if so, how many in respect of each race group?

23/2/87

15

HOA

to Question No 14 on 5 September 1986, the South African Police have completed their investigation into the alleged misappropriation of trust funds by a person mentioned in the above-mentioned reply, if not, why not, if so.

(2) whether the relevant docket has been handed to the Attorney-General of the Transvaal for a decision, if not, why not, if so, (a) when and (b) with what result?

The MINISTER OF LAW AND ORDER

- (1) Yes
- (2) Yes

(a) During December 1986

(b) The docket is still in the possession of the Attorney-General

Internal Security Act

*11 Mr E K MOORCROFT 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

170 persons in respect of section 29 of the Internal Security Act, 1982

In respect of persons detained in terms of the Emergency Regulations, I do not consider it in the interest of the public to furnish the information

Policemen: assault of certain person

*12 Mr D J DALLING asked the Minister of Law and order

HOA

(1) Whether two members of the South African Police were convicted in September 1985 of the assault of a certain person in Langa, Cape Town, whose name has been furnished to the Police for the purpose of the Minister's reply, if so, what are the names of the person and the members concerned.

(2) whether the South African Police took note of the sentence imposed on them, if so, what was the sentence imposed on each such member.

(3) whether any departmental disciplinary action was taken against these policemen as a result of their conviction, if not, why not, if so, (a) what action, and (b) when, in each case?

The MINISTER OF LAW AND ORDER

(1) No, but on 4 July 1986 I do not consider it in the interest of the members concerned to reveal their names

(2) Yes Fined with R600,00 or six months imprisonment of which R200,00 for four years on condition that he is not found guilty of assault or assault committed during the period of suspension

Handwritten: Fined with R500,00 or five months imprisonment of which R200,00 or two months imprisonment is suspended for four years on condition that he is not found guilty of assault or assault committed during the period of suspension

(3) Yes (a) and (b) On 26 August 1986 both members were seriously reprimanded in terms of the Police Regulations about their conduct and they were warned that a Board of Enquiry to determine their fitness to remain in the Force will be convened should a repetition of such conduct occur

Supplementary reply to Question 32 on Tuesday, 17 February 1987, put by Mr J van Eck (col 114)

Mr J VAN ECK asked the Minister of Law and Order

(1) Whether the president of a certain association in George, particulars of which have been furnished to the South African Police for the purpose of the Minister's reply, was detained in 1986, if so, (a) on what date, (b) why (c) in terms of what statutory provisions and (d) what is the name of the (i) person and (ii) association in question.

(2) whether this person has been released, if so, (a) when and (b) why, if not, why not.

(3) whether he has been charged with any offence, if so, (a) with what offence and (b) when?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) 12 June 1986

(b) Because his conduct threatened Law and Order

(c) Regulation 3 (1) of the Emergency Regulations issued in terms of the Public Safety Act, 1953

(d) (i) It is not my policy to link the names of detainees in terms of the Emergency regulations to specific occurrences/circumstances in public
It is neither in the personal interest of a detainee to reveal his/her name
(ii) The George Civic Association

(2) Yes

HOA

(a) At 15h30 on 16 February 1987
(b) Because the necessity for his detention expired and in his particular case the Attorney General declined to prosecute

(3) No (a) and (b) Fall away

For written reply.

General Affairs

Persons killed/wounded

25 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 1986?

(2) how many in each category were (a) killed and (b) wounded while attempting to escape arrest?

The MINISTER OF LAW AND ORDER

| | | |
|-----------|------|-------|
| (1) | (a) | (b) |
| (i) | (ii) | (i) |
| (ii) | (i) | (ii) |
| Whites | 21 | 44 |
| Coloureds | 40 | 171 |
| Blacks | 558 | 1 474 |
| Asians | 5 | 12 |
| | 624 | 1 701 |
| | 92 | 387 |

| | | |
|-----------|------|------|
| (2) | (a) | (b) |
| (i) | (ii) | (i) |
| (ii) | (i) | (ii) |
| Whites | 2 | 4 |
| Coloureds | 18 | 81 |
| Blacks | 218 | 589 |
| Asians | 2 | 6 |
| | 240 | 680 |
| | 12 | 73 |

Note These statistics include deaths and wounding in respect of unrest-related in-

Deaths in police custody

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Whether any persons died in police custody in 1986, if so, (a) how many, (b) what were their names, (c) on what date did each die, (d) in terms of what statutory provisions were they being held (e) in the custody of which police station was each such person when he died and (f) what was the cause of death in each case?

The MINISTER OF LAW AND ORDER

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(a) 83

(b) and (c) From a practical point of view I am not prepared to furnish the particulars

(d) On a variety of charges, inter alia drunkenness, assault with the intent to do grievous bodily harm, rape, housebreaking, stock theft, theft, disturbance of the peace, murder, trading in dagga, public violence and robbery

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Note In comparison with these charges, I wish to draw the attention of the honourable member to the fact that 195 charges of assault, 33 of murder and 1 of attempted murder, where members of the Force, were the victims, are also the subjects of investigations

Unrest complaints

39 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 1986 in connection 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 South African 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

(b) 338

(c) Because of the variety of complaints I do not consider it feasible to supply the circumstances of each event, except to say that these complaints and charges include assault, attempted murder,

malicious injury to property, theft and crimes injuria

(2) Yes (a) Immediately after each complaint was reported

(b) Undetected 44 False 73 Attorney General declined to prosecute 123 Withdrawn 11 Acquitted 1 On trial 1 Under investigation 85

(3) No (a) and (b) Action will be considered after the completion of the various investigations

Note I wish to point out to the hon member that in comparison with the 338 complaints and charges submitted against members of the South African Police 634 unrest related crimes were committed against members of the Force which crimes include assault, murder, attempted murder, arson and malicious injury to property

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(2) whether any of these policemen had previous convictions, if so, (a) how many in each category and (b) on what charges in each case.

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(2) whether the relevant docket has been handed to the Attorney-General of the Transvaal for a decision, if not, why not, if so, (a) when and (b) with what result?

The MINISTER OF LAW AND ORDER

- (1) Yes
- (2) Yes

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HOA

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(2) whether the South African Police took note of the sentence imposed on them, if so, what was the sentence imposed on each such member.

(3) whether any departmental disciplinary action was taken against these policemen as a result of their conviction, if not why not, if so, (a) what action, and (b) when, in each case?

The MINISTER OF LAW AND ORDER

(1) No, but on 4 July 1986 I do not consider it in the interest of the members concerned to reveal their names

(2) Yes Fined with R600,00 or six months imprisonment of which R200,00 for four years on condition that he is not found guilty of assault or assault committed during the period of suspension

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Harwood
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(2) whether this person has been released, if so, (a) when and (b) why, if not, why not,

(3) whether he has been charged with any offence, if so, (a) with what offence and (b) when?

The MINISTER OF LAW AND ORDER

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(a) 12 June 1986

(b) Because his conduct threatened Law and Order

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(ii) The George Civic Association

(2) Yes

HOA

(a) At 15h30 on 16 February 1987
(b) Because the necessity for his detention expired and in his particular case the Attorney General declined to prosecute

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For written reply

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Persons killed/wounded

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(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 1986?

(2) how many in each category were (a) killed and (b) wounded while attempting to escape arrest?

The MINISTER OF LAW AND ORDER

| | (a) | (b) |
|-----------|-----------|----------|
| (1) | (i) (ii) | (i) (ii) |
| Whites | 21 44 | 0 2 |
| Coloureds | 40 171 | 3 17 |
| Blacks | 558 1 474 | 89 368 |
| Asians | 5 12 | — — |
| | 624 1 701 | 92 387 |

| | (a) | (b) |
|-----------|----------|----------|
| (2) | (i) (ii) | (i) (ii) |
| Whites | 2 4 | 0 1 |
| Coloureds | 18 81 | 0 11 |
| Blacks | 218 589 | 12 61 |
| Asians | 2 6 | — — |
| | 240 680 | 12 73 |

Note These statistics include deaths and wounding in respect of unrest-related in-

25

19 October 1986 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) when and (b) what is the name of this person.

(2) whether the investigation into the incident has been completed, if not, why not, if so, what were the findings,

(3) whether any person has been charged in connection with this incident, if so,

(4) whether he will furnish particulars of the person so charged, if not, why not, if so, what are the relevant particulars?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) 19 October 1986

(b) Sherlock Davids

(2) Yes the docket was referred to the Attorney-general for decision

(3) and (4) No the decision of the Attorney-general is not known yet

Sectional Titles Act

361 Mr D J N MALCOMESS asked the Minister of Public Works

(1) Whether the regulations in respect of the Sectional Titles Act, No 95 of 1986, have been published if so, when, if not, when is it intended that (a) these regulations will be published and (b) the said Act will come into operation.

(2) whether he will make a statement on the matter?

(1) No

The MINISTER OF PUBLIC WORKS

(a) In terms of section 54 of the Sec-

HOA

Sectional Titles Act, 1986, the Sectional titles regulation board shall inter alia make recommendations to the Minister concerning the regulations which may be made in terms of section 55 of the Act. The said board is at present working on the proposed regulations and it is expected that it will be ready for publication in June 1987

(b) In order to enable all interested parties to take notice of and to make preparations for charged procedures and instructions the Sectional Titles Act, 1986, as well as the regulations, shall be put into operation approximately six weeks after the regulations have been published

(2) No

Mobile charge office

362 Mr P G SOAL asked the Minister of Law and Order

(a) How many incidents of each specified kind were reported in 1986 to the mobile charge office in Rosebank, Johannesburg, referred to in his reply to Question No 747 on 23 April 1986 and (b) (i) how many fines had been paid, and (ii) what total amount in fines had been collected, at this charge office as at 31 December 1986?

| Incident | Number |
|--|--------------|
| Theft | 676 |
| Theft from motor vehicles | 204 |
| Theft of motor vehicles | 144 |
| Housebreaking | 141 |
| Theft of bicycles | 28 |
| Assault | 26 |
| Assault with the intent to do grievous bodily harm | 19 |
| Reckless driving | 9 |
| Robbery | 7 |
| Malicious injury to property | 2 |
| Pointing of a firearm | 2 |
| Total | 1 258 |

251
H. J. W. W. W. W.
3 2/12/87

HOA

(b) (1) 651 fines
(ii) R11 460

Decentralised industries

363 Mr P C CRONJE asked the Minister of Constitutional Development and Planning

(1) Whether the amount paid per month per employee in respect of decentralised industries differs in the various decentralisation regions, if so, (a) on what basis are these amounts calculated and (b) (i) what amount was paid per month per employee to, and (ii) how many workers were employed in, decentralised industries in Botshabelo as at the latest specified date for which information is available,

(2) whether any checks are kept on the salaries of workers in these industries, if not, why not, if so what salaries were being paid to the workers in these industries as at the above date?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) Yes

(a) The employment incentive is a fixed percentage of salaries and wages to a maximum amount per worker per month. The incentive is based on the development priorities within each region as expressed in the different levels of incentives and as set out in the manual

(b) (i) 95 percent of the wages and salaries limited to a maximum of R100 per worker per month
(ii) 5 661 in January 1987

(2) No, except for the purpose of the payment of incentives. It is not a nor-

HOA

mal function of the Government to control salaries and wages

Housing

365 Mr P G SOAL asked the Minister of Constitutional Development and Planning

Whether his Department spent any money in the 1986-87 financial year on the construction of houses for Blacks in (a) Cape Town, (b) Durban, (c) Pietermaritzburg, (d) Pretoria, (e) Port Elizabeth (f) Kimberley, (g) East London, (h) Bloemfontein and (i) Johannesburg, if not why not, if so, what amount in each case?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING.

(a), (b), (c) and (d) No

(e) Yes, a self-build scheme at a total cost (advance) of R8 071 875 has been approved. An amount of R1 500 000 has been allocated for spending during the 1986-87 financial year of which R149 202 has thusfar been expended

(f) No, but 247 two-roomed houses at a cost of R1 212 907 has been approved, the tender for the houses was approved on 5 February 1987 but no funds have thusfar been spent

(g) Yes, 20 houses for which an amount of R290 529 has been advanced are being erected, 124 houses and services for 164 erven to the amount of R2 073 275

Hansen!

(h) No
(i) No, but a project of 109 core-houses to an amount of R568 224 in Naledi has been approved of which 19 will be erected by private developers and 90 per tender by the local authority. The tenders are still to be considered by all the parties concerned and no funds have yet been expended

23/2/87

nance of existing services. It is expected that a 4 016 line extension of the Benmore Gardens exchange and a 2 968 line extension of the Kelvin exchange will be taken into service during the second quarter of this year and all the applications will be met as soon as possible thereafter.

Patrol vehicles

349 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?

| (a) | (b) |
|---------|-----|
| (i) 4 | — |
| (ii) 2 | — |
| (iii) 5 | — |
| (iv) 2 | 2 |

The MINISTER OF LAW AND ORDER

defending of criminal cases are restricted on legal aid tariff to a maximum of R240,00 and R360,00 in respectively the magistrates' and regional court, the legal costs in matters where the death sentence has been imposed are restricted on legal aid tariff to a maximum of R360,00 per application or petition. The Director of the Legal Aid Board however retained the authority to grant legal aid in deserving cases, to give instructions to advocates and senior advocates and to increase restrictions or to uplift it.

(ii) In respect of criminal and civil appeals, briefs to advocates, briefs to senior advocates and the restriction on the legal costs in divorce actions and related actions since 1 April 1986 till further notice. In respect of the other matters since 19 August 1986 till further notice.

352 Mr D J DALLING asked the Minister of Justice

Whether any legal aid services were suspended by the Legal Aid Board in 1986, if so, (a) (i) which services and (ii) for what period and (b) why were these services suspended?

The MINISTER OF JUSTICE

Yes

(a) (i) Criminal and civil appeals, all briefs to advocates in the lower courts in criminal as well as civil cases, all briefs to senior advocates in the Supreme Court in criminal as well as civil cases, cases in which the quantum of a claim is R1 200,00 or less, the legal costs in divorce actions and related actions are restricted on legal aid tariff to a maximum of R500,00, the legal costs for the

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(b) In order not to exceed the voted funds in respect of cases in which the quantum of a claim is R1 200 or less, it should also be mentioned that legal aid services were suspended because small claims courts were originally introduced to be a forum for claims of this nature.

Films on Sundays

353 Mr D J DALLING asked the Minister of Justice

- (1) How many applications were received by his Department in 1986 for permission to exhibit films on Sundays.
- (2) how many of these applications were

for permission (a) in general, (b) in a particular case and (c) in cases of a particular nature.

- (3) (a) how many of the applications in each category were (i) granted and (ii) refused and (b) what were the reasons for the refusal in each case?

The MINISTER OF JUSTICE

(1) 29

(2) (a) 18

(b) 2

(c) 9

| (a) | (i) | (ii) |
|-------------------------------------|-----|------|
| Applications in general | 14 | 2 |
| Applications in a particular case | 2 | 0 |
| Applications of a particular nature | 9 | 0 |

(b) Applications in general 2 applications were refused because the applicants applied to exhibit the films in commercial theatres 2 applications were not promoted as no answers were received from the applicants on further inquiries

Note In so far as the above-mentioned classification is concerned, it is assumed that the words "applications in general" refer to those applications in respect of which consent was requested for general permission to exhibit films on Sundays or on one or two Sundays per month. It is also assumed that the words "applications in a particular case" refer to applications to exhibit films on Sundays on specific dates and that the words "applications in cases of a particular nature" refer to applications to exhibit films of a particular category on Sundays, for example religious and cultural films and films in the Indian or Greek language

Drunkness/vagrancy

354 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 1986 for (i) vagrancy and (ii) drunkness in the (aa) Milnerton, (bb) Maitland and (cc) Pinelands police station areas?

The MINISTER OF LAW AND ORDER

(1) (aa) 27 Coloureds 13 Coloureds 4 Blacks 8 Blacks

(ii) 765 Coloureds 257 Coloureds 154 Blacks 4 Blacks 121 Whites 6 Whites 23 Coloureds 7 Coloureds 4 Blacks

(1) (bb) 2 110 Coloureds 491 Coloureds 111 Blacks 77 Blacks 23 Whites 3 Whites

(1) (cc) 1 Black 236 Coloureds 32 Coloureds 270 Blacks 10 Blacks 8 Whites

Milk-powder

355 Mr D J N MALCOMESS asked the Minister of Agriculture

- (1) Whether milk-powder is being exported at a profit, if not,
- (2) whether a levy is charged on fresh milk in order to recover the loss, if so, (a) what amount (i) had been recovered and (ii) remained to be recovered as at the latest specified date for which figures are available and (b) when is it anticipated that this levy will be discontinued?

The MINISTER OF AGRICULTURE

(1) No

(2) Yes

| (4) Financial year | Profit | Loss |
|-----------------------|------------|---------|
| March 1980 | R2 217 440 | |
| March 1981 | R1 842 014 | |
| March 1982 | R1 393 718 | |
| June 1983 (15 months) | R995 592 | |
| June 1984 | R1 375 898 | |
| June 1985 | R554 238 | |
| June 1986 | | 605 440 |

(5) Yes

(a) Breweries will be sold by public tender after the Sorghum Beer Act, 1962 (Act 63 of 1962) has been amended to provide for the privatisation of the sorghum beer industry

(b) The selling price will depend on the commercial value which potential buyers attach to it

(6) No (a) and (b) Fall away

Municipal police

270 Mr A SAVAGE asked the Minister of Law and Order

Whether any complaints were lodged with the South African Police in 1986 regarding the conduct of municipal police attached to the (a) Ibhayi Town Council and (b) KwaNobuhle Town Council, is so, (i) what was the nature of the complaints in each case and (ii) what action was taken as a result?

The MINISTER OF LAW AND ORDER

Yes

(a) (i) 49 complaints, inter alia murder, assault with the intent to do grievous bodily harm, assault, attempted murder, rape, theft and reckless driving

(ii) All complaints were investigated by the South African Police. The public prosecutor declined to prosecute in 9 cases, 6 cases

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KwaNobuhle

272 Mr A SAVAGE asked the Minister of Constitutional Development and Planning

(1) What total number of (a) households and (b) individuals was moved from (i) Langa, and (ii) Despatch, near Port Elizabeth, to KwaNobuhle during each specified month from 1 June to 31 December 1986,

| Month | Families | Individuals |
|----------------|----------|-------------|
| June 1986 | — | — |
| July 1986 | 895 | 5 813 |
| August 1986 | 2 924 | 19 006 |
| September 1986 | — | — |
| October 1986 | 1 212 | 7 878 |
| November 1986 | 39 | 2 568 |
| December 1986 | 1 595 | 10 368 |
| | 177 | 761 |
| | 354 | 2 301 |
| | — | — |
| | 30 | 195 |
| | — | — |

(2) how many trucks were used to move the persons concerned during each of these six months,

(3) what was the total estimated cost to the State of moving these persons to KwaNobuhle?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) (a) and (b) (i) and (ii)

December 1986

(2) June

none

July
August
September
October
November
December

(3) R13 487 782,62

Khayelitsha

274 Mr K M ANDREW asked the Minister of Constitutional Development and Planning

(1) Whether a decision has been taken on who will be accommodated on the 5 000 sites presently being cleared at Khayelitsha, if not, when will a decision be taken, if so, who will be accommodated on the sites,

(2) (a) what is the monthly rental for a

site at Khayelitsha and (b) who receives these rentals?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) A final decision has not been taken on who will be accommodated on the 5 000 sites presently being cleared in Khayelitsha. Settlement of persons on the new sites will commence as soon as sites are ready for occupation. Negotiations between various community groups presently living in overcrowded conditions are being conducted

(2) (a) Villages 1 and 2 Khayelitsha = R20 per month, Villages 3 and 4 Khayelitsha = not decided yet, Village 5 (Site "C") = R12,50 per month

(b) Rentals received by offices of

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CPA Community Services,
Khayelitsha
Tsitskamma toll road

278 Mr D J N MALCOMMESS asked the Minister of Transport Affairs

What was the total amount (a) collected by the concessionaires, and (b) paid to the State by them after retaining the amount due to them for their expenses and/or commission, in respect of the Tsitskamma toll road in 1986?

The MINISTER OF TRANSPORT AFFAIRS

- (a) R1 117 434,29
- (b) R489 339,28

Black Transport Services Act
279 Mr D J N MALCOMMESS asked the Minister of Transport Affairs

What was the total amount collected in terms of the provisions of the Black Transport Services Act, No 53 of 1957, in contributions from employers in the 1985-86 financial year?

The MINISTER OF TRANSPORT AFFAIRS
R55 757 634,43

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Lorries impounded

283 Mr D J N MALCOMMESS asked the Minister of Law and Order

Whether any lorries were impounded in 1986 by the South African Railways Police and the South African Police, if so, how many in each month?

The MINISTER OF LAW AND ORDER

- Yes
- In Terms of the Road Transport Act, 1977
- January 10
- February 10
- March 10
- April 10
- May 6
- June 5
- July 6
- August 10
- September 9
- October 3
- November 8
- December 10

| (a) Month | Number | (b) Reason |
|-----------|--------|--|
| January | 0 | Not applicable |
| February | 0 | Not applicable |
| March | 0 | Not applicable |
| April | 2 | No road carrier permit on the one vehicle and no invoices in respect of goods on the other vehicle |
| May | 3 | Ownership of vehicles could not be determined |
| June | 0 | Not applicable |
| July | 2 | To determine destination of goods |
| August | 0 | Not applicable |
| September | 1 | Owner could not be identified due to false numberplates on vehicle |
| October | 0 | Not applicable |
| November | 0 | Not applicable |
| December | 0 | Not applicable |

Ciskei/South Africa: joint operations

287 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) Whether the police forces of South Africa and Ciskei undertook any joint operations in 1986, if so, (a) on what dates, (b) where and (c) what (1) was the purpose and (ii) were the results of each joint operation,

(2) whether any persons were arrested or detained on these occasions, if so, (a) how many, (b) by whom, (c), where, (d), when, and (e) in terms of what statutory provisions, in each case?

The MINISTER OF LAW AND ORDER

(1) and (2) I am not prepared to make known information of this nature because co-operation between the South African Police and the police force of this independent State takes place on a continuous basis on different levels of command, which information are not centralised. I do not consider it in the interest of security to comment upon the actions of a police force of another State

Police Reserve Force

288 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 1986,

(2) how many reservists retired from service in that year?

The MINISTER OF LAW AND ORDER

| | |
|-------------------|----------------------|
| (1) Cape Province | 1 034 persons |
| Transvaal | 1 930 persons |
| Orange Free State | 382 persons |
| Natal | 748 persons |
| Total | 4 094 persons |

(2) 2 969 reservists.

Note: Retirements from duty are mainly attributed to the prescribed age limit being reached and the fact that other members became inactive

Police vehicles in accidents

289 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any police vehicles were involved in accidents in 1986, if so, (a) how many and (b) what was the total cost to the State of such accidents?

The MINISTER OF LAW AND ORDER

(a) 5 417 vehicles

(b) R3 035 270,42 of which an amount of R558 092,90 was claimed from third parties and members of the South African Police. The total expenditure thus far amounts to R2 477 177,52

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 can not be determined at this stage

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290 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 1986 and (b) how many new recruits were there during this period,

(2) what was the shortage of policemen of each rank in each province as at the latest specified date for which figures are available?

The MINISTER OF LAW AND ORDER

- (1) (a) Captain 10
- Lieutenant 32
- Warrant-officer 41
- Sergeant 250
- Constable 1 043
- Student 152
- Temporary members 123
- (b) 7 515

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As a result of the amalgamation of the former South African Railway Police with the South African Police on 1 October 1986, it is not possible at this stage to furnish the requested particulars because the *division* of the posts and members concerned are not yet finalised

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Note The total shortage in the South African Police on 31 January 1987 is as follows

- Brigadier 1
- Colonel 3
- Lieutenant-Colonel 14
- Major 62
- Captain 96
- Lieutenant 285
- Warrant Officer 733
- Sergeant 1 361
- Constable 1 587
- 4 142

291 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 1986 licensed to possess firearms 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 1986,
- (3) whether any firearms were reported lost or stolen in 1986, if so, how many,

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(4) whether, in 1986, any persons were declared unfit to possess firearms, if so, how many?

- (1) (a) 1 061 281 persons
- (b) 2 492 633 licenses

(2) (a) 229 128 applications

(b) 220 221 licenses granted

(3) Yes, 10 111 arms

(4) Yes, 986 persons

Note The number of licences issued during 1980 to 1985 is as follows

- 1980—185 042
- 1981—227 647
- 1982—147 740
- 1983—122 139
- 1984—120 558
- 1985—135 382

The 1986 increase when compared to 1985 can largely be attributed to the fact that the public licenced thousands of firearms, during the amnesty periods granted. In most of these instances licences were granted

Firearms

292 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 1986 for (i) illegal possession of firearms and (ii) being in possession of stolen firearms and (b) how many of the lawful owners of such firearms were traced in each category?

The MINISTER OF LAW AND ORDER

| | (i) | (ii) |
|-------------------|-----|------|
| Transvaal | 765 | 799 |
| Natal | 508 | 163 |
| Orange Free State | 97 | 77 |
| Cape Province | 417 | 355 |

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(b) (i) 335 (ii) 371

- Transvaal 335
- Natal 211
- Orange Free State 53
- Cape Province 239
- 311

Note A strict policy regarding the safe possession of arms is maintained. To include this policy and other aspects in existing legislation, it is anticipated to adapt the Arms and Ammunition Act, 1969, in the near future

Strikes

293 Mr S S VAN DER MERWE asked the Minister of Law and Order

How many Black workers were arrested for striking illegally in 1986?

The MINISTER OF LAW AND ORDER

977 persons

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294 Mr S S VAN DER MERWE asked the Minister of Law and Order

How many Black persons were arrested for trespass by the South African Police in 1986 in (a) each of the main urban centres and (b) the Republic?

The MINISTER OF LAW AND ORDER

| (a) | | |
|------------------|-------|--|
| Durban | 3 947 | |
| Pietermaritzburg | 1 080 | |
| Pretoria | 1 322 | |
| Port Elizabeth | 372 | |
| Queenstown | 224 | |
| East-London | 184 | |
| Kimberley | 69 | |
| Soweto | 78 | |
| Bloemfontein | 179 | |
| Heidelberg | 252 | |
| Benoni | 126 | |
| Kempston Park | 67 | |
| Germiston | 1 305 | |
| Brakpan | 125 | |
| Springs | 388 | |

HoA

Cape Town 2

Bellville 19

Johannesburg 6 676

Sandton 101

Randburg 291

Roodepoort 1 119

17926

(b) 77 458 persons

Trespass

295 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 1986?

The MINISTER OF LAW AND ORDER

(a) 1 236

(b) 11 393

(c) 367

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Note Statistics of the Transport Policing Branch in respect of trespassing on premises of the Department of Transport Services are included in these figures

Identity documents

296 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any (a) White, (b) Black, (c) Coloured and (d) Indian persons were arrested for not being in possession of an official identity document in 1986, if so, (i) how many, (ii) in terms of what statutory provisions, in each case?

The MINISTER OF LAW AND ORDER

- (a) None (i) and (ii) Fall away
- (b) (i) 423 persons

to, if not, why not, if so, (a) how many were acceded to and (b) what were the circumstances surrounding each of these cases?

The MINISTER OF DEFENCE

- (1) Yes, three
(2) Yes

(a) Three

(b) The national servicemen requested not to do duty in Black townships for personal reasons. The requests were considered sympathetically and they were employed elsewhere in infrastructure posts.

Life sentences

206 Mrs H SUZMAN asked the Minister of Justice

(a) How many persons are at present serving life sentences for offences against the security of the State and (b) in respect of what date is this information furnished?

The MINISTER OF JUSTICE

(a) 22

(b) 10 February 1987

Members killed/injured

207 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 1986?

The MINISTER OF LAW AND ORDER

(a) 42

(b) 52

208 Mrs H SUZMAN asked the Minister of Constitutional Development and Planning

What was the total number of houses built for Blacks in the 1985-86 financial year in each of the nine main urban areas in the Republic?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

| | |
|----------------------------|-------|
| Cape Town | 557 |
| Port Elizabeth | 1 443 |
| Kimberley | 582 |
| Bloemfontein | 99 |
| Witwatersrand | 4 202 |
| Pretoria | 221 |
| Pietermaritzburg | 0 |
| Durban | 0 |
| Vereeniging/Vanderbijlpark | 917 |

Death sentence

209 Mrs H SUZMAN asked the Minister of Justice

(a) How many (i) males and (ii) females of each race group were executed in the Republic in 1986 and (b) for what crime or crimes had each death sentence been imposed?

The MINISTER OF JUSTICE

(a) (i) 88 Black men were executed after having been convicted and sentenced to death for crimes committed against the following victims

26 Black men
5 Black women
4 Coloured men
2 Coloured women
25 White men
16 White women
1 Indian man
1 Indian woman

21 Coloured men were executed after having been convicted and sentenced to death

for crimes committed against the following victims

8 Coloured men
2 Coloured women
4 White men
3 White women

4 White men were executed after having been convicted and sentenced to death for crimes committed against the following victims

2 White men

In one case a Coloured man and a Coloured woman* were executed after having been convicted and sentenced to death for a crime committed against a white woman

In one case a Black man and a Coloured man were executed after having been convicted and sentenced to death for a crime committed against a White man. In one case two White men, a Coloured man and an Indian man were executed after having been convicted and sentenced to death for a crime committed against a White man.

(ii)* One Coloured woman (mentioned above)
In total the numbers are as follows

89 Black men
24 Coloured men
6 White men
1 Indian man
1 Coloured woman

121

(b) (i) Murder

81 Black men
6 White men
19 Coloured men
1 Coloured woman
1 Indian man

(ii) Rape

Coloured men

2

(iii) More than one offence
Murder and robbery with aggravating circumstances

Black men
Coloured men

3
1

Murder, robbery with aggravating circumstances and the attempted robbery with aggravating circumstances

Black men

3

Murder and rape

Black men

2

Coloured men

2

South West African/Namibian prisoners in RSA

210 Mr S S VAN DER MERWE asked the Minister of Justice

How many South West African/Namibian prisoners in South African prisons were serving sentences for crimes against the security of the State as at the latest specified date for which figures are available?

The MINISTER OF JUSTICE

None

Dominique Souchon

214 Mr S S VAN DER MERWE asked the Minister of Justice

(1) Whether a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, was charged in court with any offence in terms of the Prisons Act, No 8 of 1959, during the last two months, if so, (a) when, (b) what was the charge and (c) what is the name of this person.

(2) whether this case has been concluded, if so, what was the outcome?
The MINISTER OF JUSTICE

(1) Yes

(a) 23 January 1987

(b) Contravention of section 44 (1) (b) of the Prisons Act, 1959 (Act 8 of 1959) Alternatively a contravention of section 47 (a) (iii) of the Prisons Act, 1959

(c) Dominique Souchon

(2) No The case has been postponed to 24 March 1987.

Police men

216 Mr S S VAN DER MERWE asked the Minister of Law and Order

(2) (a)

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(i) 150

(ii) 26

(iii) 4

(b) Unfit for training

Deaths

Medical disability

Transfer to other Government Department and/or Independent States

TOTAL

Road blocks

217 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 1986, (b) on what date was each such person shot dead or injured and (c) what were the circumstances surrounding the shooting incident in each case?

(1) How many Whites, Coloureds, Blacks and Indians, respectively, enlisted in the South African Police in 1986,

(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) resignations, (ii) retirement and (iii) expulsion and (b) for other specified reasons?

The MINISTER OF LAW AND ORDER

(1) Whites 4 669
Coloureds 908
Blacks 2 615
Asians 309
These statistics represent 7 515 new appointments, 721 re-enlistments and 265 appointments in professional and skilled posts

| | Whites | Coloureds | Blacks | Asians |
|---|--------|-----------|--------|--------|
| (i) | 1 182 | 103 | 334 | 32 |
| (ii) | 150 | 16 | 145 | 8 |
| (iii) | 26 | 31 | 181 | 4 |
| (b) | 4 | 5 | 14 | — |
| Deaths | 116 | 20 | 173 | 12 |
| Medical disability | 128 | 24 | 84 | 12 |
| Transfer to other Government Department and/or Independent States | 29 | — | 397 | — |
| TOTAL | 1 635 | 199 | 1 328 | 68 |

The MINISTER OF LAW AND ORDER

(a) and (b) (i)

P Kwetu on 11 July 1986,
N Naki on 23 August 1986,
P Vanathi on 23 August 1986,
L Lungane on 6 December 1986,
B Ntlokwana on 23 December 1986,
E Ngulube on 22 December 1986

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(ii) M O Dodana on 12 June 1986, D Betho on 8 July 1986

(c) As far as the deaths are concerned, I am not prepared to furnish particulars regarding the circumstances of the incidents, because most of the inquests are not yet finalised and I do not want to anticipate the administration of justice

After it was ascertained that the vehicle in which Dodana travelled, was stolen, he tried to flee. To prevent his escape he was wounded and arrested

Betho was wounded when the police fired at a vehicle that transported dagga and in which he was a passenger

Group Areas Act

218 Mr S S VAN DER MERWE asked the Minister of Law and Order

(a) How many complaints regarding offences in terms of the Group Areas Act were investigated by the South African Police in the Republic during the latest specified period of 12 months for which information is available and (b) what was the outcome of these investigations in each case?

The MINISTER OF LAW AND ORDER

(a) 923 cases further period 1 January 1986 until 31 December 1986

(b) 69 cases were closed as false
2 cases were closed as undetected
307 cases are still being investigated

In the remaining 378 cases, the investigations were completed and the dockets referred to the different Attorney-generals and senior state prosecutors. Because of their disposal of these cases falls within the jurisdiction of the Minister of Justice, I

am not capable to furnish any further reply to the question

Group Areas Act

219 Mr S S VAN DER MERWE asked the Minister of Law and Order

(a) How many complaints regarding offences in terms of the Group Areas Act were investigated by the South African Police in the Western Cape Division during the latest specified period of 12 months for which information is available and (b) what was the outcome of these investigations in each case?

The MINISTER OF LAW AND ORDER

(a) 34 cases for the period 1 January 1986 until 31 December 1986

(b) 1 case was closed as undetected
2 cases were closed as false
3 cases are still being investigated

In the 28 remaining cases, the investigation were completed and the dockets referred to the Attorney-general and senior state prosecutor. Because the further disposal of these cases falls within the jurisdiction of the Minister of Justice, I am not capable to furnish any further reply to the question

Drugs

220 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) dagga, (ii) LSD, (iii) heroin, (iv) cocaine, (v) Mandrax and (vi) other drugs confiscated by the South African Police in 1986?

The MINISTER OF LAW AND ORDER

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| | (a) Mass/Units | (b) Estimated contrabanned value |
|--------------------|----------------|----------------------------------|
| (i) Dagga | 2 114 163 kg | R1 000 per kg—R2 114 163 000 |
| (ii) LSD | 1 712 units | R10 per unit—R17 120,00 |
| (iii) Heroin | 1 014 gram | R250 per gram—R253 500,00 |
| (iv) Cocaine | 945 gram | R250 per gram—R236 250,00 |
| (v) Mandrax | 135 769 | R5,00 per tablet—R678 845,00 |
| (vi) Other Opiates | 1 150 gram | R200 per gram—R230 000,00 |
| (vii) Tablets | 43 170 | R5 per tablet—R215 850,00 |

Group Areas

221 Mr S S VAN DER MERWE asked the Minister of Justice

(a) 4
(b) (i) 4
(ii) None

Group Areas Act

Whether any cases involving offences in terms of the Group Areas Act were referred to the Attorneys-General for decisions regarding prosecution during the latest specified period of three years for which information is available, if so, (a) how many and (b) in how many of these cases did the Attorneys-General order that prosecutions be instituted?

THE MINISTER OF JUSTICE

Yes The information is in respect of 1984, 1985 and 1986

- (a) 54
- (b) 5

Group Areas Act

222 Mr S S VAN DER MERWE asked the Minister of Justice

Whether any criminal charges were brought against any persons in the Republic in connection with offences in terms of the Group Areas Act during the latest specified period of 12 months for which information is available, if so, (a) how many and (b) in how many of these cases were (i) convictions and (ii) acquittals obtained?

THE MINISTER OF JUSTICE

Yes The information is for the 12 months ending 31 December 1986

THE MINISTER OF JUSTICE

Yes The information is for the 12 months ending 31 December 1986

HoA

of these persons were (i) acquitted and (ii) convicted?

| | 1984 | 1985 | 1986 |
|------|-------|------|------|
| (a) | 0 | 1* | 4 |
| (b) | (i) 0 | 0 | 0 |
| (ii) | 0 | 0 | 4 |

*The prosecution against this person was withdrawn

Offences/infringements of the law

225 Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) How many (a) offences and (b) infringements of the law were investigated by the South African Police in 1986,
- (2) how many of these infringements of the law related to (a) curfew regulations, (b) the registration and production of documents, (c) the Blacks (Urban Areas) Consolidation Act and (d) the illegal possession of sorghum beer and brews?

THE MINISTER OF LAW AND ORDER

(1) (a) 1 405 612 offences
(b) 623 999 infringements

(2) (a) to (c) Because all measures that controlled movement of people in these categories, in the Republic, were repealed, I do not consider it of any avail to furnish information that is no longer relevant

(d) 18 273 instances

Note This information is furnished for the period 1 July 1985 to 30 June 1986 Statistics for the period 1 July 1986 until 31 December 1986 is not yet programmed and cannot be furnished

HoA

SWA: persons held

226 Mr S S VAN DER MERWE asked the State President

Whether any persons are being held in South West Africa under Proclamation (a) AG 26 and (b) AG 9, if so, (i) how many persons in each case and (ii) in respect of what date is this information furnished?

THE STATE PRESIDENT

(a) (i) None,

(ii) as on 6 February 1987

(b) (i) 12,

(ii) as on 6 February 1987

SWA/Namibia: detentions

227 Mr S S VAN DER MERWE asked the State President

(a) How many persons who are being held under Proclamation AG 9 in South West Africa/Namibia have been in detention for more than 30 days and (b) in respect of what date is this information furnished?

THE STATE PRESIDENT

(a) None,

(b) 6 February 1987

Primary/secondary schools

228 Mr P G SOAL asked the Minister of Education and Development Aid

What total number of (a) primary and (b) secondary schools was there in each specified departmental region as at 31 December 1986?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID

| | |
|------------------------|-------|
| (a) Northern Transvaal | 1 219 |
| Highveld | 859 |
| Johannesburg | 272 |

Handwritten notes and signatures

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 1986 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) 46 persons

(b) 2 for 1 day
1 for 3 days
2 for 4 days
4 for 5 days
1 for 6 days
3 for 7 days
1 for 11 days
1 for 12 days
3 for 14 days
5 for 15 days
2 for 16 days
4 for 20 days
1 for 23 days
1 for 26 days
5 for 28 days
1 for 29 days
2 for 30 days
1 for 31 days
1 for 33 days
1 for 35 days
1 for 45 days
1 for 55 days
1 for 58 days
1 for 91 days

(2) Yes

(a) 41 persons

(b) 12 persons

(3) No

(a) and (b) Fall away

Teachers

199 Mr K M ANDREW asked the Minister of Education and Development Aid

(1) (a) How many Black teachers were employed by his Department in (i) primary, (ii) secondary and (iii) high schools in the Republic as at the latest specified date for which figures are available and (b) what was the increase of decrease in numbers for each type of school compared with those as at a date one year earlier,

(2) what percentage of such teachers are in possession of a (a) university degree, (b) teaching diploma (c) matriculation certificate and (d) junior certificate?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID

(1) (a) (i) 36 937

(ii) 10 380

(iii) Numbers included in secondary schools

(b) The increase from 1985 to 1986 was—

(i) 1 629

(ii) 1 069

(iii) Numbers included in secondary schools

(2) (a) 2,74%

(b) 82,83%

(c) 43,33% (included are the 2,74% graduates)

(d) 56,67% (Junior certificate or lower)

Figures as on 4 March 1986

Members suspended/dismitted

201 Mr K M ANDREW asked the Minister of Law and Order

Whether any members of the South African Police were (a) suspended and (b) dismissed in 1986 as a result of arrests, interrogations, detentions or other unrest-related activities, if so, how many in each case?

THE MINISTER OF LAW AND ORDER

Yes

(a) 7

(b) 1

Citizen Force/Commandos

202 Mr K M ANDREW asked the Minister of Defence

(1) Whether, with reference to his replies to Question No 1 on 12 February 1986 and Question No 879 on 2 May 1986, he will now furnish information on the number of persons who failed to report for service in the South African Defence Force, if not, why not, if so, how many persons failed to report for (a) military service in July 1986 and February 1987, respectively, and (b) (i) Citizen Force camps and (ii) Commando duty in 1986,

(2) whether any of those who failed to report in 1986 were traced, if so, how many in each case,

(3) whether the South African Defence Force took any steps against those traced, if so, (a) what steps, and (b) against how many persons, in each case?

THE MINISTER OF DEFENCE.

(1) No The situation is unchanged

(2) and (3) The hon member is referred to the reply to section (2) and (3) of

the written question No 879 of 15 April 1986

Military service/Citizen Force camps/Commando duty

203 Mr K M ANDREW asked the Minister of Justice

Whether his Department keeps statistics on the number of persons who were charged in magistrates' courts with failure or refusal to report for service in the South African Defence Force, if not, why not, if so, (a) how many persons were so charged with failure or refusal to report for (i) military service, (ii) Citizen Force camps and (iii) Commando duty in 1986 and (b) what was the outcome in each case?

THE MINISTER OF JUSTICE

No The hon member is referred to my reply to written Question No 35 of 1986 (Hansard column 399)

Black townships: members deployed

204 Mr K M ANDREW asked the Minister of Defence

Whether any (a) Coloured and (b) Indian members of the South African Defence Force were deployed in Black townships in 1986, if so, how many in each case?

THE MINISTER OF DEFENCE

(a) and (b) Yes It is policy not to divulge personnel strengths

National servicemen

205 Mr K M ANDREW asked the Minister of Defence

(1) Whether any national servicemen requested the South African Defence Force in 1986 not to require them to do duty in any Black townships in the Republic, if so, how many,

(2) whether these requests were acceded

Approved
23/2/87
300

I wish to point out to hon members that should the above-mentioned figures be brought into perspective, it will be noticed that crime tendencies fluctuate. In some instances crime reflects drastic increases and in others it reflects similar decreases. Crime tendencies differ from one area to another, while the population density is also an important contributing factor. Increases in crime can mainly be ascribed to

- (a) The economical recession,
- (b) resulting unemployment, and
- (c) the abuse by criminal elements of unrest situations to commit crime

The increase in crime is an universal tendency, and even causes great concern during international crime conferences

| | (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) | (m) |
|----------------|-----|-----|-----|-------|-----|-----|-----|-----|-----|-------|-----|-----|-----|
| Amanzimtoti | 95 | 35 | 266 | 174 | 38 | 121 | 349 | 115 | — | 1 795 | 192 | — | — |
| Isipingo | 112 | 21 | 477 | 320 | 51 | 93 | 160 | 51 | 160 | 1 059 | 162 | 1 | — |
| Montclar | 96 | 26 | 181 | 384 | 46 | 128 | 209 | 103 | 72 | 977 | 218 | — | — |
| Umbumbulu | 113 | 22 | 144 | 52 | 25 | 5 | 144 | 45 | 33 | 145 | 8 | — | 1 |
| Umlazi | 228 | 54 | 677 | 1 341 | 144 | 60 | 274 | 22 | 391 | 1 297 | 170 | — | — |
| Wentworth | 23 | 1 | 131 | 472 | 18 | 31 | 150 | 57 | 42 | 583 | 101 | — | — |
| Brighton Beach | 17 | 6 | 62 | 199 | 5 | 183 | 264 | 28 | 26 | 920 | 163 | — | — |

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- (b) resulting unemployment, and
- (c) the abuse by criminal elements of unrest situations to commit crime

The increase in crime is an universal tendency, and even causes great concern during international crime conferences

Durban South: offences
182 Mr P H P GASTROW 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 aggravating circumstances, (i) robbery, (j) common theft, (k) theft of vehicles and cycles, (l) possession of drugs and (m) dealing in drugs were reported at each specified police station in the Durban South police district of the Port Natal Division in 1986?

The MINISTER OF LAW AND ORDER

Training of policemen/women

183 Mr G B D MCINTOSH asked the Minister of Law and Order

- (1) (a) How many colleges for the training of (i) policemen and (ii) policemen 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

23/2/87

(NS)

ed 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 colleges
- (b) Pretoria
- (c) Bishop Lavis, Cape Town
- (d) Wentworth, Durban with additional accommodation at Cato Manor
- (e) Hammanskraal

(2) (a) 4 233 members
(b) 696 members
(c) 264 members
(d) 2 412 members

Randburg: crimes
184 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 (j) possession of drugs were reported at each specified police station in the Randburg police district in 1986?

The MINISTER OF LAW AND ORDER

| | (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) |
|---------------|-----|-----|-----|-----|-----|-----|-------|-----|-------|-----|
| Randburg | 43 | 25 | 172 | 476 | 49 | 242 | 1 468 | 498 | 3 430 | — |
| Alexandra | 116 | 8 | 451 | 274 | 69 | 161 | 97 | 359 | 62 | — |
| Bramley | 31 | 44 | 57 | 154 | 15 | 547 | 1 249 | 383 | 1 250 | — |
| Halfway House | 12 | 41 | 44 | 50 | 13 | 36 | 159 | 62 | 676 | — |
| Sandton | 13 | 34 | 73 | 225 | 25 | 113 | 951 | 255 | 1 649 | — |

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I wish to point out to hon members that should the above-mentioned figures be brought into perspective, it will be noticed that crime tendencies fluctuate. In some instances crime reflects drastic increases and in others it reflects similar decreases. Crime tendencies differ from one area to another, while the population density is also an important contributing factor. Increases in crime can mainly be ascribed to

- (a) The economical recession,
- (b) resulting unemployment, and
- (c) the abuse by criminal elements of unrest situations to commit crime

The increase in crime is an universal tendency, and even causes great concern during international crime conferences

General sales tax
185 Mr B B GOODALL asked the Minister of Finance
What amount in general sales tax had been derived from (a) individuals, (b) companies, (c) the (i) building and construction, (ii) retail, (iii) wholesale, (iv) manufacturing and (v) services sectors in the (d) any other specified sources in the 1986-87 financial year as at the latest

HOA

23/2/87

lished, or if the development of the foreshore has proceeded to a stage where the existence of the Board is no longer necessary, the Board may be abolished. The Board was entrusted mainly with the lay-out, development and management of the Foreshore, Cape Town and had in 1979 completed the work necessary for the future development of that area. Abolishment of the Board took place with approval of Parliament because the Act has been amended in 1978 to effect the transfer of Board's powers, duties, assets and rights possible.

(b) When the Board was abolished its powers vested in the State. The foreshore has been included in the area of jurisdiction of the City Council of Cape Town and the municipal ordinances are therefore applicable to the foreshore.

Laaplek: complainants about members

502 Mr S S VAN DER MERWE asked the Minister of Law and Order

(1) Whether the South African Police have received any complainants with regard to the conduct of members of the Police at Laaplek at the time of an incident that took place in December 1986 if so, (a) what was the part of these complainants and (b) (i) where and (ii) when were they lodged.

(2) whether he or the South African Police have taken any action with regard to these complainants, if not, why not, if so, (a) what action and (b) when?

The MINISTER OF LAW AND ORDER

(1) Yes, in January 1987 and not in December 1986

(a) That the South African Police

HOA

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Signature: [Signature]

failed to attend to a complaint which arose from an incident on 3 January 1987, when a member of the public allegedly shot the late Jonathan Slabbert

(b) (i) The complaint was submitted to the head office of the South African Police

(ii) On 13 January 1987

(2) Yes (a) and (b) A departmental investigation into the allegation was ordered immediately

Special constables

503 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether special township constables who wish to resign are required to pay a sum of money before being released from their commitments, if so, (a) what sum and (b) why?

The MINISTER OF LAW AND ORDER

Before I reply to the question I want to draw the attention of the honourable member to the fact that the South African Police do not employ township constables. Should the honourable member refer to special constables, my reply to the question is as follows

No (a) and (b) Fall away

Resignation: money required

504 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether members of the South African Police who wish to resign are required to pay a sum of money before being released from their commitments, if so, (a) what sum in respect of each rank and (b) why?

The MINISTER OF LAW AND ORDER

Yes

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Signature: [Signature]

(a) R250,00 during the first year of duty R150,00 during the second year of duty R100,00 during the third year of duty R50,00 during any subsequent year of duty

Should a member of the South African Police who served for a continuous period of three years, beforehand give a minimum of three months written notice, payment of the money falls away

Payment of money is applicable only to members below the rank of a commissioned officer

(b) Because training of members of the South African Police involve major financial expenditure, and payment of such sums of money by junior members partly compensates therefore

Port Elizabeth: family housing units

508 Mr A SAVAGE asked the Minister of Constitutional Development and Planning

(a) How many new family housing units for Blacks were built in Port Elizabeth in 1986 and (b) what (i) is the estimated number of persons waiting for, and (ii) was the total cost of building such units?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(a) 1 160

(b) (i) 24 984

(ii) R58 025 000

Bus operators

509 Mr A SAVAGE asked the Minister of Transport Affairs

What was the extent of the subsidy granted to bus operators in respect of commuter traffic in each of the four main metropolitan areas in the 1985-86 financial year?

Handwritten: 23/2/87
Signature: [Signature]

The MINISTER OF TRANSPORT AFFAIRS

| | |
|---|----------------|
| Pretoria, Witwatersrand and Vaal Triangle metropolitan area | R89 565 282,66 |
| Durban/Pietermaritzburg metropolitan area | R60 911 432,73 |
| Cape Town metropolitan area | R22 443 495,22 |
| Port Elizabeth/Uitenhage metropolitan area | R 9 226 483,65 |

Cape Town: vagrancy/drunkenness

510 Mr K M ANDREW asked the Minister of Law and Order

How many (a) males and (b) females of each race group were arrested in 1986 for (i) vagrancy and (ii) drunkenness in the Cape Town police station area?

| The MINISTER OF LAW AND ORDER | |
|-------------------------------|---|
| (i) | (a) 358 Coloureds 157 Coloureds 41 Blacks 4 Blacks 17 Whites 2 Whites |
| (ii) | 2 504 Coloureds 1 449 Coloureds 113 Blacks 48 Blacks 305 Whites 16 Whites |

Stellenbosch police district: offences

512 Mr P A MYBURGH 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 (j) possession of drugs were reported at each specified police station in the Stellenbosch police district in 1986?

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Signature: [Signature]

The MINISTER OF LAW AND ORDER

Council wants better pay for its police

*Soweto
25/2/87*
(21)
(21)

THE Katlehong Town Council has requested an urgent meeting with the Minister of Constitutional Development and Planning, Mr Chris Heunis, to discuss the salary structure of their policemen.

The council has also requested the Minister of Law and Order, Mr Adriaan Vlok, to attend the meeting. The request follows a strike by about 400 Katlehong municipal policemen last October who were demanding a salary increase.

Following the two-day strike on October 28 and 29 in which cars,

By MZIKAYISE EDOM

council property and two houses belonging to councillors were damaged by the rampaging policemen, 115 of them were detained under the emergency regulations

After their release from detention a month later the policemen were dismissed by the Katlehong council. They have not yet been replaced.

Mr Thami Siluma, the mayor of Katlehong, yesterday said the council has sent two telegrams to Mr Heunis in Cape Town demanding an urgent meeting to discuss the salary structure of their policemen.

He said the telegrams were sent on February 5 and on Tuesday this week.

"We have not received any response from Mr Heunis and we will send him another telegram demanding an urgent meeting. If he doesn't respond we will have no alternative but

to fly to Cape Town and confront him there.

"We want council policemen throughout the country to earn better salaries," Mr Siluma added.

He said since December last year council policemen and members of the South African Police received the same training. He said: "There is no reason why SAP members should earn more than council policemen."

"We will demand from the Minister that municipal policemen should earn the same as SAP members."

Mr Siluma said he has been negotiating with the Government on this matter since last October but has received no response.

Council policemen earn a minimum salary of R276,50 and a maximum of R1 878,50 a month. Eight percent of the money comes from the Government and the rest comes from the black authorities.

Cmp + Tim's
26/2/87 (251)

Constable 'showed' bus driver his rifle

Court Reporter

A "KITSKONSTABEL" told an Athlone magistrate that because a bus driver was reluctant to allow him a "free ride", he showed him his rifle to convince him its serial number corresponded with that on his police card.

Special Constable Steelfas Nombewu, 25, of Crossroads, pleaded guilty to illegally possessing a firearm on February 14 and pointing a rifle at a driver in Nyanga on February 8.

The pleas were changed to not guilty. Co-accused Mr Christiaan Morris, 35, of Crossroads, pleaded not guilty to possessing a firearm.

Constable Nombewu said he boarded a bus and showed the driver, Mr Abubakar Abrahams, his police card. Mr Abrahams was not satisfied that the card entitled him to a "free ride" and demanded money.

Constable Nombewu said he pointed the rifle at Mr Abrahams. Mr Abrahams jumped off the bus.

A bus inspector informed Mr Abrahams the policeman was entitled not to pay.

Sergeant Hendrikus Hansen, Constable Nombewu's platoon commander, said he had searched the constable's house after receiving information he had an illegal firearm.

After failing to find the weapon, he had been taken to another house in Crossroads where they found Mr Morris asleep with a pistol under the blankets.

The hearing was adjourned to March 3.

Mr R Jaga was the magistrate. Mr B Julius prosecuted. The two men were not represented.

Rape trial of five Ibhayi cops is postponed

Post Reporter

THE trial of five Ibhayi Town Council policemen on charges of rape and indecent assault was postponed in the New Brighton Magistrate's Court today pending further investigation

Before Mr G Bruwer were Sergeant Keith Anthony Hackard, 28, Sgt Francois Phillip Swanepoel, 20, Constable Leonard Nyaniso Puzi, 26, Const Colbert Zwem, 24, and Const Telson Ngangelanga Madolo, 24.

The addresses of the last three accused were given as Kwazakele Single Men's Quarters.

Details of the alleged offences were not available on the charge sheet.

Soon after the five appeared in court for the first time, it was established that they had not been suspended from duty pending the outcome of the trial.

It was also learnt that bail of R300 each had been paid by the Ibhayi Town Council.

When the policemen appeared briefly in court today, they were not in uniform.

They were not asked to plead and the case was postponed to March 19

Mr L Swarts appeared for the State and Mr S Skubbe for the defence

R100 million

claims hit SAP

251
City Press
1/3/87

By SOL MORATHI

HUNDREDS of lawsuits – which may exceed R100-million in total value – have been filed against the Law and Order Minister since the state of emergency was declared on June 12 last year.

The suits centre mostly around the alleged deprivation of liberty and freedom of movement, loss of support and allegations of physical abuse and impairing of dignity and self respect of plaintiffs, who include workers and professionals.

A Pretoria lawyer says his firm has handled over 10 such cases – with claims totalling R8 million – since June 12, and was still filing more claims against the Minister.

Other lawyers said they had "too many cases" to calculate the damages involved offhand. But several lawyers *City Press* spoke to each estimated their claims totalled over R5-million.

The cases have been instituted as a result of alleged malicious acts committed by South African Police members against the plaintiffs.

The Minister is held responsible as the police are "at all material times" in his employ.

Legal experts believe the Minister may be facing damages claims well over R50-million – and possibly as high as R100-million – if claims from around the country are taken into account.

Lawyers practising in the Cape Province and Natal confirmed that they, too, were handling dozens of cases with claims totalling millions of rands.

A State Attorney spokesman said in Pretoria yesterday that he could not give offhand – the overall damages the Minister was facing.

But he confirmed the figure might be "high" considering the number of summonses they were receiving daily.

One remarkable case has been instituted by two Soshanguve lawyers – attorney Ntendeya Moses Mavundla and advocate Bernard Makegebo Ngoepe.

Mavundla and Ngoepe are each claiming R15 000 following their "humiliation of dignity and self respect" resulting from police actions and their subsequent arrests last June 16.

The two say in their combined summonses that they were ordered out of Ngoepe's Soshanguve residence by SAP members.

They were then ordered to pick up and remove stones on the road outside Ngoepe's home.

They say they were then manhandled, pushed around and threatened with arrest and detention under the emergency regulations.

Ngoepe was afterwards arrested and driven in a Casspir to the local police station where he was held.

Mavundla was also arrested on the same day after he had gone to the Soshanguve police station to ask where Ngoepe was.

They say the police conduct was

Seven families homeless after massive Soweto fire

By DERRICK LUYATI

A FIRE allegedly started by an angry dweller totally destroyed seven shacks in an Orlando East backyard yesterday causing damages estimated at R15 000 before being extinguished.

The alleged arsonist, a woman staying in one of the burnt shacks was saved from death by the police who arrived in the nick of time when angry neighbours were beating her up and were about to throw her into the fire.

The woman in her mid 20s was quickly removed by the police and taken to the Orlando Police Station, before she was transferred to the Baragwanath Hospital and has been placed under police guard.

The burnt shacks are all situated in the backyard of Eric Zuma's Letsame Street home.

Only two shacks were not destroyed by the fire. The rest of the furniture bedding and clothes are heaps of ash.

The incident took place at about 7 30am yesterday when most of the destroyed shack-dwellers had gone to work and their children to school.

It is alleged that the arsonist had a quarrel with one of her neighbours on Wednesday night over the use of the tap in the yard.

Bekinkosi Zuma, said he was attracted to his shack by a large crowd and following fire. "When I arrived I found my wife Fikeleni holding our two-year-old baby on one hand and throwing out our clothes."



Neighbours help put out the Orlando East fire that R15 000.

PIONEER WHOLES CASH AND CARRY

7 CROWN ROAD, FORDSBURG
(A subsidiary of Goolam's Cash & Carry)
834-6561/2

GRAND OPENING SPECIAL

PRICES HOLD WHILE STOCKS LAST
CASH OR BANK GUARANTEED CHEQUES

THURSDAY, FEBRUARY 19

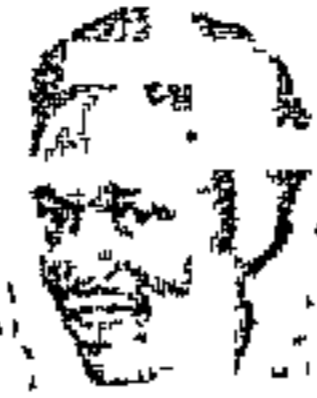
| | | |
|--|--|--|
| Willowton Parboiled Rice 10 kg R5,99 10 x 2 kg R15,99 (Unit price R1,59) 20 x 1 kg R15,99 (Unit price 79 9c) 5 kg R3,49 40 x 500 g R15,99 (Unit price 39,9c) | SUNFOIL Pure Sunflower Oil 20 litre R42,99 10 x 2,5 litre R59,90 (Unit price R5 99) 6 x 5 litre (Tins) R65,34 (Unit price R10,89) 12 x 750ml (Plastic bottles) R19,99 (Unit price R1 67) 12 x 500g (Plastic bottles) R14,99 (Unit price R1,25) | TASTY MANGO & SCHOOL BOY ACHAAR 4 kg R6,49 9 kg R11,49 STEEL WOOL 50 x 25 g R6,29 (Unit price 12 5c) KOO Spaghetti 12 x 425 g R6,29 |
|--|--|--|

THE EMERGENCY
 This newspaper has been produced under emergency regulations, which amount to censorship. The restrictions effectively suppress information of public interest. No details of unrest or security force action can be published without permission. However, within the limits of these restrictions, City Press will continue to make every effort to provide objective coverage.

Your face could be worth R1 000

IN these days of escalating costs of living, City Press is looking for a face that could be worth

By SOL MORATHI



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The suits centre mostly around the alleged deprivation of liberty and freedom, loss of support and allegations of physical abuse and impairing of dignity and self-respect of plaintiffs, who include workers and professionals

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Legal experts believe the Minister may be facing damages claims well over R50-million – and possibly as high as R100-million – if claims from around the country are taken into account

Lawyers practising in the Cape Province and Natal confirmed that they, too, were handling dozens of cases with claims totalling millions of rands

A State Attorney spokesman said in Pretoria yesterday that he could not give offhand – the overall damages the Minister was facing

But he confirmed the figure might be "high", considering the number of summonses they were receiving daily

One remarkable case has been instituted by two Soshanguve lawyers – attorney Ntendeya Moses Mavundla and advocate Bernard Makgebo Ngoepe

Mavundla and Ngoepe are each claiming R15 000 following their "humiliation of dignity and self-respect" resulting from police actions and their subsequent arrests last June 16

The two say in their combined summonses that they were ordered out of Ngoepe's Soshanguve residence by SAP members

They were then ordered to pick up and remove stones on the road outside Ngoepe's home.

They say they were then manhandled, pushed around and threatened with arrest and detention under the emergency regulations

Ngoepe was afterwards arrested and driven in a Casspir to the local police station where he was held

Mavundla was also arrested on the same day after he had gone to the Soshanguve police station to ask where Ngoepe was

They say the police conduct was

- Unlawful and without any provable cause
- Directed at impairing their dignity and self-respect
- Malicious and in utmost bad faith

The damages claims are instituted in respect of unlawful arrest, wrongful detention and injuria

Certain other allegations may not be published in terms of the emergency regulations

The Minister's response to the allegations has not yet been filed

THE EMERGENCY

This newspaper has been produced under emergency regulations which amount to censorship. The restrictions effectively suppress information of public interest. No details of unrest or security force actions can be published without permission. However, within the limits of these restrictions, *City Press* will continue to make every effort to provide objective coverage.

Your face be worth

IN these days of escalating costs of living, *City Press* is looking for a face that could be worth R1 000.

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Boy not made to sign indemnity — police

JOHANNESBURG — The 14-year-old cricket fan allegedly bitten by a police dog at the Wanderers on Saturday was not made to sign an indemnity exonerating the police from responsibility, a police spokesman said today.

Clarifying reports on the incident, he confirmed the boy, Jonathan Lester, had bumped into the police dog handler and that the dog had allegedly bitten him.

Following regulations, the policeman had entered details of the incident in his logbook and the boy had been asked to sign this as confirmation they were correct.

The spokesman said he

knew of no formal complaint having been laid so far by the boy's father, Mr Errol Lester, but said it was his full right to do so.

The matter would then be fully investigated.

The youth was taken to hospital where he was treated for a minor wound.

After the incident, Col Frans Malherbe said police dog handlers were preventing crowds from running on to the field.

He said the police were protecting the players as they left the field.

A dog handler was standing near the picket fence when his dog lashed out and scratched Jonathan.

251 E Post 2/3/87

GOVT PAY \$250 000

251 Sapa 2/2/87

Damages for Archbishop of Durban

THE Ministers of Law and Order and Justice and the Attorney-General have agreed to pay the Archbishop of Durban, the Most Rev Denis Hurley, R25 000 in a settlement of damages claim.

The Archbishop's claim, which was to be heard in the Pretoria Supreme Court, follows his prosecution after he made some statements about atrocities allegedly committed in Namibia by the counter-insurgency unit, Koevoet.

Archbishop Hurley said he held a press conference on February 3 1983.

Security forces

During the conference he was asked questions about a report on Namibia issued in 1982 by the South African Catholic Bishop's Conference in which allegations were made about atrocities committed by members of the South African security forces.

As a result of these allegations the archbishop was prosecuted for unlawfully publishing false statements about Koevoet, namely that the security forces in Namibia were still perpetrating atrocities against local blacks.

He was acquitted of the charge.

In the settlement agreement read to the Pretoria Supreme Court yesterday the archbishop stated that he intended to and was communicating information



A SERIOUSLY ill patient is wheeled into Sebokeng Hospital yesterday as the hospital entered its second crisis week without adequate medical staff. See story on Page 2.

To Page 2

MOTOR SPARES

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From Page 1

that had come to him by way of reports from various sources, and that this appeared from his own qualification. 'I have a suspicion that atrocities do take place.'

The settlement went on to say that it was not his intention to make factual allegations that the police counter-insurgency unit, Koevoet, or its members, were responsible for the massacre of a family at Oshkuku during the night of March 9, 1982, or for the detention deaths of the people he referred to as Kavango teachers.

An inquest court found that unknown members of Koevoet were responsible for the death of one of the Kavango teachers, while two other members of Koevoet were convicted of common assault.

Massacre

Another inquest court found that insurgents had committed the Oshkuku massacre.

He added that no allegations were intended to or in fact did amount to allegations detracting from the integrity of the office of the Attorney-General.

The Ministers of Law and Order, the Minister of Justice and the Attorney-General undertook to pay him R25 000 of his original R124 047 claim, in view of his expensive legal costs, but without admitting any liability — Sapa

2 shot dead: defence cites emergency

Policeman claims he cannot be prosecuted

(S) (S) 3/3/87



n. 4001

By Lesley Cowling

A policeman who shot dead two Soweto schoolboys today pleaded not guilty to murder and cited the emergency regulations in his defence.

Mr Jacobus Johannes Laubscher (22) of Esselen Street, Hillbrow, also pleaded not guilty to attempted murder for wounding a third child

Today his defence counsel said the prosecutor was not empowered to proceed against Mr Laubscher because he was granted an indemnity by emergency regulation 11

Regulation 11 states that no civil or criminal proceedings shall be brought in any court of law against any member of a force who acts in good faith in the interests of the maintenance of public order and public safety.

Mr P.A. Hattingh, SC, for Mr Laubscher, said the basis of his defence was that the shots were fired during incidents of public violence in a state of emergency.

He was also acting in self-defence, Mr Hattingh said

Mr Justice MJ Strydom made no ruling on the defence submission and the prosecution case continued

Mr Jacobus Laubscher ... "shots were fired during incidents of public violence"

Died

The State alleges that Mr Laubscher, a police detective constable with the Riot Investigation Unit at Moroka, Soweto, was driving in a white car on August 28 1985 in Dlamini, Soweto, when he approached Ibhongo High School

Two children, Spencer Simelane (17) and a 15-year-old youth were in the schoolyard. It is alleged he shot Spencer in the back and George under the right shoulder blade. Spencer later died of his wound.

The State alleges that Mr Laubscher was not in uniform at the time but used a service pistol

The 15-year-old was later acquitted of a charge of public violence

On September 1985 Mr Laubscher drove an unmarked white car past Jabula High School in Soweto, the State alleges.

Thuso Godfrey Phuroe (17) was on the school property. Mr Laubscher shot him three times with a police shotgun

The hearing continues

Death of pupils was in 'good faith'

25
3/3/87
See Post

JOHANNESBURG — A policeman who shot dead two Soweto schoolboys today pleaded not guilty to murder and cited the emergency regulations in his defence.

Mr Jacobus Johannes Laubscher, 22, also pleaded not guilty to attempted murder for wounding a third child

His defence counsel said the court was not empowered to proceed against Mr Laubscher because he had been granted idemnity by emergency regulation 11

Regulation 11 says no civil or criminal proceedings shall be brought against any member of a force who acts in good faith in the interests of the maintenance of public order and public safety

Mr P A Hattugh, SC, for Mr Laubscher, said the basis of his defence was that the shots were fired during public violence in a state of emergency

Prosecutor Mr J A Swanepoel said that "good faith" was an important aspect of the regulation and could be decided only after all the evidence had been presented

The State alleges that Mr Laubscher, a police detective constable with the Riot Investigation Unit at Soweto, was in a white car on August 28, 1985, in Soweto, when he approached the Ibhongo High School

Spencer Simelane, 17, and George Mbatha, 15, were in the schoolyard. It alleged he fatally shot

Spencer in the back and George under the right shoulder blade.

The State alleges Mr Laubscher was not in uniform at the time, and had used a service pistol

George Mbatha, who was arrested by Mr Laubscher on a charge of public violence, was acquitted in a Johannesburg Regional Court

In September, 1985, Mr Laubscher drove an unmarked white car past Jabula High School in Soweto

Thuso Godfrey Phuroe, 17, who was on the school property, was shot three times with a police shotgun by Mr Laubscher, according to the State.

After both incidents Mr Laubscher said his car had been stoned by pupils

W/m
4 *

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83 people died in police custody

CAPE TOWN—A total of 83 people died in police custody in 1986, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday in a written reply to a parliamentary question from Mrs Helen Suzman (PFP Houghton)

consider it in the interest of justice to furnish particulars regarding these cases,' Mr Vlok wrote — (Sapa)

3/3/87

Asked for their names and the dates of death, he said 'From a practical point of view I am not prepared to furnish the particulars'

They were being held on a variety of charges, among them drunkenness, assault with intent to do grievous bodily harm, rape, house-breaking, stock theft, theft, disturbance of the peace, murder, trading in dagga, public violence and robbery

'In not one of the 43 instances finalised have the presiding officers in their findings laid blame on the South African Police,' he said

Of these cases, 27 had died of natural causes, 12 committed suicide, three died as a result of shooting wounds when they tried to escape and one was stabbed by fellow-prisoners

'In the remaining 40 deaths the inquests are not finalised yet and I do not

Accused had arrested Bishop Tutu's son

Emergency cited as defence in pupil killing

By Lesley Cowling

The policeman charged with the murder of two Soweto schoolboys was the officer who had arrested Archbishop Desmond Tutu's son, Trevor, in Soweto during the first state of emergency, the Rand Supreme Court heard yesterday

Mr Jacobus Johannes Laubscher (22), of Esselen Street, Hillbrow, yesterday pleaded not guilty to the murder of two children he allegedly shot dead, citing the emergency regulations in his defence. He also pleaded not guilty to attempted murder for allegedly wounding a third child.

Questioning a policeman yesterday who investigated the incidents, Mr Laubscher's defence counsel submitted that Mr Laubscher, at the time of the shootings, had been an important witness in a Supreme Court application for Mr Tutu's release.

The policeman, Warrant Officer N J Visser, confirmed this Mr

Tutu had been arrested by Mr Laubscher

Mr Tutu had been arrested at Protea Magistrates' Court on August 26 during a court hearing where more than 300 Soweto pupils faced charges under the emergency regulations. He was later detained under the regulations. The Rand Supreme Court had dismissed an urgent application for his release.

Mr Laubscher's counsel, Mr P A Hattinck, SC, has said the prosecutor was not empowered to proceed against Mr Laubscher because he was granted an indemnity by emergency regulation 11.

Regulation 11 states that no civil or criminal proceedings shall be brought against any member of a force who acts in good faith in the interests of the maintenance of public order and public safety.

The basis of Mr Laubscher's defence was that the shots had been fired during incidents of public violence in a state of emergency.

Mr Laubscher had a duty to act to maintain public order and

public safety and had done so. He had acted in self-defence.

State Prosecutor Mr J A Swanepoel said good faith was an important aspect. It could be decided only after all the evidence had been heard.

Mr Justice M J Strydom has made no ruling on the defence submission and the State is continuing to lead evidence.

Yesterday, the State handed in a number of written statements made by Mr Laubscher after the two incidents.

In one he said he had been driving past Ibhongo High School on August 28 1985 when he saw two children outside school premises. One ran back to the school, but another ran towards the houses. He stopped and put the child in his car.

"I saw the children running in my direction."

He jumped out and noticed a pupil in a blue shirt and pants bend and pick up a stone. "I fired a shot in his direction."

He left without seeing that he had hit the boy.

In another statement he said he had fired at two children outside Ibhongo High School.

Two children, Spencer Sime-lane (17) and a 15-year-old were hit in that incident. Spencer died of his wound. The other was later acquitted of a charge of public violence.

The second incident occurred on September 18 1985, at Jabula High School. In one statement, Mr Laubscher said he was attacked by a group of schoolchildren who threw stones at the vehicle he was driving.

"In the middle of the violent stoning attack, I saw the big ringleader throw a stone at the vehicle which hit the left back door. In self defence, I fired three shots in his direction."

In another statement, he said he had fired at the ringleader because "there was no other way to arrest him".

Thuso Godfrey Phuroe (17) died from three shotgun wounds.

The hearing continues.

Accused of killing two Soweto schoolboys Mr Jacobus J Laubscher.

Abrahams 4/3/87 251

'Kitskonstabel' late for work — hijacked bus

Court Reporter

A "KITSKONSTABEL" used a rifle to hijack a City Tramways bus in Nyanga because he was late for work, an Athlone Magistrate's Court has heard

Special Constable Steelfas Nombewu, 25, of Old Crossroads, was convicted of unlawfully pointing a rifle at bus driver Mr Abubakar Abrahams on February 8

He was also convicted of possessing an unlicensed firearm on February 14

He pleaded guilty to both charges but after questioning him a plea of not guilty was entered by the magistrate, Mr R Jaga

BLUE OVERALLS

Co-accused Mr Christiaan Morris, 35, of Old Crossroads, was acquitted

Bus driver Mr Abrahams said that early on February 8 he was on his way to Nyanga bus terminal when a special constable wearing dark-blue overalls and a cap stopped the bus and asked for a lift, saying he was late for work

"I was not supposed to pick up passengers but I would have done him a favour if he had paid the fare"

Mr Abrahams said bus drivers were not allowed to carry kitskonstabels free of charge.

"He refused to pay and I refused to move and then he cocked the rifle, lifted it and pointed it at my face.

"I found myself looking down the barrel and I was terrified

"BE CAREFUL"

Mr Abrahams dropped Nombewu near the bus terminal "He showed me a white card and said 'You be careful I'm a policeman'"

Nombewu said in evidence that at Koeberg Training Camp they were told that because they protected the buses they were allowed to ride without paying

On the second charge, of possessing an unlicensed firearm, Nombewu said he confiscated the gun from some "tsotsis" and was conducting an "investigation" to find the rightful owner

In mitigation of sentence Nombewu said he supported his mother in the Transkei and was new to Cape Town He asked for a two-year suspended sentence

Mr Jaga said "In both cases you abused your position as a policeman"

For pointing a firearm Nombewu was fined R200 (or two months) with a further eight months conditionally suspended for four years

On the second charge he was fined R150 (or 75 days) conditionally suspended for three years

Cape Times 4/3/82

Constable fined for possessing gun

By YVETTE VAN BREDA
Court Reporter

251

A "KITSKONSTABEL" whose evidence was described by an Athlone magistrate as "hilarious", was yesterday fined for illegally possessing a firearm and pointing a rifle at a bus driver

Special Constable Steelfas Nombewu, 25, of Old Crossroads, was fined R200 (or two months), and received a further eight months suspended for four years, for illegally possessing the firearm, which he claimed was dropped by a group of fleeing "tsotsis"

He said he wanted to keep the gun so that he could conduct further investigation and this was why he had not reported it

He was further fined R150 (or 75 days), suspended for three years, for pointing a rifle at a bus driver, Mr Abubakar Abrahams

Passing sentence, the magistrate, Mr R Jaga, said he could not believe Nombewu's claim that he intended to show the driver that the numbers on the gun and those on his police card corresponded, in order to "get a free ride"

Mr Jaga acquitted Mr Christiaan Morris, Nombewu's co-accused, and said he believed that Mr Morris had not thought it illegal when Nombewu had given him a firearm to keep, as Nombewu was a policeman

"Why did you deny that you had a firearm when your superior questioned you about it?" Mr Jaga asked. "When the prosecutor asked you why, you said you thought your superior was asking whether you had AK-47s or bombs"

Mr V Jantjies prosecuted Nombewu was not represented

Constable convicted of killing

W/M 4/3/87 (25)

Court Reporter

A 27-YEAR-OLD constable, Jaines Moodley, was sentenced to two years' imprisonment, suspended for four years, by Mr R Oosthuizen in the Durban Regional Court yesterday for culpable homicide

His conviction followed the death of Const Robert Johannes de Flemming, 25, at the Medico-Legal Laboratories in Durban on June 15 last year

The Court heard that Moodley was checking his gun to see whether it was set at safe

A shot went off and Moodley dropped the gun in shock. Three other shots were then fired from the gun and Const de Flemming was fatally wounded

Passing sentence the Magistrate said Const de Flemming had been a colleague and friend of Moodley's

He told Moodley that because of his negligence he had caused untold misery for Const de Flemming's loved ones

He said Moodley would be haunted by the incident for many years. He was satisfied that Moodley had been deeply shocked

251 & N/wm 4/3/87

Witness told evidence could incriminate him

Mercury Correspondent

JOHANNESBURG—

The policeman who investigated events which led to a colleague being charged with the murder of two Soweto schoolchildren was warned in the Rand Supreme Court yesterday that he would have to give evidence that could incriminate him in attempting to defeat the ends of justice

His colleague, Jakobus Johannes Laubscher, has pleaded not guilty to murdering Spencer Masokane Simelane, 17, and Thuso Godfrey Phuroe, 17, while on duty in an S.A.P. unit in Soweto in August-September 1985

He has also pleaded not

guilty to attempting to murder a 15-year-old pupil on August 28, 1985

Mr Laubscher has pleaded that he cannot be found guilty of murder on the grounds that the shootings took place during incidents of public violence under a state of emergency

Shots

His defence is also that he had a legal duty to react which he did and was also protecting his own safety

The State alleges that Mr Laubscher, who was on duty in plainclothes at the time, stopped outside the Ibhongo High School on August 28, 1985, and fired two shots, fatally wounding Simelane and injuring the 15-year-old youth who were in the schoolgrounds at the time

It is further alleged that on September 18, 1985, Mr Laubscher stopped his police car outside the Thaba Jabula High School and fired three shots, killing Phuroe

According to the State case, after both incidents Mr Laubscher reported to his superior officer that he had fired after stones were thrown at his car

Before Det W/O Nicolaas Johannes Visser testified counsel for the State, Mr Jan Swanepoel SC told the Court what the allegations against the policeman were

Duplicate

He said it was alleged that W/O Visser had removed a statement made by Mr Laubscher from the dossier handed to the Attorney-General and replaced it with another bearing the same date as the first

Under cross-examination W/O Visser told the defence

counsel that he had taken another statement from Mr Laubscher and put it into the dossier after his superior officer, Col Stoltz, said a more complete statement was required

W/O Visser said he had put the original statement into the duplicate dossier he had

Earlier, counsel for Mr Laubscher put it to W/O Visser that his client would testify that thousands of children were taken into custody and held under the emergency regulations because they were outside school grounds during school hours

He was told that Mr Laubscher would also testify that it was the duty of the police to arrest schoolchildren if they were found outside grounds during school hours

He replied 'Yes' to both statements

The trial continues before Mr Justice M D Strydom today

I'd shoot kids if stoned — cop

5/5/82
Sue Post
157

JOHANNESBURG — A colleague of the policeman who is charged with shooting two Soweto schoolboys dead was questioned by a Rand Supreme Court judge yesterday on the circumstances in which he would fire at schoolchildren

Warrant Officer N J Visser gave evidence in the trial of Detective Constable Jacobus Johannes Laubscher, 22, of Hillbrow

He pleaded not guilty to the murder of Spencer Simelane and Thuso Godfrey Phuroe, both 17

He is also accused of attempting to murder a third schoolboy

Const Laubscher cited the emergency regulations in his defence

Mr Justice Strydom warned WO Visser he could be prosecuted for attempting to defeat the ends of justice

The warning was given after the court heard that, while investigating the shootings, WO Visser removed a statement by Const Laubscher from the docket and substituted a different statement

Yesterday, WO Visser said he would fire on pupils stoning his vehicle "if his life was in danger"

He was unlikely to fire a warning shot "because we have found it has little effect in such circumstances", he said.

If he was driving in a vehicle and was attacked by stone-throwers, he would keep driving rather than shoot.

Defence counsel Mr P

A Hattingsh SC, asked whether "he would fire into the group or pick out individual leaders"

He said he would probably fire into the crowd, but would pick out individuals if he could

Earlier, Const Laubscher's counsel said he could not be prosecuted because the policeman was indemnified by emergency Regulation 11

The hearing continues

... Both the... of improbabilities... The evidence... does not take the matter any further."

CAPL 17/15 5/3/77 251

Laaiplek police death: 2 in court

Staff Reporter

TWO MEN appeared before Mr V Erasmus in Laaiplek Magistrate's Court this week in connection with possible murder charges relating to the death of a policeman who was fatally wounded in an incident outside the Laaiplek police station on January 4.

Constable Pieter J van der Merwe died after he was hit by a stone the day

after an alleged racial incident in Laaiplek in which a 17-year-old youth, Jonathan Slabbert, was killed.

Mr Ralph Carolus, 26, of Noordhoek, Laaiplek, and Mr Eso Coetzee, 30, of Protea Street, Laaiplek, were not asked to plead and the case was adjourned until June 30 pending a decision by the Attorney-General.

The men were released on R300 bail.

HURRY! HURRY! ENDS SOON

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Soweto schoolboy victim shows his scar in court

By Lesley Cowling

A Soweto schoolboy, injured during the first state of emergency by a policeman who shot dead two other boys, took off his shirt in the Rand Supreme Court yesterday to show his scar.

The boy, a 15-year-old who may not be named, was being cross-examined in the trial of Mr Jakobus Johannes Laubscher (22) for the murder of schoolboys Spencer Simelane and Thuso Godfrey Phuroe

Mr Laubscher is also charged with attempting to murder the boy. He has pleaded not guilty to all charges, citing the emergency regulations in his defence.

Yesterday, the court heard the boy was wounded in his right side, under his arm, by a bullet fired from Mr Laubscher's service pistol.

He was asked to take off his shirt by counsel for Mr Laubscher, Mr P A Hattingh SC, who said he wanted to see the angle at which the bullet had entered and exited his body

The boy agreed to do this Mr Hattingh approached him and the boy moved his arm about at his instructions.

Earlier, he told the court that on August 28 he left the school building in the morning to play soccer outside. As he was crossing the yard, he heard a shot.

Children shouted: "Watch, watch," and he turned back towards the building to run. "As I turned, I felt a pain in my side. I fell to the ground," he said.

There was no stone-throwing at the time the incidents took place, he said. He said he had made two statements to the police and denied he had said there was stone-throwing at the school.

He was taken to Baragwanath Hospital with Spencer Simelane, who died of his wound. Later, he was arrested by Mr Laubscher, who told him he was the person who shot Spencer, he said. He was tried for public violence and acquitted.

"Then, he (Laubscher) was in the witness box and I was in the dock," he said.

Earlier, Mr Justice M J Strydom questioned a policeman who worked with Mr Laubscher at Moroka Police Station, Soweto, on the circumstances in which he would fire on schoolchildren. Warrant Officer N J Visser said he would fire on schoolchildren stoning his vehicle "if his life was in danger".

He was unlikely to fire a warning shot "because we have found it has little effect in such circumstances", he said. However, if he was driving in a vehicle and was attacked with stones, he would keep driving rather than shoot.

Mr Laubscher's counsel, Mr Hattingh, has said his client could not be prosecuted because the policeman was granted an indemnity by emergency regulation 11 which states no civil or criminal proceedings shall be brought in any court of law against any member of a force who acts in good faith in the interests of the maintenance of public order and public safety.

The hearing continues.

'One of them will surely die there'

Witness tells of police attack on mourners

By Adele Baleta

One of the policemen who dispersed mourners at a Sebokeng funeral in 1984 wiped the blood off the blade of a butcher's knife and said "Seker een van hulle gaan dood daarso" (one of them will surely die there) according to evidence in a treason trial at Delmas

Mr Morake Petrus Mokoena (48), one of 19 treason accused and a former community councillor, was testifying in his defence

He described the events on September 23 1984 at the funeral of Sebokeng resident Mr Joseph Sithole

He said the procession to the cemetery was led and followed by the police "Police in army Hippos were at the graveyard and before the diggers had finished shovelling earth into the grave they took up positions as if they were trying to encircle the mourners.

"Before the people were able to reach their vehicles the police fired teargas There was confusion and shots could be heard from all directions," he said

An order was given that no one was to leave the cemetery

"Brigadier Viljoen (a State witness) arrived and as the police were busy sjambokking and firing rubber bullets at the mourners I heard him say 'Slaan die kaffirs'

"People were scattering in all directions and it seemed the police objective was just to hit them I got into my car and several other people climbed in but they were sjambokked out of it," he said

After people were rounded up near the police vehicles they were told to leave the cemetery Mr Mokoena said he went to the house of the deceased

High treason

He and his fellow 18 accused are being tried for high treason, murder, subversion and terrorism The charges arise from the countrywide unrest in 1984 and 1985 Mr Mokoena is the fourth accused to testify since the defence case began on January 20

Mr Mokoena, secretary of the Evaton Ratepayers' Association, was the master of ceremonies at the funeral where the Ministers Solidarity Group was launched, their function being to bury the dead

Fellow-accused and a member of the Azanian Youth Union, Mr Patrick Baleka, was a speaker at the funeral

Mr Sithole was allegedly beaten to death by a group of shopkeepers who said he had robbed their shops and worn a "Release Mandela" T-shirt

Earlier Mr Mokoena said he knew nothing about the ill-fated march to the Houtkop Development Board offices and the stayaway on September 3 1984

He attended an ERPA meeting at the Roman Catholic church at Small Farms on the morning of August 26 1984 and not a later meeting when the march was decided on

On September 3 Mr Mokoena was at his home in Evaton

"At about 10 30am I noticed smoke coming from the direction of Zone 11 and 12 in Sebokeng

"I saw about 300 people running madly across the veld from Zone 11 in the direction of Small Farms, Evaton They attacked an Indian store which was closed," he said

Mr Mokoena said he had only heard about the deaths through his neighbours He had first met most of his fellow accused in prison and others were only known to him after May 1984

R50 200 claim AZAPO BOSS SUES MINISTER

I was assaulted — Molala

AZANIAN People's Organisation president Mr Patrick Nkosi Molala, who lost an eye last September

By NKOPANE MAKOBANE

when he was shot in White City, Soweto, is suing the Minister of Law and Order and the Minister of Defence for R50 200.

According to papers filed in the Rand Supreme Court on Tuesday, Mr Molala of 67 Ramatsui Street, Atteridgeville, Pretoria, was assaulted by unknown members of either the police or the defence force. He claims he was shot in the face by projectiles and/or ammunition

As a result of the assault, he says, he sus-

tained severe injuries. Among other things, he lost his left eye.

He is claiming R200 for medical and hospital expenses, R5 000 for estimated future medical expenses, R35 000 for general damages which include shock, pain and disfigurement, permanent disability and loss of amenities of life and R10 000 for humiliation and impairment of dignity.

Mr PATRIC Molala . . . claims he was shot.

Unrest

POLITICAL violence in South Africa has claimed 2 387 lives during the past two and half years, but is now quite clearly on the wane, the South African Institute of Race Relations said in Johannesburg yesterday.

R BOARD

EMENT ON

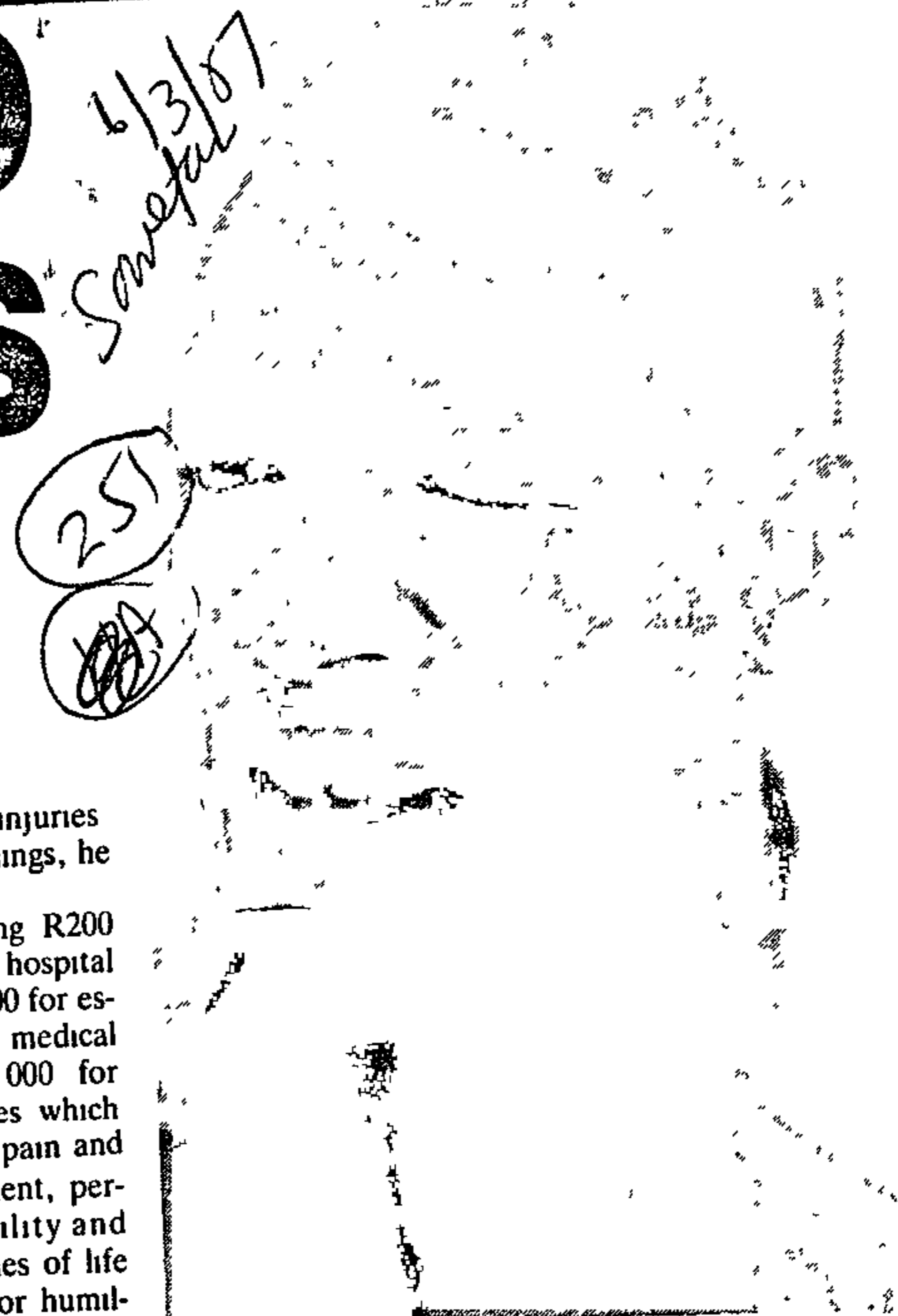
QUESTIONS IN PARLIAMENT

SIX people were shot dead and two injured at South African Police roadblocks in 1986, the Minister of Law and Order, Mr Adriaan Vlok, said in the House

rounding the deaths because most of the inquests had not yet been finalised and he did not want to anticipate the administration of justice

In an attached note, he said most of them (8 673) entered the Eastern Transvaal area illegally from Mozambique

* * *



6/3/87
Soweto

251
[Signature]

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been compelled
extreme regret

716 killed in police actions

By BARRY STREEK
Political Staff

POLICE shot and killed 716 people, including 92 juveniles, and injured 2 088 people in the execution of their duties last year, the Minister of Law and Order, Mr Adrian Vlok, said yesterday.

He also said 249 policemen were convicted of assault, culpable homicide and murder during 1986 — and 30 of them had previous convictions, including two who were convicted of murder.

During unrest last year, 27 members of the police force were killed and 185 members were injured
Mr Vlok revealed this when he re-

plied to a number of questions which were tabled in Parliament by Mr Trian van der Merwe (PFP, Green Point) and Mr Roger Hulley (PFP, Constantia)

He said 240 of the 624 adults and 12 of the 92 juveniles shot and killed by the police in the execution of their duties, had been shot attempting to escape, while 680 of the 1 701 adults and 73 of the 387 juveniles injured had been wounded trying to escape

Mr Vlok said 196 members of the police were convicted of assault, 25 of whom had previous convictions of assault or assault with intent, while 35 were convicted of assault with intent to do, grievous bodily harm, one of whom was previously convicted of assault and one had previously been convicted of assault with intent

Of the 10 members convicted of culpable homicide, one had a previous conviction of assault with intent while one of the eight convicted of assault had a previous conviction of assault with intent

In the case of another member convicted of murder, his previous conviction was for armed robbery but he appealed after he was suspended from duty, convicted and sentenced. However, before the result of the appeal was known he was charged with the murder.

Mr Vlok said 14 members with previous convictions and 30 without previous convictions were discharged from the force

Appropriate steps in terms of the police regulations were taken against the remaining 16 members with previous convictions, who were convicted

of "minor assaults", and the 189 first offenders

He said a variety of causes, including necklace murders, attacks with firearms, pangas, axes, hand grenades, petrol bombs and burnings, had resulted in the deaths of 27 policemen and the injury of 185 in unrest

Between July last year and January this year, 304 had died in unrest-related incidents, 91 of whom were killed by the South African and municipal police forces

Mr Vlok said 12 members of the security forces were killed and 201 persons were killed by other persons, and 1 draw attention to the fact that virtually without exception, these deaths were caused by radicals

CHIEF (IMP) 7/2/87
Fined 'kitscop' dismissed *ESD*

A "KITSKONSTABEL" fined for pointing a firearm at a bus driver and for illegally possessing a firearm, has been relieved of his job and is no longer in the police force. This was yesterday confirmed by a police spokesman, who said special constable Steelvas Nombewu, 25, was immediately suspended at the start of an investigation which resulted in him being fined R200 (or two months) and a further eight months suspended for four years, for illegally possessing a firearm.

(S) (B) (251)

By Duncan Guy

Squatters say police burnt down huts after evictions

A group of "at least 20 policemen" destroyed a collection of mud huts at Roodekrans, north of Johannesburg, after evicting five adults and five children on Friday night, residents said on Saturday.

The policemen also set fire to one hut, they said.

The residents said on Thursday police issued them with a notice to vacate by 7 pm the next day.

"We had to first to try to find a place to go — and we started

to do that on Friday," said Mr Norman Masilela who has lived in the area all his life.

"Just before 9 pm on Friday night about seven vehicles arrived. One was a 'Hippo' which they use to flatten the houses," said Mr Masilela.

A spokesman for the Police Directorate of Public Relations said a "local authority force" had probably dismantled the

shacks but he confirmed that police had supervised

The spokesman said later the inhabitants of the huts had dismantled their own homes.

He would only confirm the police had acted against illegal squatters who had been warned to vacate the property following complaints

The action against the "squatters" has angered local white

residents and one described the events of Friday night as "utterly brutal"

Another local landowner, Mr Tony Dugan, said he was "dismayed and disgusted".

"We have known these people for years and, while they seem to have taken it quite well, one wonders what they are really thinking," he said.

The homeless people scattered to nearby properties where they made plans to stay with relatives. Local white residents provided them with food.

12 injured as riot breaks out at sports stadium

251 By Craig Kotze, Crime Reporter

At least 12 people were injured and eight arrested at the weekend after a school sports event in Westbury, west of Johannesburg, erupted into violence.

Riot police used teargas, rubber bullets and live ammunition to control the rioters outside the Union Stadium on Saturday.

Police said the violence apparently started after a fight between two drunks and the arrest of one

Thousands of rands damage to property — including five police vehicles and a private bus — was caused as the fleeing youths stoned passing cars and passers-by, police said.

A four-year-old Mayfair boy, M Ehrke, and three policemen were among the injured, a police spokesman said.

An injured man is under police guard in Hillbrow Hospital

● To Page 3, Col 8

Police use teargas to disperse riot mob

● From Page 1

after being shot by police, the spokesman said

According to a spectator, the chaos started after a minor "altercation" between two drunk men in the grandstand.

"Up to that point the local coloured police were controlling the whole set-up but then a Caspir with a whole lot of white policemen rolled up," Mrs Maureen Hassim said

She said the police were "not restrained in their actions but were arrogant and aggressive, shouting at everyone".

Mrs Hassim and other witnesses said spectators reacted to the police actions

Lieutenant-Colonel Frans Malherbe, Witwatersrand police media liaison officer, said the violence erupted after a mob stoned a policeman who arrested a drunk man

"The policeman fired his shotgun into the air after a mob of about 20 aggressive people started stoning him. He then left to fetch reinforcements"

When the police returned a fight broke out among the crowd and the Riot Squad was called in, but the crowd attacked the policemen

Teargas was then used to clear the stadium but the rioters gathered in Doring Street, where police again used teargas to disperse them

The injured are Mr C Lourens (37) of Krugersdorp; Mr C van Jaarsveld (32) of Kempton Park, Mr J Supra (54), and Mr J Kalesky (38) of Claremont, Mr J Muller (37) of Newlands, M Laram (14) of Mayfair; Constables A. Maritz, K Holtzhausen and Sergeant F Edwards.

head of the Anglican church in Southern Africa
is visiting Britain for the first time

local taxi.
No other details were given.

R15 000 for wounded boy

The Rand Supreme Court has awarded damages of R15 000 against the Minister of Law and Order to the family of a boy whose right eye was permanently damaged from shotgun wounds.

Mr Justice McCreath found last week that Mr Elijah Mngomezulu, who claimed the money on behalf of his son, Raymond, had proved the boy was shot in the face by police on August 24 1984.

The boy was 17 at the time. He was fired at with a shotgun after police fired teargas at a crowd of schoolchildren who had gathered at a school.

Police also sjambokked children to disperse them. No incidents of stonethrowing or public violence had taken place there.

The police had denied firing shotguns on that occasion, saying it had not been necessary to do so.

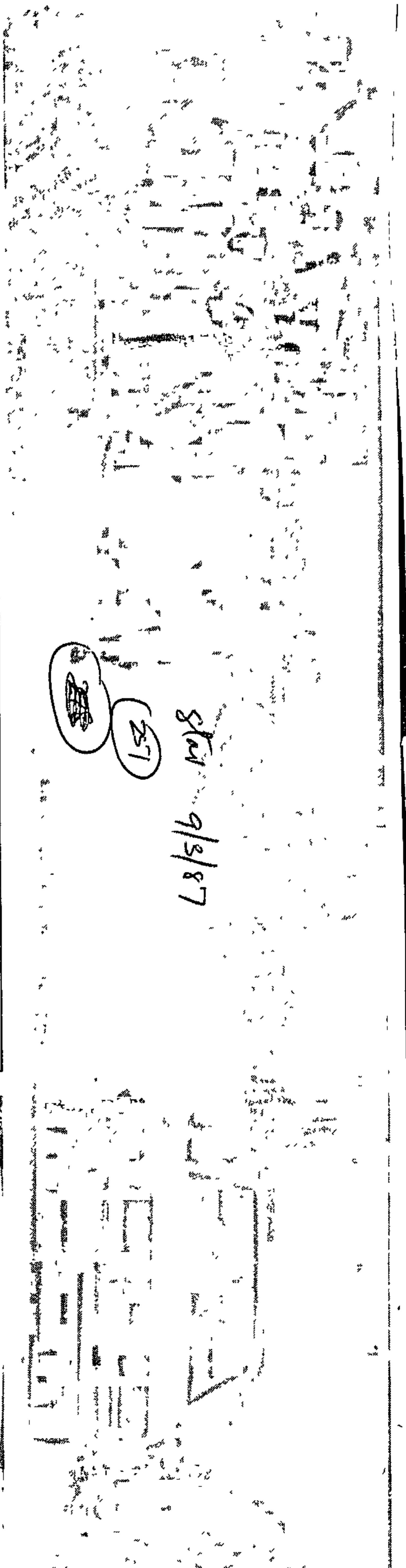
'Scissors murder' man weds

every programme.

...into sea by rain

152

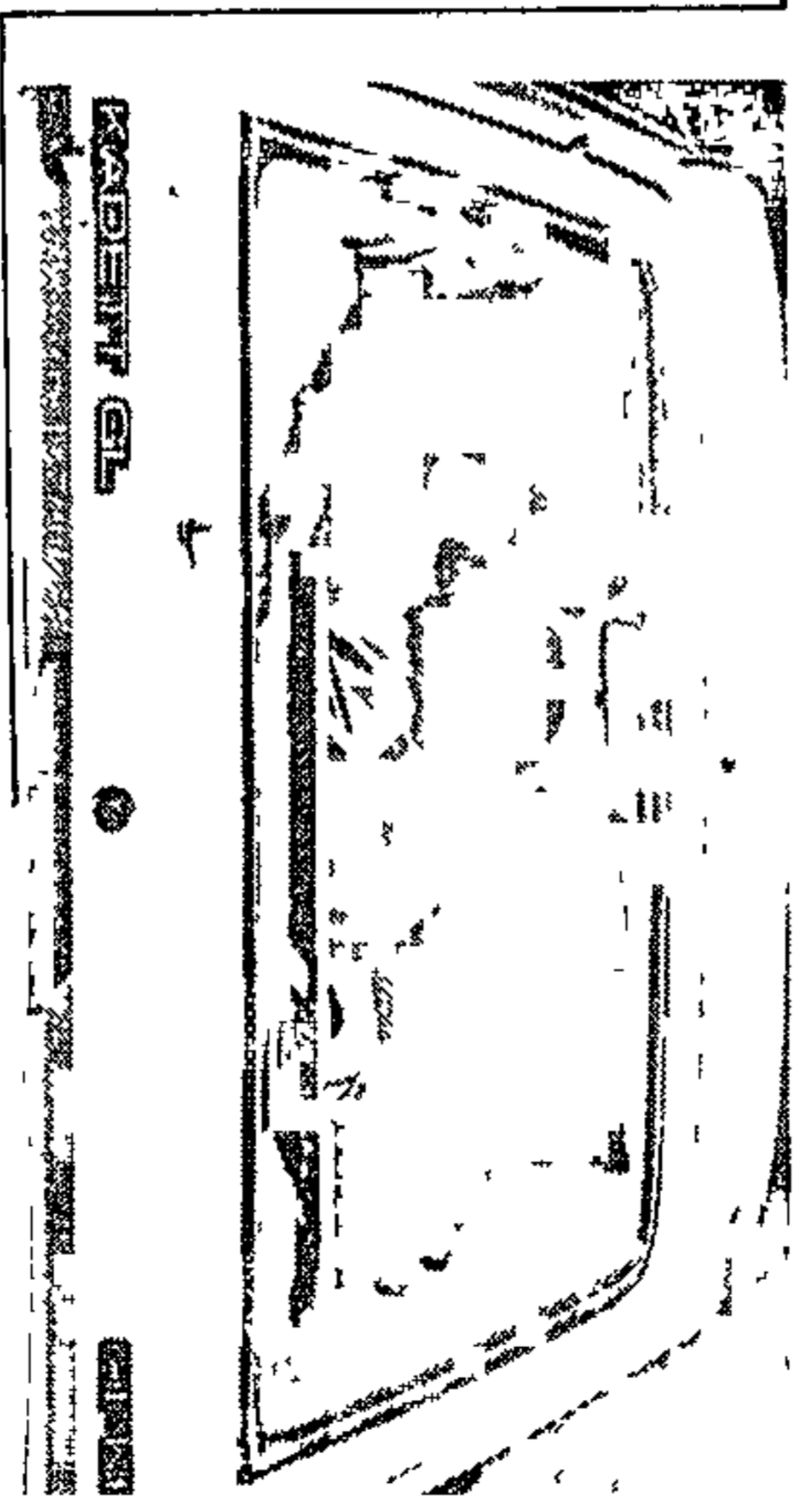
9/3/87



Vehicles smashed by youths

A group of Westbury youths pelt a passing motorist with stones shortly after police had attempted to arrest two drunks at the Union Stadium near Newlands on Saturday. FAR RIGHT: A terrified family peers through the shattered rear window of their car after they had run the gauntlet of rock-throwing in Dowling Street.

● Pictures by Ruvan Boshoff.



Six people were shot dead and two injured at police roadblocks in 1986, the Minister of Law and Order, Mr Adriaan Vlok, said in a written reply to Mr Tian van der Merwe (PFP Green Point).

251 307

STAR 9/3/87 ★★★★★

DPSC call: SAP won't prosecute

Handwritten notes: 9/3/87, B Day, 251

TWO Johannesburg newspapers would not be prosecuted for contravening the emergency regulations for an advertisement and an article published on Friday calling for a National Detainees Day, a police spokesman said in Pretoria at the weekend.

The Police Directorate of Public Relations said in a statement shortly before midnight on Friday any newspaper publishing advertisements or articles advocating a National Detainees Day would be infringing the emergency regulations.

City Press had carried an advertisement placed by the Detainees' Parents Support Committee (DPSC) about the day.

The Star had also published a story about the call by the DPSC.

A police spokesman from the directorate said the two newspapers would not be prosecuted as the SAP statement had been issued after the publication of the advertisement and article.

The directorate said "Legal advice obtained by the SAP indicated the advertisement constituted an infringement of Regulation 3 (1) (H) read with Regulation 8 of the regulations published by proclamation 224 of December 11, 1986, as amended.

"All editors are hereby informed that in the case of publication of same or similar advertisements, the SAP will be obliged to act in terms of Regulation 6"

Regulation 6 empowers any Cabinet minister or Divisional Commissioner of Police to authorise the sei-

zure of any newspapers or publications which contravene the emergency regulations.

A spokesman for the DPSC said it had intended placing advertisements in several major newspapers a day before the National Detainees Day, but "obviously we can't do that anymore in the light of the SAP threat"

A statement from the DPSC said the imprisonment of its political adversaries and critics was high on this government's list of priorities.

"The very voices that should be heard loud and clear are being stifled, and the Press is now being threatened not to support calls for the release of these prisoners of apartheid"

The DPSC said such actions were typical of a regime which ruled by force rather than by the support of the population.

City Press editor Percy Qoboza denied in a statement that the DPSC advertisement had been in any way "illegal".

He said, however, his newspaper "was forced to withdraw an advertisement placed by the DPSC calling for the release of all who have been detained under the present state of emergency.

"We have not withdrawn it because it was illegal. It was not. We have done so because it was clear copies of the newspaper would have been seized and destroyed by the police"

Qoboza said police threats of prosecution in terms of Regulation 3 (1) (H) were "outrageous, to say the least." — Sapa

Police probe claims

POLICE Commissioner P J Coetzee said at the weekend he had instructed a senior officer to investigate "horrendous" claims of ill treatment of young detainees.

He said in a statement to SAPA the claims were contained in a newsletter distributed at a recent World Council of Churches youth congress in Harare

Most of the newsletter's information appeared to come from the Detainees' Parents Support Committee, the Commissioner said



GENERAL Coetzee . . . "horrendous claims."

"The South African Police has in its possession a copy of a newsletter distributed at a recent youth conference in Harare by the World Council of Churches," the statement said

"The letter dated 13 February 1987 deals mainly with allegations of brutality and detention of children in South Africa

"Serious allegations are levelled, particularly against the South African Police and it appears from the newsletter as if many of the allegations and much of the so-called 'information' contained in the newsletter, had been obtained from the Detainees' Parents Support Committee

"The newsletter claims that it bases much of its information on a so-called 'dossier' compiled by the Detainees Parents Support Committee

"The dossier alleges, inter alia, that the DPSC obtained statements from detainees in which it is claimed that youths were brutally assaulted during the course of their detention.

"These allegations were never brought to the attention of the South African Police. Two particular cases involving a 12-year-old boy and a 15-year-old girl are highlighted

"The allegations concerning these two children are horrendous and of such a nature that I have instructed a senior officer to investigate every aspect thereof

"The DPSC will be asked to identify the specific children involved and supply all the relevant facts which will enable the police to fully investigate the authenticity of these allegations"

(Handwritten scribble)

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9/3/87

Sowet

11/15 10/3/87

Buthelezi seeks full police control

Own Correspondent

DURBAN. — KwaZulu Chief Minister, Chief Mangosuthu Buthelezi, yesterday called on the South African government to speed up the handing over of police stations to KwaZulu.

Speaking during a visit to Ulundi yesterday by Mr Adriaan Vlok, Minister of Law and Order, Chief Buthelezi said that although he was Minister of KwaZulu Police, in times of violent crisis his hands were tied as he did not have control of police stations in troubled areas.

The Inkatha president said he held apartheid responsible for the root cause of the "national crisis" into which South Africa had been thrust.

"I blame the ruling National Party for not grappling with the kernel issues of violent unrest, namely fundamental black political rights.

"I believe the State President is well intentioned, but the pace and scope of his reform programme has thus far proven to be woefully inadequate," he said.

EMERGENCY UPDATE

Three policemen wounded in Guguletu ambush

Crime Reporter

A POLICEMAN and two special constables were wounded when their patrol was ambushed in Terminus Road, Guguletu.

They are Sergeant O Mollendorf, Constable T Qungqawa and Constable R Siphso.

Sergeant Mollendorf was hit by gunfire and the constables by shrapnel and shards of glass. They were not seriously wounded.

An attempted murder docket is being investigated. The attack happened about 11pm yesterday.

It is understood shots were fired out of the darkness at the vehicle in which they were travelling.

A Bureau for Information spokesman said no arrests had been made yet.

Police said 28 AK47 cartridges were found at the scene of the shooting. This might indicate there was more than one gunman. No further information was available.

The bureau spokesman also said a hand-grenade was thrown at the house of a council member in Meadowlands, Soweto, last night. The grenade missed his house and exploded on the roof of the house next door causing minimal damage.

Petrol bombs were thrown at two private homes yesterday. The incidents took place in Sebokeng, Vanderbijlpark, and Umlazi, Durban. No injuries or arrests were reported and damage was minimal.

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10/3/87

251

SAP try to stop paper printing advert

C. Post
10/3/87
25

JOHANNESBURG — Police today attempted to seize The Star to prevent the newspaper publishing an advertisement placed by the Detainees' Parents Support Committee.

The Star later brought an urgent application in the Rand Supreme Court seeking an order that the advertisement was legal as published.

If the order was granted, The Star would seek an additional order preventing the police from unlawfully seizing copies of the newspaper, the editor-in-chief, Mr Harvey Tyson, said.

The Star was bringing its application as a matter of urgency before the main editions of the newspaper were published.

The Star stood to lose, in monetary terms alone, R500 000 in cover price, advertising revenue and newsprint costs, apart from other large losses if the newspaper were seized, he said.

The application was planned after The Star was unable to ascertain from the police whether they would act against the newspaper if it published the advert.

Earlier two security policemen arrived at the newspaper offices with a document ordering the seizure of any edition of today's newspaper in which the advertisement appeared. The order was signed by the Divisional Commissioner of Police for the Witwatersrand, Maj-Gen Mulder van Eyk.

They left to seek legal advice after it was pointed out to them that the advertisement had been passed by the newspaper's legal representatives and was materially different from the advertisement published in City Press last week.

Last week's advert resulted in police issuing a warning that it should not be published.

The PFP spokesman on the media, Mr Dave Dalling, was also unsuccessful in his attempts to contact two Cabinet Ministers, the Minister of Law and Order, Mr Adrian Vlok, and his deputy, Mr Roelf Meyer.

Mr Tyson said after the police visit that he believed the advertisement to be completely legal. It had been submitted to The Star's legal advisers.

Early editions of The Star newspaper the advert appeared on the streets today.

The edition also contained a front-page editorial explaining the newspaper's reasons for going ahead with publication. — Sapa

Ballistic evidence on missing bullet

THE question of whether a Soweto schoolboy — shot in a schoolyard by a policeman during the first state of emergency — was killed by a direct shot or a ricocheting bullet, was raised in the Rand Supreme Court today.

The policeman, Mr Jacobus Johannes Laubscher (22), of Hillbrow, has claimed indemnity in terms of the emergency regulations for the alleged murder of Spencer Simejane (17), at the Ibhongo High School, Soweto, on August 28, 1985

Mr Labuschagne is also charged with murdering Godfrey Phuroe (17), and with attempting to murder a third schoolboy. He has admitted firing the shots which killed the boys.

Today, ballistics expert Detective Sergeant W C Visser said he had found "impact marks" on the 9 mm bullet which killed Spencer.

As medical evidence showed that no bones in the body were hit, these marks could have been caused by the bullet hitting the ground, Sergeant Visser said

Judging from photographs of the body, the

entrance wound was of "abnormal" size and could have been caused by an unbalanced ricocheting bullet, he said

Under cross-examination, Sergeant Visser said it was possible the marks could have been caused by the bullet tipping the wire of the schoolyard fence before hitting the body

According to expert forensic evidence presented by the State, the size, shape and outline of the wound were in keeping with a direct hit by a 9 mm bullet.

The court was told the bullet had been sent to Moroka Police Station, but had since gone missing and was being sought by the investigating officer

257
10/3/87 Sanofan

Three policemen hurt in ambush

By CHRIS STEYN

A POLICEMAN and two kitskonstabels were wounded in an ambush in Guguletu on Monday night in the fifth attack on security forces in the township this year — bringing to four the number of policemen killed and six the number wounded in attacks this year

Police last night vowed to catch those responsible "They can rest assured, like those before them who have taken pot-shots at the police, that we will track down each and every one of them — no matter how long it takes," said Law and Order press secretary Brigadier Leon Mellet

The Bureau for Information yesterday confirmed that three members of the security forces, Sergeant O Mollendorf, Const T Qungqawa and Const R Siphon, were wounded when shots were fired at them while they were on patrol in Terminus Road

Sergeant Mollendorf was hit by

gunfire and the kitskonstabels by shrapnel. Police found 28 AK-47 cartridges on the scene

No arrests have been made

During unrest last year, 27 policemen were killed and 185 injured

The Minister of Law and Order, Mr Adriaan Vlok, said in Parliament earlier this year that the deaths and injuries were caused by necklace murders, attacks with firearms, pangas, axes, handgrenades and petrol bombs, and burnings

He said that "virtually without exception" the deaths were caused by "radicals"

□ A Guguletu off-duty kitskonstabel was stabbed to death and another seriously injured in an incident at a private home in Old Crossroads last Saturday night

□ On February 2, Constable Solomon Kondlo, 33, was stoned to death and set alight by a mob in Guguletu

□ In early January this year, Constable Gysbert Labuschagne, 20, died after a handgrenade, which injured two other police-

men, was flung into a patrol car in Guguletu. Warrant Officer H C Barnard suffered fractures of his left arm and shrapnel wounds to his chest and shoulder. Reservist Constable G V Langford was hit in the legs and chest

□ A few days later, Constable W L Mtetwa, 24, died in Guguletu when a gunman fired six shots from an automatic firearm through the window of his car

Sapa reports that the Bureau for Information yesterday said that a handgrenade was thrown at the house of a council member in Soweto, near Johannesburg, on Monday night

The grenade missed his house and exploded on the roof of the house nextdoor, causing minimal damage. No injuries or arrests were reported

The bureau also reported that petrol bombs were thrown at private homes in Sebokeng near Vanderbijl Park and Umlazi in Durban the same day. No injuries or arrests were reported and damage was minimal

publishers, his lawyer said

CALL TIMES 11/3/87 (251)
Minister to pay R6 000

JOHANNESBURG — The Minister of Law and Order has been ordered to pay R6 000 to a Soweto man, Mr Derrick Nyembe, shot in the buttocks in February 1983 by a policeman who suspected him of car theft. Mr Justice L Goldblatt also ordered the minister to pay Mr Nyembe's costs. The judge found that it had not been proved on the balance of probabilities that the policeman had been reasonable in shooting without firing a warning shot. A second claim by Mr Nyembe for malicious arrest was dismissed by the judge. He said this had not been proved.

Check to 'authoritarianism'?

SRC 11/3/87

By Jo-Anne Richards

Police were yesterday prohibited by the Rand Supreme Court from seizing copies of The Star containing a Detainees Support Committee advertisement — just as the newspaper's main edition began rolling off the presses.

The temporary order declared that the advertisement did not contravene emergency regulations. Reacting to the decision, Editor in Chief of The Star Mr Harvey Tyson said "The Rand Supreme Court at instant notice has provided a check to the headlong rush into censorship and authoritarianism." (See leading article)

Mr Justice O Donovan granted the order at about 2 pm yesterday. The Star brought the urgent application shortly before lunch. Mr D Kuny SC, for The Star, told the court all references to the release of detainees had been removed from the advertisement before publication. "The advertisement was amended by deleting all portions appearing to offend emergency regulations," he said.

Mr Kuny argued that the threat of being taken off the streets had not been removed. Police were still considering the matter. Regulations state a publication may not call for the release of "a" detainee. The application arose because, having been warned by police that newspapers would be confiscated if they published an advertisement calling for release of "detainees", The Star felt impelled to publish an amended advertisement, even though it believed the original to be legal.

In evidence, Mr Tyson said he took up the matter of the deleted portion of the advertisement in a front-page editorial as "we cannot believe the legislature intended the public should be forbidden to debate the issue of detention without trial". He said two planclothes police entered The Star building before

the presses started rolling for the first edition and handed him a police order of seizure of copies of the newspaper. "I said to the lieutenant that I was convinced the advertisement was legal and that certain amendments had been made. He didn't appear convinced, but made no comment. He said he would have to take further instructions."

Mr Tyson testified to continued communication with the police throughout the morning. Two Cabinet ministers and the Commissioner of Police were unavailable. Nor could the Head of the Security Police give an assurance copies would not be seized. The cost of one day's copies being seized would approach R200 000, he said.

Mr Tyson added "Every hour, newsprint alone costs R20 000. More than that, we believe our reputation is at stake. Not once in 80 years have we been stopped in reaching our readers. We believe we would lose readers if we couldn't give a daily, reliable service."

Mr Paul Jenkins, an attorney with Webber Wentzel, acting for The Star, said he had twice spoken to the head of the Security Police, a General van der Merwe, since the action started. He was told the matter was still being considered by lawyers.

He had invited General van der Merwe to attend the hearing. No members of the police were present in court. Mr Kuny argued that, due to the action's extreme urgency, formal notice to the respondent, the Police Commissioner, had not been possible.

The Commissioner has until March 24 to show any reason the order should not be granted finally. Sections cut from the original advertisement were handed to the court as evidence.

Widespread shock at bid to seize Star

By Pat Devereaux

Shock and anger followed yesterday's police attempt to seize copies of The Star which contained an advertisement placed by the Detainees' Parents Support Committee.

Politicians and public spokesmen reacted strongly to the abortive move by police, thwarted when The Star lodged an urgent interdict in the Rand Supreme Court.

The newspaper's legal representative, Mr Peter Reynolds, said the police who arrived at The Star offices with the order would have been acting within their rights — had the advertisement contained matter which contravened the law.

"As it did not, the police ran the risk of acting illegally and facing a claim for damages," said Mr Reynolds.

This view is supported by the interim order which Mr Justice O'Donovan made yesterday afternoon in favour of The Star. The temporary order declared the advertisement lawful and prohibited the police

from seizing editions of The Star containing the DPSC advertisement.

"If the police had made inquiries about the advertisement before arriving at The Star with their order to seize the newspaper, the need for a court order may never have arisen," said Mr Reynolds.

The Star was congratulated by PFP media spokesman Mr Dave Dalling for standing up to the police and refusing to be intimidated.

Mr Dalling said "Politics in this country becomes smister when police try to seize a newspaper purely because they think the advertisement calls for the release of detainees".

He warned the Government to stop intimidating and harassing opposition newspapers. "If Mr P W Botha cannot get a grip on his Government he should get out now," he said.

A DPSC spokesman accused the Government of being terrified of criticism on the embarrassing issue of detention of political opponents. "It is prepared to go to any

lengths to stifle such criticism," said the spokesman.

Mr Joel Mervin, official representative of the International Press Institute in South Africa, said "The seizure of newspapers is an unwarranted intrusion on Press freedom."

The Anti-Censorship Action Group called for resistance to the "total onslaught on freedom of expression" and said they deplored the seizure of any newspaper.

"The attempted seizure of the biggest daily newspaper in the country should make the public aware of the extent of censorship," said a spokeswoman.

She added "If The Star is threatened with seizure, what source of information is respectable enough to be safe?"

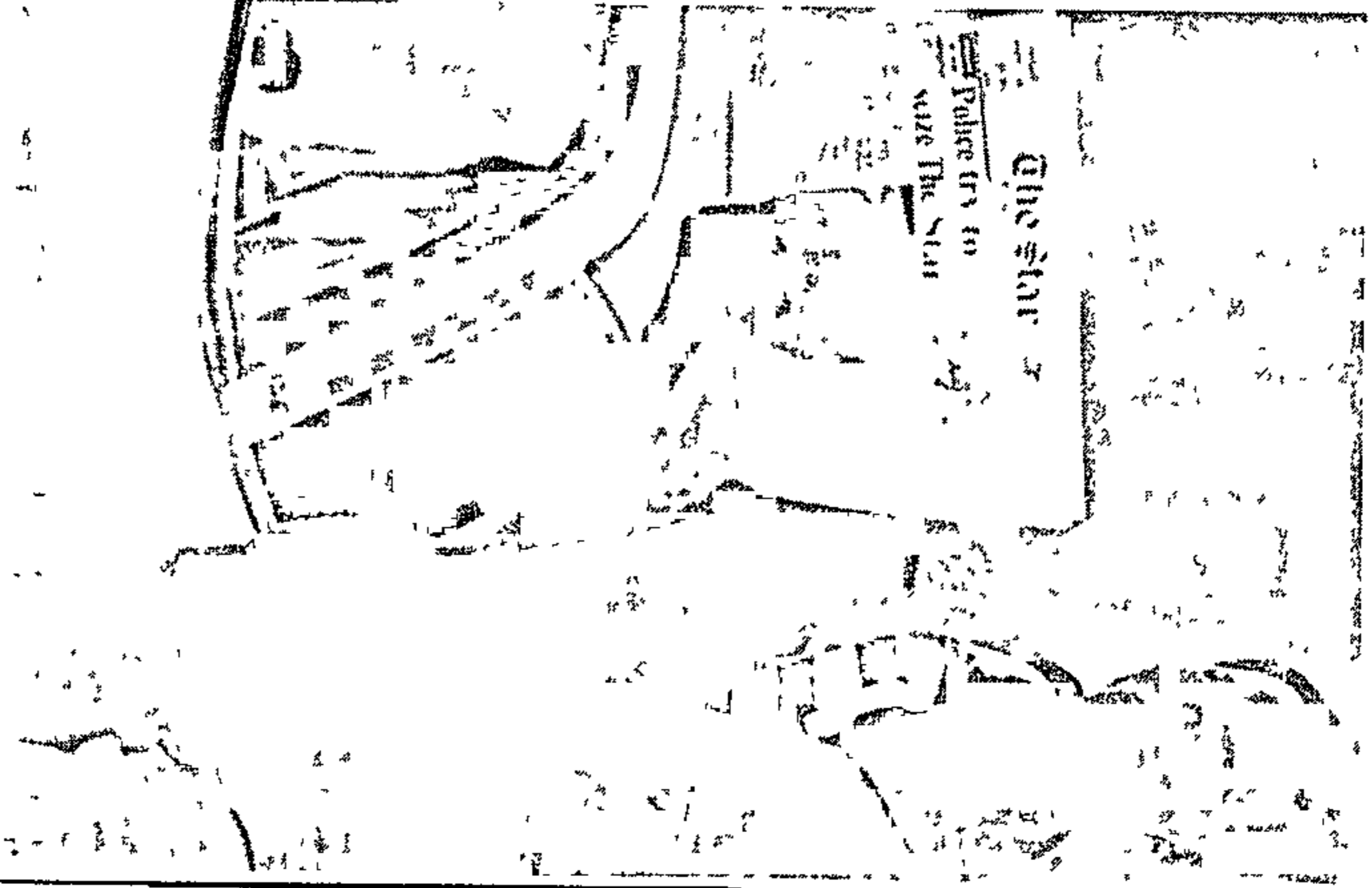
Johannesburg Regional Chairman of the Conservative Party, Mr Clive Derby-Lewis said, "If the Government believes the DPSC is undermining the country they should ban it rather than act against The Star."

The director of the Legal Resources Centre, Mr Geoff Bulender, said the attempted seizure of copies of the newspaper was a graphic illustration of arbitrary power.

"The seizure of newspapers is contrary to any notion of a free Press," he said.

Callers last night praised The Star for its stand.

The Supreme Court gave the police until March 24 to show why the temporary order should not finally be granted.



Out on the streets with the big news after all and the lead story yesterday after the Rand Supreme Court decision was the police's attempted seizure of The Star

Laubscher closes case without giving evidence

By Lesley Cowling

A policeman who shot dead two Soweto youths closed his case in the Rand Supreme Court yesterday without giving evidence.

Mr Jakobus Laubscher (22) of Hillbrow, Johannesburg, is accused of murdering Spencer Simelane and Godfrey Thuso Phuroe, both 17, in the first state of emergency, and attempting to murder a third youth.

He has admitted firing the shots which killed the youths, but pleaded not guilty to murder, saying the shootings took place during incidents of public violence.

Mr P A Hattingh SC, for Mr Laubscher, said he was indemnified against prosecution by emergency regulation 11.

SELF-DEFENCE

Mr Laubscher was also acting in self-defence, he said.

Statements by Mr Laubscher have been handed in as evidence. In one, he said on August 28 1985 he was stoned by pupils from Ibhongo High School and shot at two boys.

In another he said he had been stoned by pupils from Thaba Jabula School on September 18 1985.

He shot at the ringleader "because that was the only way I could arrest him". In another statement about the same incident he said he shot at Godfrey Phuroe "in self-defence".

A ballistics expert this week testified the 9 mm bullet which killed Spencer Simelane had "impact marks" on it. This meant it could have struck the ground before entering the boy's

body, as there was no medical evidence of any bones being hit.

Yesterday the bullet, which had been thought to be missing, was handed in as an exhibit. The judge noted it was scratched and had marks on it.

Under cross-examination the witness said the marks could have been caused by the bullet tipping the schoolyard fence.

The court has heard Mr Laubscher had been stationed with the Moroka Riot Investigation Unit for a week before the first shooting.

Mr Jan Jones, the captain commanding the Moroka police station at the time of the shootings, said under cross-examination that in his opinion, Mr Laubscher had acted reasonably in the shootings.

Mr Jones testified the shootings took place at a time when his unit was under "great pressure" and dealing with 500 cases a month. He said he briefed the men in the unit that they would be dealing with "left radical people" and that they should not put their lives on the line.

He also said it was not practice for police to go into schoolyards as he doubted "whether any of them would come out again".

He had learnt that children threw stones hard and accurately, that they could climb over fences and that warning shots were useless and dangerous in riot situations, Mr Jones said.

It was very difficult to find witnesses for unrest incidents as there was little co-operation. The case continues.

1110

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Minister must pay R6 000

251 SUSAN RUSSELL

THE Law and Order Minister has been ordered to pay R6 000 damages to a Soweto man, Derrick Nyembe, who was shot in the buttocks in February 1983 by a policeman who suspected him of car theft.

Mr Justice L Goldblatt also ordered the Minister to pay Nyembe's costs.

The judge found that it had not been proved on the balance of probabilities that the policeman had been reasonable in firing without a warning shot.

A second claim by Nyembe for malicious arrest was dismissed by the judge, as this had not been proved on the evidence before him.

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251 B/Dany 11/3/87

THE Commissioner of Police was ordered not to seize copies of yesterday's editions of *The Star* carrying an advertisement by the Detainees' Parents Support Committee



● TYSON

SAP stopped from seizing Star copies

SUSAN RUSSELL

An interim interdict was granted by a Rand Supreme Court judge after an urgent application by the newspaper yesterday.

The Star brought the application at midday after police had earlier visited its building and said they were considering seizing the newspaper in terms of the emergency regulations

The "Stop Press" edition of *The Star* carrying the advertisement on Page 4 and a related editorial on the front page was already on sale when Mr Justice O'Donovan heard the application.

The advertisement in *The Star* had been amended so as not to include a call for the release of detainees.

Counsel for the Argus company Denis Kuny, SC, submitted that in its amended form the advertise-

ment did not contravene 3(1)(h) or any other regulation

He said the advertisement as it appeared was now in order and any attempts by the commissioner to seize the newspaper in terms of regulation 6 would be unlawful

Kuny said the threat of imminent seizure was causing financial loss and other irreparable harm to the newspaper

Editor Harvey Tyson and an attorney acting for *The Star*, Paul Jenkins, both gave evidence and supported the application

Tyson said they had come to court because the police had not given any assurance that the paper would not be seized as the day wore on

Jenkins told the judge he had

telephoned the head of the Security Branch in Pretoria, Colonel van der Merwe, and also spoken to an advocate who was in consultation with the State Attorney

He said they had not been able to get him a decision as to whether *The Star* would be seized or not

The judge issued a rule nisi calling on the commissioner to show cause on March 24 why an order should not be made prohibiting and interdicting him from seizing, under regulation 6(1), any editions of *The Star* carrying the advertisement

He must also show cause why an order should not be made declaring that the advertisement did not contravene regulation 3(1)

The rule nisi is to act as a temporary interdict.

11/3/87

Police to oppose ruling on The Star

12/3/87 SMC
251
243

The Commissioner of Police, General Johann Coetzee, announced today that the police would oppose a Supreme Court order which ruled they could not seize copies of The Star which contained a Detainees' Parents Support Committee advertisement.

However, General Coetzee said police legal advisors believed the amended advertisement published by The Star on Tuesday had not contravened the emergency regulations.

He "deplored" The Star's action in only informing the police of the court action at short notice.

The Editor of The Star said that the only deplorable action was that of the police and that the newspaper had done everything possible to prevent it happening.

The Commissioner of Police's statement said "The Commissioner of the SA Police, General Johan Coetzee has decided to make the following facts available..

"On March 6 1987 the SA Police telexed a message to all editors, informing them that an advertisement under the heading, "National Detainees Day 12 March 1987" in the *City Press* dated March 8 1987, but issued on March 6 1987, constituted an infringement of Regulation 3 (1) (h) of the media regulations," the statement said.

"On March 9 1987, the Security Branch of the SA Police in Johannesburg received information that this particular advertisement was to be published in . The Star Security branch officers visited The Star's offices on March 10 to comply with an order of seizure issued

● To Page 7, Col 1

● From Page 1
in terms of regulations 6 of the media regulations, relating to this advertisement

"They were however, informed that the advertisement which The Star intended publishing was in fact, an amended advertisement and that the wording thereof was different to that of the advertisement which appeared in *City Press*

"In view of this the Security Branch did not execute the order of seizure and notes of the amended advertisement were referred to the SA Police legal advisers for a decision."

A copy of The Star was sent to police headquarters and arrived at 10 59 am. Members of the security branch in Johannesburg were approached by The Star with a request to inform them whether the SAP intended to seize The Star.

"It is standard procedure that all matters pertaining to the emergency regulations and in regard to which the SA Police require legal advice are also submitted to a panel of legal experts. It is not always possible to convene this panel at short notice.

"At approximately 12h00 this panel decided that the amended advertisement did not constitute an infringement of the media regulations"

The statement said the police then obtained a second opinion from senior counsel.

"At 13h03 on March 10 1987, Mr Jenkins, The Star's attorney, informed Major-General van der Merwe, head of the Security Branch that The Star had submitted an application to the Supreme Court"

At no stage prior to this telephonic conversation were the SA Police in any way informed of the court application.

"At approximately 13h15 on March 10 1987 the SA Police's legal advisors contacted The Star's legal advisor and informed him that it

could be accepted that no issue of a newspaper containing the amended advertisement would be seized.

"As a result of the late notice, it was practically impossible for the SA Police's legal advisors to attend the court proceedings in Johannesburg.

"The SA Police deplore The Star's actions and have already instructed their legal advisors to oppose the confirmation of the provisional order"

● The Editor of The Star, Mr Harvey Tyson said in response to the Police statement.

"The police were polite but dilatory in their actions. They could needlessly have caused damage amounting to tens of thousands of rands in direct costs, plus much more.

"The deplorable thing about this distressing occurrence is that police should be able to seize newspapers before any judicial test of their legality.

"We did everything required of us — and more — to help the police make up their mind. The presses had to roll (at about 50 000 copies an hour) on first deadline if we were not to suffer serious losses.

As publishing went ahead The Star tried every avenue possible to get a response from the police. When none was forthcoming, we warned the most senior officer we could contact, well before noon, that if we could not get a reply we would have no option but to seek an urgent court order to prevent the police seizing what we were quite sure was a legally published newspaper.

"The judge actually adjourned the court shortly after 1pm so that our lawyers could again seek a decision from the police. We were told none was available. Then the court action continued.

"It is deplorable that we should be placed under the threat we were."

Indemnity claimed in policeman's trial

(51)
SMP
12/3/87

By Lesley Cowling

A policeman who shot dead two Soweto school-boys was indemnified against prosecution because the incident arose from him acting in accordance with the emergency regulations, it was argued in the Rand Supreme Court today.

Mr P A Hattingh SC was arguing in defence of Mr Jakobus Johannes Laubscher (22), of Hillbrow, who is on trial for the alleged murder of two Soweto school-children and attempted murder of a third during the first state of emergency.

Mr Laubscher shot dead Spencer Simelane and Godfrey Phuroe, both 17, while stationed with Moroka Unrest Investigation Unit during the first state of emergency. A third child was wounded.

Pleaded not guilty

He has pleaded not guilty to all charges, saying he is indemnified against prosecution by the emergency regulations.

He has admitted firing the shots that killed Spencer Simelane and wounded another child at Ibhongo School on August 28 1985. He has also admitted that he shot dead Godfrey Phuroe at Thaba Jabula school on September 18 1985.

His defence is that the shooting took place during

two incidents of public violence in a state of emergency. He is indemnified against prosecution by emergency regulation 11, which states that a member of a force cannot be prosecuted for actions he took in good faith to maintain public order and in the interests of public safety, his defence counsel has said.

Mr Laubscher has also claimed self-defence.

This week he closed his case without going into the witness box.

Today, Mr Hattingh argued that Mr Laubscher's arrest of an Ibhongo schoolgirl — his legal duty because of an order issued in terms of the emergency regulations — led to a stone-throwing attack on him.

He said Mr Laubscher killed a boy and injured another because of the attack.

Mr Hattingh has argued that the shootings occurred during a time when unrest prevailed in Soweto.

It was therefore probable that when the schoolchildren saw a white man in a car near the school they would have acted aggressively towards him and thrown stones, he said.

The accused had said in his statement he arrested a child shortly before the shootings at Ibhongo school. He had a duty to protect the child — who was a member of the public — if stones were thrown, Mr Hattingh said.

Yesterday, Mr J A Swanepoel SC, prosecuting, said the emergency regulation indemnifying members of

a force against prosecution did not apply to the policeman's case.

Mr Swanepoel yesterday argued that regulation 11 in the first set of emergency regulations was not applicable to the case because those regulations had been repealed in March 1986.

However, the present indemnifying regulation was also not applicable because it had been promulgated at the start of the second state of emergency in June 1986.

Mr Swanepoel also argued that the policeman's failure to give evidence in his defence supported the State's case against him.

It was a negative factor that Mr Laubscher did not explain a number of contradictions between his different statements, Mr Swanepoel said.
(Proceeding)

Defence challenges the showing of death video

12/3/87

By Maokeng Kgwete,
Pretoria Bureau

Counsel for the defence in the trial of 11 people charged with the murder of a Duduza woman two years ago today challenged the admissibility of a police witness being shown a video of Miss Maki Skosana being killed.

The charge sheet says Miss Skosana died of a fractured skull, subdural haemorrhage and cerebral contusions after she was assaulted and set alight, beaten and stoned by a group of people on July 20, 1985 at a funeral in Duduza, near Nigel.

The State applied to show the video to Sergeant Johannes van der Walt and ask him to confirm various details of the aftermath of the killing.

Defence argued that the video was inadmissible because it was a copy of an SABC film and not the original, and challenged the authenticity and accuracy of the film.

Counsel Mr David Sogot challenged

the screening of the video on the grounds that it was "not a witness".

Further, the video of the killing comprised two separate films taken with separate cameras, he said.

The judge remarked that there was an inherent danger in showing such a film because it could present a completely different version of events as it was taken in a series of random shots and could have disturbed the sequence of events.

The accused, who have all pleaded not guilty to the charge, are: Mrs Matlakala Motaung (28), Mrs Sanna Twala (23), Mr Solomon Motsoagae (28), Mrs Linda Hlophe (26), Mrs Lorraine Sobuzi (33), Mr Jacob Tshabalala (22), Miss Lydia Mokoena (24), Mr Phineas Maseko (32), Mr Daniel Mbokwane (22), and two minors.

At the start of yesterday's hearing the judge ruled that accused Miss Mokoena would be excused from court when necessary to breast-feed her week-old baby.

Troops out — municipal guards in

AFTER one-and-a-half years, South African troops appear to have withdrawn from Duncan Village.

But the township's municipal guards now seem to be filling the gap.

The SA Defence Force first moved into the township in August 1985, and set up two permanent army roadblocks controlling access at either end.

Those roadblocks have now disappeared.

At the same time, reports of assaults by municipal guards have escalated dramatically. Residents have spoken of an unofficial curfew in a new area set aside for "community officials" — councillors and their guards.

By LOUISE FLANAGAN
in East London

The *Weekly Mail* heard this week how people had been assaulted by the guards — nicknamed "Greenflies" because of their green uniforms — because they were "breaking the curfew".

Elliot Zondani, 26, said he had been stopped by the guards while on his way to watch television.

"They asked me what I was doing in the street, and started hitting me with batons and a cane," Zondani said.

"Then they told me to run, because they wanted to shoot me."

The Greenflies have also been

accused of assaulting a schizophrenic woman who is undergoing medical treatment

A relief worker supported the allegations, saying she too had been chased away from the area by the guards.

A doctor in the area said he had seen about 40 people who had been assaulted by the South African and Ciskei security forces — who include the Greenflies — over the past four months.

He said there have been two main patterns of assault — those on people defined by the security forces as "comrades", and assaults in the course of security forces dispensing their

own justice.

He said the assaulted people ranged in age from 14 to 59 and included a mentally ill person. The most common injuries were bruises and lacerations from whips and sjamboks.

The commander of the Duncan Village guards, Warrant-Officer Wolmarans, said he had not heard of a curfew in the area or of any assaults.

"I have seen nothing of that nature," he said. "As far as I'm concerned, that should not happen."

He said he had received no complaints about people being assaulted.

No official comment could be obtained on the withdrawal of troops. — Elnews

6-12/87
27 W/Mail

Call for more education on computers

MICK COLLINS

RECENT surveys of the computer industry indicate the drain of personnel from SA is increasing at an alarming rate, an organiser of a computer camp for children says

Irvine Green, a director of Computer Camps, says: "When the economy returns to positive growth there will be a shortage of computer-literate people" Many knowledgeable people had left the industry, he says

"Added to this is the fact that many children are not exposed to computers at school because of a lack of funds, experienced computer teachers and a lack of direction in computer education by various education departments"

In order to keep the industry supplied with people who have computer experience (whether in programming or in special business applications), the private sector must take the lead in training and providing education and access to computers for children.

Computer Camps Green says, has already helped more than 1 000 children aged 10 and upwards to achieve a level of computer literacy that is acknowledged as being of as high a standard as that overseas.

"This education has achieved by means of computer camps, held in the school holidays, where children are given the opportunity to learn about computers in industry and business, and to learn computer programming in the Basic language"

The next computer camp will be held from April 6-15. Phone (011) 886-1047 for details

A POLICE constable charged with murdering two Soweto schoolboys during the first state of emergency in 1985 was not protected from prosecution by the emergency regulations, it was argued in the Rand Supreme Court yesterday

State Counsel J A Swanepoel, SC, argued that regulation 11, in force in 1985, had prevented State or civil action against policemen during that period, but was repealed in March 1986.

He said 11(3) did not exist any more and if the legislature had intended that that protection or indemnity was going to be indefinite, a law to that effect would have been passed

Jakobus Johannes Laubscher has pleaded not guilty to murdering Spencer Simelane, 17, on August 28, 1985

He has also pleaded not guilty to murdering Godfrey Phuroe, 17, on September 18, 1985, and attempting to murder a 15-year-old youth

Both teenagers were fatally shot during school hours

Laubscher has pleaded not guilty on the grounds that on both occasions he acted in self-defence and in pursuance of his duty

His defence is also that he may not

Constable 'not indemnified'

SUSAN RUSSELL

be prosecuted because the incidents occurred during a state of emergency

After both incidents Laubscher reported to his superior officer that he had fired after stones were thrown at his car

At the time he was seconded to the Moroka Unrest Investigation Unit

Swanepoel also argued that as a constable, Laubscher would not have been protected by regulation 2, because that only allowed the use of force by a commissioned officer or warrant-officer of a force

Counsel for Laubscher submitted that the onus was on the State to prove that the constable had exceeded the bounds of duty

It was argued that as a policeman it had been Laubscher's duty to act when confronted with an incident of public violence

Argument continues today

Hoechst sells Cassella-Med

DAVID FURLONGER

GERMAN-CONTROLLED chemicals group Hoechst SA has sold its Cassella-Med pharmaceuticals operation to a South African company for an undisclosed sum

East London-based Pharmador has bought rights to all Cassella-Med's products and brand names These include such well-known brands as Fibre Trim, Yogurtrim, Histalix, Cold Stop, Tensolve, Cough Med, Vita Fibre and Fat Off

Hoechst SA stressed yesterday the sale should not be seen as a disinvest-

ment Director Volker Schmidt said the group simply wanted to concentrate on developing its traditional business, such as plastics, synthetic fibres, chemicals, plant protection and ethical pharmaceuticals

Pharmador MD Pierre Greyvenstejn said "We are delighted with the acquisition Cassella-Med's products will complement our own range The acquisition makes very good business sense to us"

... 'T...

Cape Times 13/3/87

Street children tell of attack

By CHRIS STEYN

TWO senior police officers have been appointed to investigate a mystery attack on five Cape Town street children who claim they were assaulted and teargassed on Table Mountain by unidentified policemen

The alleged incident took place on Tuesday night

The children — four of whom live at the Homestead in New Church Street — also claimed that they were thrown into a two-metre-deep dam on the mountain and threatened with their lives

In an exclusive statement to the Cape Times yesterday, a police spokesman said "A thorough investigation has been ordered by the

DIVISIONAL Commissioner

"Since the investigation has not yet been completed, the police cannot comment on the allegations at this stage

"However, on completion of the investigation, the matter will be referred to the Attorney-General for his decision"

According to the children, the drama started when they were dragged from underneath a car in Loop Street, thrown to the ground, kicked in the ribs and bundled into a police van soon after 9pm

They said they were

taken to Caledon Square police station, where the policemen allegedly fetched an "electric pipe" and a stick before driving the children to Table Mountain

There, near a dam, the men allegedly beat the children

"I was afraid that they would kill me," said George, aged 13 "My back is still sore"

The children claim that the policemen chased them in the direction of the dam and ordered them to jump in. They said they were pulled out again when it became apparent that some of them could not

swim. They were then thrown into the back of one of the vans and teargassed through a window

They were apparently taken to the outskirts of the city. According to the children they were dropped somewhere on the Esplanade and told that if they ever came back to the city they would be taken back to the dam "You'll be handcuffed and then you'll never come up again," one of the men allegedly said

Ms Annette Cockburn, principal of the Homestead, said yesterday afternoon "This is not the first time that our children have been harassed. I've written to Caledon Square and in fact on one occasion laid a charge of assault."

Judge postpones indemnity ruling on boys' deaths

13/3/87 By Lesley Cowling (251)

Judgment in the case of a policeman who shot dead two Soweto schoolboys and is citing the emergency regulations in his defence was yesterday postponed in the Rand Supreme Court to March 20

Mr Jakobus Laubscher (22) of Hillbrow is charged with two counts of murder and one count of attempted murder for shooting three schoolboys during the first state of emergency. He has pleaded not guilty.

Spencer Simelane died and another boy was wounded in a shooting incident at Ibhongo School on August 28 1985. In a second incident, at Thaba Jabula school on September 18, Godfrey Phuroe was shot dead. This week Mr Laubscher declined to give evidence in his defence.

Mr Justice M J Strydom, who is sitting with two assessors, will rule during judgment on whether Mr Laubscher — stationed with Moroka Unrest Investigation Unit at the time of the shootings — is indemnified by the emergency regulations.

It is believed to be the first time the indemnity has been cited as a defence in criminal proceedings.

Mr P A Hattingh SC for Mr Laubscher has argued that, in the Ibhongo school shootings, Mr Laubscher had carried out an order issued in terms of the emergency regulations and this had led to the shootings.

PUBLIC ORDER AND SAFETY

Regulation 11 indemnified any member of a force from criminal prosecution for any action he took in good faith either to maintain public order and in the interests of public safety or which arose from him carrying out the emergency regulations, his defence counsel has said.

Mr Hattingh has said that Mr Laubscher arrested an Ibhongo schoolgirl on August 28 because she was outside the school. He was obliged to do this in terms of the emergency regulations.

He argued that this arrest led to a stone-throwing attack by the schoolchildren and Mr Laubscher then shot two youths, killing one.

His compliance with the regulations — the arrest — led to the alleged crimes and he was therefore indemnified from prosecution.

Mr Hattingh he did not cite the indemnity in relation to the murder charge arising from the shooting incident at Thaba Jabula school, arguing instead that Mr Laubscher was acting in self-defence.

Mr J A Swanepoel SC, prosecuting, has said the indemnifying regulation did not apply in this case.

He has argued that regulation 11 in the first set of emergency regulations was not applicable because the regulations had been repealed in March 1986.

However, the present indemnifying regulation was also not applicable because it had been promulgated at the start of the second state of emergency in June 1986 — after the alleged crimes had been committed.

The arrest of the Ibhongo schoolgirl and the subsequent shootings were two separate actions, so the indemnity could not apply to the second.

Police to oppose 'seizure' order

The Commissioner of Police, General Johann Coetzee, announced yesterday that the police would oppose a Supreme Court order which ruled they could not seize copies of The Star containing a Detainees' Parents Support Committee advertisement

However, General Coetzee said police legal advisors believed the amended advertisement published by The Star on Tuesday had not contravened the emergency regulations

He "deplored" The Star's action in only informing the police of the court action at short notice

The Editor of The Star said that the only deplorable action was that of the police and that the newspaper had done everything possible to prevent it happening

The Commissioner of Police's statement said "The Commissioner of the SA Police, General Johan Coetzee has decided to make the following facts available

"On March 6 1987 the SA Police te-

lexed a message to all editors, informing them that an advertisement under the heading, "National Detainees Day 12 March 1987" in the *City Press* dated March 8 1987, but issued on March 6 1987, constituted an infringement of Regulation 3 (1) (h) of the media regulations," the statement said

"On March 9 1987, the Security Branch of the SA Police in Johannesburg received information that this particular advertisement was to be published in The Star Security branch officers visited The Star's offices on March 10 to comply with an order of seizure issued in terms of regulations 6 of the media regulations, relating to this advertisement

"They were however, informed that the advertisement which The Star intended publishing was in fact, an amended advertisement and that the wording thereof was different to that of the advertisement which appeared in *City Press*

● To Page 6, Col 4

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13/3/87.
STAR
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5/11/87
13/3/87

Police oppose court order

● From Page 3

"In view of this ... the Security Branch did not execute the order of seizure and notes of the amended advertisement were referred to the SA Police legal advisers for a decision."

A copy of The Star was sent to police headquarters and arrived at 10 59 am. Members of the security branch in Johannesburg were approached by The Star with a request to inform them whether the SAP intended to seize The Star.

"It is standard procedure that all matters pertaining to the emergency regulations and in regard to which the SA Police require legal advice are also submitted to a panel of legal experts. It is not always possible to convene this panel at short notice.

"At approximately 12h00 this panel decided that the amended advertisement did not constitute an infringement of the media regulations."

The statement said the police then obtained a second opinion from senior counsel.

"At 13h03 on March 10 1987, Mr Jenkins, The Star's attorney, informed Major-General van der Merwe, head of the Security Branch that The Star had submitted an application to the Supreme Court and that judgement was expected at 13h15.."

At no stage prior to this telephonic conversation were the SA Police in any way informed of the court application.

"At approximately 13h15 on March 10 1987 the SA Police's legal

advisors contacted The Star's legal advisor and informed him that it could be accepted that no issue of a newspaper containing the amended advertisement would be seized. At this stage, the court had not yet delivered judgement.

"As a result of the late notice, it was practically impossible for the SA Police's legal advisers to attend the court proceedings in Johannesburg."

"The SA Police deplore The Star's actions and have already instructed their legal advisers to oppose the confirmation of the provisional order."

● The Editor of The Star, Mr Harvey Tyson said in response to the Police statement:

"The police were polite but dilatory in their actions. They could needlessly have caused damage amounting to tens of thousands of rands in direct costs, plus much more."

"The deplorable thing about this distressing occurrence is that police should be able to seize newspapers before any judicial test of their legality."

"We did everything required of us — and more — to help the police make up their mind. The presses had to roll (at about 50 000 copies an hour) on first deadline if we were not to suffer serious losses."

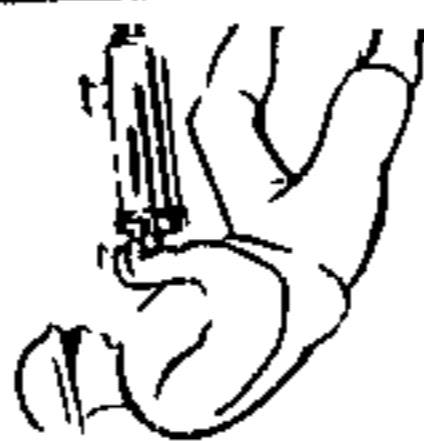
"As publishing went ahead The Star tried every avenue possible to get a response from the police. When none was forthcoming, we warned the most senior officer we could contact, well before noon, that if we could not get a reply we would have no option but to seek an urgent court order to prevent the police seizing what we were quite sure was a legally published newspaper."

"The judge actually adjourned the court shortly after 1 pm so our lawyers could again seek a decision from the police. We were told none was available. Then the court action continued."

"It is deplorable that we should be placed under the threat we were"

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RESEARCH DIVISION,
SCHOOL OF ECONOMICS,
ROBERT LESLIE BUILDING,
UNIVERSITY OF CAPE TOWN,
RONDEBOSCH



SOUTHERN AFRICA LABOUR AND DEVELOPMENT RESEARCH UNIT



TELEPHONE 69-8531 (Ext 440)

Police took side of vigilantes, court told

CAPE TOWN — There were grounds for believing that police sided with vigilantes in the Ashton township of Zolani, the Supreme Court, was told here yesterday.

Mr John Whitehead was arguing after leading evidence in mitigation in the trial of four Zolani activists — Samuel Mangcola (29), Charles Msoki (45), Timothy Tyhahalisu (39), and Lemi Mhlomi (25) — all convicted of public violence.

The four were found guilty of stoning two cars and a house belonging to vigilantes and setting a car alight.

The court was told that a Warrant Officer Joubert did nothing when a resident tried to report that vigilantes had stoned and burnt his house.

He then told six vigilantes "that's good," when he heard they had done it.

The trial was postponed until April 3. — Sapa.

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13/3/87

DURBAN — The vice-chairman of the United Democratic Front, Mr Billy Nair, has instituted an application for a claim of R30 000 in damages from the Minister of Law and Order as well as R20 000 from two security policemen.

Mr Justice Booysen yesterday ordered in the Supreme Court, Durban, that the Minister of

Law and Order pay the legal costs of making the application and furnish further particulars of the claim.

On August 23 last year Mr Nair was arrested and detained

under the Internal Security Act. During his 49-day detention Mr Nair was assaulted by two members of the security police, Warrant Officer Johannes de Wet and Sergeant Gary van

Sluys, who slapped him in the face and prodded him in the ribs.

Both men were convicted last year of common assault and fined R150 (or 75 days' imprisonment) and R50 (or 25 days' imprisonment).

The two security policemen are also alleged to have sworn at Mr Nair and insulted him.

Cape Times 13/3/87

Court hears of possible police vigilante link

Supreme Court Reporter

THERE were grounds for believing that police sided with vigilantes in the Ashton township of Zolani, the Supreme Court was told yesterday

Mr John Whitehead was arguing after leading evidence in mitigation in the trial of four Zolani activists — Samuel Mangcola, 29, Charles Msoki, 45, Timothy Tyhalisisu, 39, and Lemi Mhlomi, 25 — convicted of public violence

The four were found guilty of stoning two cars and a house and setting one of the cars alight. The court has heard that cars and house belonged to vigilantes who were among 16 ordered by the Supreme Court last year to refrain from operating as vigilantes and enforcing a curfew in Zolani

Vigilante assaults

Mr Whitehead said the residents of Zolani opposed to the community council and its vigilante supporters approached the Supreme Court for help in desperation last year after their pleas for police protection from vigilante attacks fell on deaf ears

He said the apparent disinterest in these court proceedings of a police colonel charged with investigating residents' complaints against the police was "highly questionable" and that the colonel's evidence was "frankly unacceptable"

Among allegations made in papers that were part of these proceedings was that the investigating officer in the current case, one Sergeant Laing, stood idly by while vigilantes assaulted residents

Another allegation was that one Warrant-Officer Joubert did nothing but whistle when a resident tried to report that vigilantes had stoned his house and set it alight. He then conferred in whispers with six vigilantes and said "That's good" when they told him "We did the job"

Mr Whitehead said the court was fortunate to have heard the evidence of Mr Dawid Bosch, former coordinator of a legal advice office in the area, who broke down and wept in court when he described how police ignored his sustained rational pleas for action to protect the community

If an articulate and educated man like Mr Bosch could cry in open court recalling this experience, Mr Whitehead said, the frustrations and bitterness of local residents must have been enormous

"What it boils down to is that the accused took the law into their own hands," Mr Whitehead said "They decided to teach the vigilantes a lesson"

The trial was adjourned to April 3 after the Bench requested NICRO to investigate the feasibility of the accused doing community service in Zolani

Cop's behaviour 'justified'

13/3/87 (25) - SOWETAN
A POLICEMAN who shot two Soweto school-boys was indemnified against prosecution because the incident arose from him acting in accordance with the emergency regulations, it was argued in the Rand Supreme Court yesterday.

Mr P A Hatting, SC, was arguing in defence of Mr Jakobus Johannes Laubscher (22), of Hillbrow.

Mr Laubscher is on trial for the alleged murder of two Soweto schoolchildren and attempted murder of a third.

Mr Laubscher shot dead Spencer Simelane and Godfrey Phuroe, both 17, while stationed with Moroka Unrest In-

vestigation Unit during the first state of emergency. A third child was wounded

He has pleaded not guilty to all charges, saying he is indemnified against prosecution by the emergency regulations.

He has admitted firing

the shots that killed Spencer Simelane and wounded another child at Ibhongo School on August 28, 1985. He has also admitted that he shot dead Godfrey Phuroe at Thaba Jabula School on September 18, 1985

(Proceeding)

Police try to confiscate The Star

Police attempted to seize *The Star* this week to prevent the newspaper publishing an advertisement placed by the Detainees' Parents Support Committee (DPSC).

The Star brought an urgent application in the Rand Supreme Court on Tuesday seeking an order that the advertisement as published did not contravene the emergency regulations.

Mr Justice O'Donovan granted the newspaper temporary orders ruling that the form in which an advertisement about Wednesday's annual National Detainees Day appeared was legal and restrained police from seizing copies of the newspaper. After the order was granted, four other newspapers on Wednesday published the advertisement. They were the *Sowetan*, the *Natal Mercury*, the *Eastern Province Herald*, and the *Cape Times*.

The Star brought its application as a matter of urgency before the main editions of the newspaper were published on Tuesday.

The Star stood to lose, in monetary terms alone, R500 000 in sales, advertising revenue, and newsprint costs, quite apart from other inestimable losses if the newspaper was seized, said Editor-in-chief Mr Harvey Tyson.

Earlier two security policemen arrived at the offices of *The Star* with a document ordering the seizure of any edition of Tuesday's newspaper in which the advertisement "National Detainees Day - Thursday 12th March 1987 - 9 months of emergency" placed by the DPSC appeared.

They presented Mr Tyson, with the order which was signed by the Divisional Commissioner of Police for the Witwatersrand, Major-General Mulder van Eyk.

They left to seek legal advice after it was pointed out to them that the advertisement on Page 4 of *The Star* had been passed by the newspaper's legal representatives and was materially different from the advertisement published in *City Press* last week, which resulted in police issuing a warning that it should not be published.

The application was planned after *The Star* was unable to ascertain from the police whether they would act against the newspaper.

The Commissioner of Police, General Johann Coetzee, was "unavailable".

The Star also tried to gain the information from a police colonel, but he refused to comment.

The PFP spokesman on the media, Mr Dave Dalling, attempted to con-

tact two Cabinet Ministers, Mr Adriaan Vlok, the Minister of Law and Order, and his deputy, Mr Roelf Meyer. His attempts failed.

The Star's legal representative, Mr Peter Reynolds, had earlier said the newspaper would apply for an urgent interdict "unless we get an assurance from the police that they will not unlawfully seize copies of the newspaper".

Mr Tyson said after the police visit that he believed the advertisement to be completely legal. It had been submitted to *The Star's* legal advisers before publication.

The Commissioner of Police, General Johann Coetzee, later announced that the police would oppose a Supreme Court order which ruled they could not seize copies of *The Star* which contained the Detainees' Parents Support Committee advertisement.

However, General Coetzee said police legal advisers believed the amended advertisement published by *The Star* on Tuesday had not contravened the emergency regulations.

He "deplored" *The Star's* action in only informing the police of the court action at short notice.

The Editor of *The Star* said that the only deplorable action was that of the police and that the newspaper had done everything possible to prevent its happening.

The Commissioner of Police's statement said. "The Commissioner of the SA Police, General Johan Coetzee, has decided to make the following facts available:

"On 6 March 1987, the SA Police telexed a message to all editors, informing them that an advertisement under the heading National Detainees Day 12 March 1987 in the *City Press* dated 8 March 1987 but issued on 6 March 1987, constituted an infringement of regulation 3(1)(h) of the media regulations. This information was supplied in a spirit of co-operation and was aimed at preventing possible financial loss to the newspapers. A full statement regarding this matter has already been issued.

"On 9 March, the Security Branch received information that this particular advertisement was to be published in that day's issue of *The Star*. Security branch members then visited *The Star's* offices in order to comply with an order of seizure issued in terms of regulation 6 of the media regulations, relating to this advertisement. They were however, informed that the advertisement which *The Star* intended publishing was in fact, an amended advertisement and that the wording



Newsmen look on as the Editor of *The Star*, Mr Harvey Tyson (centre right), and senior staff members inspect the first copies of Tuesday's newspaper as it comes off the press.

thereof was different to that of the initial advertisement which appeared in *City Press*. In view of this the security branch did not execute the order of seizure and the amended advertisement was referred to police legal advisers.

"A copy of *The Star* was sent to police headquarters and arrived at 10 59 am. Members of the security branch in Johannesburg were in the meantime approached by *The Star* with a request to inform them whether they intended to seize *The Star*.

"It is standard procedure that all matters pertaining to the emergency regulations and in regard to which the SA Police require legal advice are also submitted to a panel of legal experts. It is not always possible to convene this panel at short notice. At approximately 12h00 this panel decided that the second, amended advertisement did not constitute an infringement of the media regulations."

The statement said the police then obtained a second opinion from senior counsel.

"At 13h03 on March 10 1987, Mr Jenkins, *The Star's* attorney, informed Major-General van der Merwe, head of the Security Branch, that *The Star* had submitted an application to the Supreme Court and that judgement was expected at 13h15.

"At no stage prior to this telephonic conversation were the SA Police in any way informed of the court application.

"At approximately 13h15 on March 10 1987 the SA Police's legal advisers contacted *The Star's* legal adviser and informed him that it could be accepted that no issue of a newspaper containing the amended advertisement would be seized. At this stage, the court had not yet delivered judgement.

"As a result of the late notice, it was practically impossible for the SA Police's legal advisers to attend the court proceedings in Johannesburg.

"The SA Police deplore *The Star's* actions and have already instructed their legal advisers to oppose the confirmation of the provisional order."

● The Editor of *The Star*, Mr Harvey Tyson, said in response to the Police statement.

"The police were polite but dilatory in their actions. They could needlessly have caused damage amounting to tens of thousands of rands in direct costs, plus much more.

"The deplorable thing about this distressing occurrence is that police should be able to seize newspapers before any judicial test of their legality.

"We did everything required of us — and more — to help the police make up their mind. The presses had to roll (at about 50 000 copies an hour) on first deadline if we were not to suffer serious losses.

"As publishing went ahead *The Star* tried every avenue possible to get a response from the police. When none was forthcoming, we warned the most senior officer we could contact, well before noon, that if we could not get a reply we would have no option but to seek an urgent court order to prevent the police seizing what we were quite sure was a legally published newspaper.

"The judge actually adjourned the court shortly after 1pm so that our lawyers could again seek a decision from the police. We were told none was available. Then the court action continued.

"It is deplorable that we should be placed under the threat we were."

(See Pages 3 and 5)

Defending freedom of expression

STAR 14/3/87 (25)

Two significant factors, directly affecting advertisers, have arisen from the latest in a series of assaults launched by the authorities against The Star when police tried to seize the newspaper last Tuesday

Firstly, The Star went out on a limb by publishing what it considered to be a legal advertisement for the Detainee's Parents Support Committee in spite of policemen in the building waving official orders. Later in the day the Supreme Court granted an order in favour of The Star

And not long ago newspapers succeeded in challenging the state's right of seizure in the Natal Supreme Court only for this measure to be reconstituted in another form

Apart from The Star's intention of maintaining its undeniably costly crusade for freedom of expression, this also involves defending the right of every advertiser to state any legitimate case. Unlike many other news media, The Star will publish any legal advertisement from any organisation — far right to far left.

While it is tempting to give

the assurance that the advertisers of Sudso soap powder will be exempt from the brunt of the emergency regulations, the way paranoia is growing, anything can happen. But certainly any advertising agency placing on behalf of a political organisation for the forthcoming elections could find the police on its doorstep. The Star will be right there with them, whatever the advertisers' views may be.

Second, while South Africa is undoubtedly one of the most complex countries on the globe for marketers, the emergency regula-

tions have created a phenomenon directly affecting advertising media managers

With pro-government media quite patently sticking to the letter of the emergency laws and The Star and others continually testing these laws, the increasing numbers of people who are concerned about the future of the country, are being forced to follow a variety of news media in an attempt to become better informed.

A survey carried out by The Star last year showed, for example, that the SABC's interpretation of news differed almost entirely from that of The Star's.

This alone is a factor that media managers will have to consider in the future as they plan efficient exposure in a wide variety of target markets.

In most Western countries the competition between broadcast and print media is straightforward. In South Africa the state of emergency has effectively destroyed Press freedom but at the same time it has created new responsibilities and unique positioning for newspapers like The Star. And new opportunities for those who advertise in it.

the week's editorials

The need for rule of law

STAR 14/3/87

AFTER dramatically suspending normal hearings, the Rand Supreme Court reacted instantly to an urgent appeal by The Star yesterday to restrain the police from seizing the newspaper. This action, and a judgment that an advertisement about detainees was legal, may have deeper consequences than protecting freedom of expression, vital as that is.

The police say that newspapers were always under the courts' protection in this matter — but that is not so. Were it not for the power of the police to confiscate a newspaper before any judgment by a court on the legality of any content, The Star would never have insisted on an amendment to the advertisement submitted by the Detainees' Parents Support Committee. The original advertisement, which the police claimed was an infringement of the emergency regulations, was in our view quite legal.

But because of the unchecked power of the police, we had to resort to the device of amending the advertisement and addressing the subject of detainees on page one. Even this perfectly legal action in the public interest brought the risk of

confiscation of the edition. Had the police not hesitated in the face of our move, instant action by the courts could not have stopped irreparable damage to the newspaper. Claiming damages thereafter would have been small comfort.

Now the courts have stopped the security police in their present course. The result goes beyond censorship and beyond politics. Because of the nature of the advertisement, the issue also concerns the fundamental right to oppose detention without trial.

The bottom line for all South Africans must be the right to a public hearing in the face of any criminal accusation. If the emergency regulations are going to prevent people defending this right, then we have nothing left to distinguish us from Marxist regimes.

Perhaps the alacrity of the Supreme Court to grant an order restraining the police will signal to the public the dangers of unchecked power; the dangers of circumventing the courts; and the direct threat to the liberty of every individual when imprisonment without trial not only becomes a regular feature of society but a taboo subject for debate.

FRIDAY MARCH 13 1987

interview not done at ...

SS1 14/3/87

At stake is the right to protest

It was an exclusive little meeting a small group of newspapermen and security policemen Exclusive — and almost cosy Our acting general manager was revealed as an old boy of Johannesburg's most exclusive boys' school, St John's College. The daily editor of The Star was also an Old Johannan, we realised and so, we were told later, was the Security Police lieutenant who arrived at the third basement with an order to confiscate any edition carrying that now famous detainee advertisement.

But there was no Old School The talk There seemed to be nothing whatever to talk about once the planclothed and immaculately dressed police had announced their mission and we had made it very clear that we believed The Star contained not a single syllable of illegal material We just stood around and waited to see if somebody would actually "seize" the newspaper "It will take more than two of you to carry away all the papers that flow off those presses," observed the deputy editor The polite policeman smiled

"Would you confiscate our paper if we were to print those pictures up there?" I inquired We all stared intently at the bare-bosomed pumps which the works staff collect as connoisseurs

Minutes later I saw another photograph on the wall — a reproduction of the front page of The Star announcing (would you believe) the closure of The Star's sister newspaper precisely a decade ago

The front-page editorial which I penned on that day 10 years ago said that the arbitrary closure, without explanation, of The World meant that all South African newspapers were under threat

"No longer can it be said that we have a free Press," I wrote "For once I got it right," I remarked to nobody in particular

And I wondered again if the young lieutenant — or the head of all security — appreciated just how serious, how individually tragic and globally significant, was the action on which they had so blithely embarked

My impression is that they were unaware either of the principles or the consequences involved But then neither are the majori-

UNDERCURRENT AFFAIRS BY HARVEY TYSON

ty of people, even some of the most sophisticated and well-educated Or worse if they are aware, then they don't care.

On four successive weekdays I failed to extricate myself from addressing a number of public meetings and, on each occasion, I watched people closing their eyes and snoring in embarrassment as I harangued them about Press censorship

At every meeting but one, some people woke up and asked "What's wrong with censorship?" "Don't you see that censorship has stopped all those reports about unrest?" "Isn't it much more peaceful now?"

At the fourth meeting — the night before the police visited our

presses — the audience, ironically, happened to be the Anti-Censorship Action Committee and some members went to the other extreme

"Why don't you get your paper closed down? Won't that show the world?" "Show the world what?" I wondered "And what will we do for an encore?"

So long as newspapers and other instruments of democracy survive, there is a chance of restoring freedom in the foreseeable future It is necessary that newspapers survive to remind people that the Government seems hell-bent on fashioning a dictatorship for some future government to run

Every restriction which the National Government imposes will one day be used against African nationalist (and the rest of us) The only guarantee of freedom is to protect

freedom. It means that YOU have to start protesting So long as you do so — loudly and publicly — there is still a chance of getting back some democracy

But the real issue in the Press-bashing this week was not censorship or democracy or even emergency rule The principle at stake was the right of ordinary people to be able to protest against the common and accepted practice of imprisoning people without charging them or giving them a trial

The police believe that the right to debate detention without trial is suspended by the emergency regulations If that were true, it would be best to cry "police state" and flee South Africa

But the courts and Parliament and the Press still survive and the debate on justice and freedom should continue whatever repressive rules any bureaucrat may design

Okay, you can tune in again and we'll talk about more real issues Do you ever get death threats?

We do They're part of the game mail But, this week, I received something more cheerful — and wasn't even anonymous It was a letter purporting to come from God

Nothing unusual about that. By this time it came from somebody who claimed to be the First Female Representation of God Surly She hasn't read her mythology and history Unfortunately, I lost her letter, otherwise I could write and tell her about at least three ladies who have been the road before

More accurate is the message from Mr Keith Elliot of Johannesburg who points out that I was wrong last week when I said that if Swapo were defeated in Namibia (which is a possibility), it would only be the second defeat of revolutionaries by a colonial power since World War 2

Malaya is the textbook example But, points out Mr Elliot, the Mau in Kenya

Which shows that winning a war is only half the battle

RHODE
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Editor hails court decision to prevent police's planned seizure of *The Star*

By Jo-Anne Richards

Police were prohibited by the Land Supreme Court from seizing copies of *The Star* on Tuesday containing a Detainees' Parents Support Committee advertisement - just as the newspaper's main edition began rolling off the presses.

The temporary order declared that the advertisement did not contravene emergency regulations. Reacting to the decision, Editor in Chief of *The Star* Mr Harvey Tyson said "The Land Supreme Court, at instant notice, has provided a check to the reading rush into censorship and authoritarianism."

Mr Justice O'Donovan granted the order at about 2 pm on Tuesday. *The Star* brought the urgent application shortly before lunch.

Mr D Kuny SC, for *The Star*, told the court all references to the release of detainees had been removed from the advertisement before publication. "The advertisement was amended by

'authoritarianism'

deleting all portions appearing to offend emergency regulations," he said.

Mr Kuny argued that the threat of being taken off the streets had not been removed. Police were still considering the matter.

Regulations state a publication may not call for the release of "a" detainee. The application arose because, having been warned by police that newspapers would be confiscated if they published an advertisement calling for release of "detainees", *The Star* felt impelled to publish an amended advertisement, even though it believed the original to

be legal.

In evidence, Mr Tyson said he took up the matter of the deleted portion of the advertisement in a front-page editorial as "we cannot believe the legislature intended the public should be forbidden to debate the issue of detention without trial."

He said two plainclothes police entered *The Star* building before the presses started rolling for the first edition and handed him a police order of seizure of copies of the newspaper.

"I said to the lieutenant that I was convinced the advertisement was legal and that certain

amendments had been made. He didn't appear convinced, but made no comment. He said he would have to take further instructions."

Mr Tyson testified to continued communication with the police throughout the morning. Two Cabinet ministers and the Commissioner of Police were unavailable. Nor could the Head of the Security Police give an assurance copies would not be seized.

The cost of one day's copies being seized would approach R500 000, he said.

Mr Tyson added "Every hour, newsprint alone costs R20 000

More than that, we believe our reputation is at stake. "Not once in 80 years have we been stopped in reaching our readers. We believe we would lose readers if we couldn't give a daily, reliable service."

Mr Paul Jenkins, an attorney with Webber Wentzel, acting for *The Star*, said he had twice spoken to the head of the Security Police, a General van der Merwe, since the action started. He was told the matter was still being considered by lawyers.

He had invited General van der Merwe to attend the hearing.

No members of the police were present in court. Mr Kuny argued that, due to the action's extreme urgency, formal notice to the respondent, the Police Commissioner, had not been possible.

The Commissioner has until March 24 to show any reason the order should not be granted finally.

Sections cut from the original advertisement were handed to the court as evidence.

Widespread shock at police attempt to seize *The Star*

By Pat Devereaux

Shock and anger followed the police attempt to seize copies of *The Star* which contained an advertisement placed by the detainees' Parents Support Committee.

Politicians and public spokesmen reacted strongly to the abortive move by police, thwarted when *The Star* lodged an urgent interdict in the Rand Supreme Court.

The newspaper's legal representative, Mr Peter Reynolds, said the police who arrived at *The Star* offices with the order would have been acting within their rights — had the advertisement contained matter which contravened the law. "As it did not, the police ran the risk of acting illegally and facing a claim for damages," said Mr Reynolds.

This view is supported by the interim order which Mr Justice O'Donovan made yesterday afternoon in favour of *The Star*.

The temporary order declared the advertisement lawful and prohibited the police from seizing editions of *The Star* containing the DPSC advertisement.

"If the police had made inquiries about the advertisement before arriving at *The Star* with their order to seize the newspaper, the need for a court order may never have arisen," said Mr Reynolds.

The Star was congratulated by PFP media spokesman Mr Dave Dalling for standing up to the police and refusing to be intimidated.

Mr Dalling said: "Politics in this country becomes sinister when police try to seize a newspaper purely because they think the advertisement calls for the release of detainees."

He warned the Government to stop intimidating and harassing opposition newspapers.

"If Mr P W Botha cannot get a grip on his government he should get out now," he said.

A DPSC spokesman accused the Government of being terrified of criticism on the embarrassing issue of detention of political opponents.

"It is prepared to go to any lengths to stifle such criticism," said the spokesman.

Mr Joel Mervis, official representative of the International Press Institute in South Africa, said: "The seizure of newspapers is an unwarranted intrusion on Press freedom."

The Anti-Censorship Action Group called for resistance to the "total onslaught on freedom of expression" and said they deplored the seizure of any newspaper.

"The attempted seizure of the biggest daily newspaper in the country should make the public aware of the extent of censorship," said a spokeswoman.

She added: "If *The Star* is threatened with seizure, what source of information is respectable enough to be safe?"

Johannesburg Regional Chairman of the Conservative Party, Mr Clive Derby-Lewis said: "If the Government believes the DPSC is undermining the country they should ban it rather than act against *The Star*."

The director of the Legal Resources Centre, Mr Geoff Budlender, said the attempted seizure of copies of the newspaper was a graphic illustration of arbitrary power.

"The seizure of newspapers is contrary to any notion of a free Press," he said.

Callers on Tuesday night praised *The Star* for its stand. The Supreme Court gave the police until March 24 to show why the temporary order should not finally be granted.

Out on the streets with the big news after all and the lead story on Tuesday after the Rand Supreme Court decision was the police's attempted seizure of *The Star*

NEWS

STAY AWAY

ABORTED C PRESS 15/3/87

SECURITY police in Port Elizabeth have denied that they warned a meeting of 100 East Cape Congress of SA Trade Unions members that if yesterday's planned stayaway took place the Cosatu executive and all the shopstewards would be arrested.

According to the union, the Cosatu-planned work stayaway in Port Elizabeth and outlying areas was aborted on Tuesday night - allegedly after a security policeman burst into the meeting at the union's Korsten head office and declared the action illegal under the emergency regulations.

But East Cape security police spokesman Colonel S Gilbert has denied the alleged intervention.

In an interview with the East Cape News Agency, he said "I am not aware of any of my chaps warning them. They didn't mention it to me. They would have."

Pressed about the union's allegations, he said "They will tell you a lot of stories. We get dragged into all sorts of things we are sometimes not even aware of."

But Cosatu East Cape spokesman Mawonga Vellelem claimed a Lieutenant Strydom of the security branch had told the Cosatu official who chaired the meeting that he would arrest the whole meeting plus the Cosatu executive if the stayaway went ahead.

Meanwhile, township organisations were reported to have opposed the stayaway. A union spokesman said the organisations called off the action on the grounds that they had not received enough notice to ensure township compliance. Township bodies had also ruled out the stayaway as "many" were planned for the year.

The stayaway scheduled for Thursday was to coincide with the national campaign for united action against mass detentions called by the Detainees' Parents Support Committee.

But its initial goal had been to pressurise the newly formed Delta Motor Corporation into unconditionally reinstating over 500 GM strikers fired during the handover to local owners last November.

Instead of the stayaway, Cosatu members and supporters at 129 companies in PE held a one-hour sit-in from 11am to noon.

According to the union, many managers had expressed support for the one-hour sit-in as detentions had disrupted their operations. Union officials said a "no work, no pay" agreement had been reached with employers to cover workers' political action.

'We want more power'

By S'BU MNGADI

KWAZULU Chief Minister MG Buthelezi this week called on the SA government to give him more police powers to "eradicate brutality and intimidatory politics".

Speaking during a visit to Ulundi by Law and Order Minister Adriaan Vlok, Buthelezi appealed for the rapid handing-over of all KwaZulu police stations to the KwaZulu police.

He said Inkatha and KwaZulu legislative members had been killed and maimed, yet the government did not deem him fit to issue firearm licences.

The Inkatha leader said there was a need for the homeland's government and police to be in a position "to eradicate the kind of brutality that is now inherent in intimidatory politics and particularly for the black community to be in a position to protect themselves from such brutality within the law".

But other organisations, "notably the United Democratic Front and the Congress of SA Trade Unions", had accused the homeland's police of siding with Inkatha, he said. The SA government had agreed in principle to hand over police control but KwaZulu wanted this speeded up, he said.



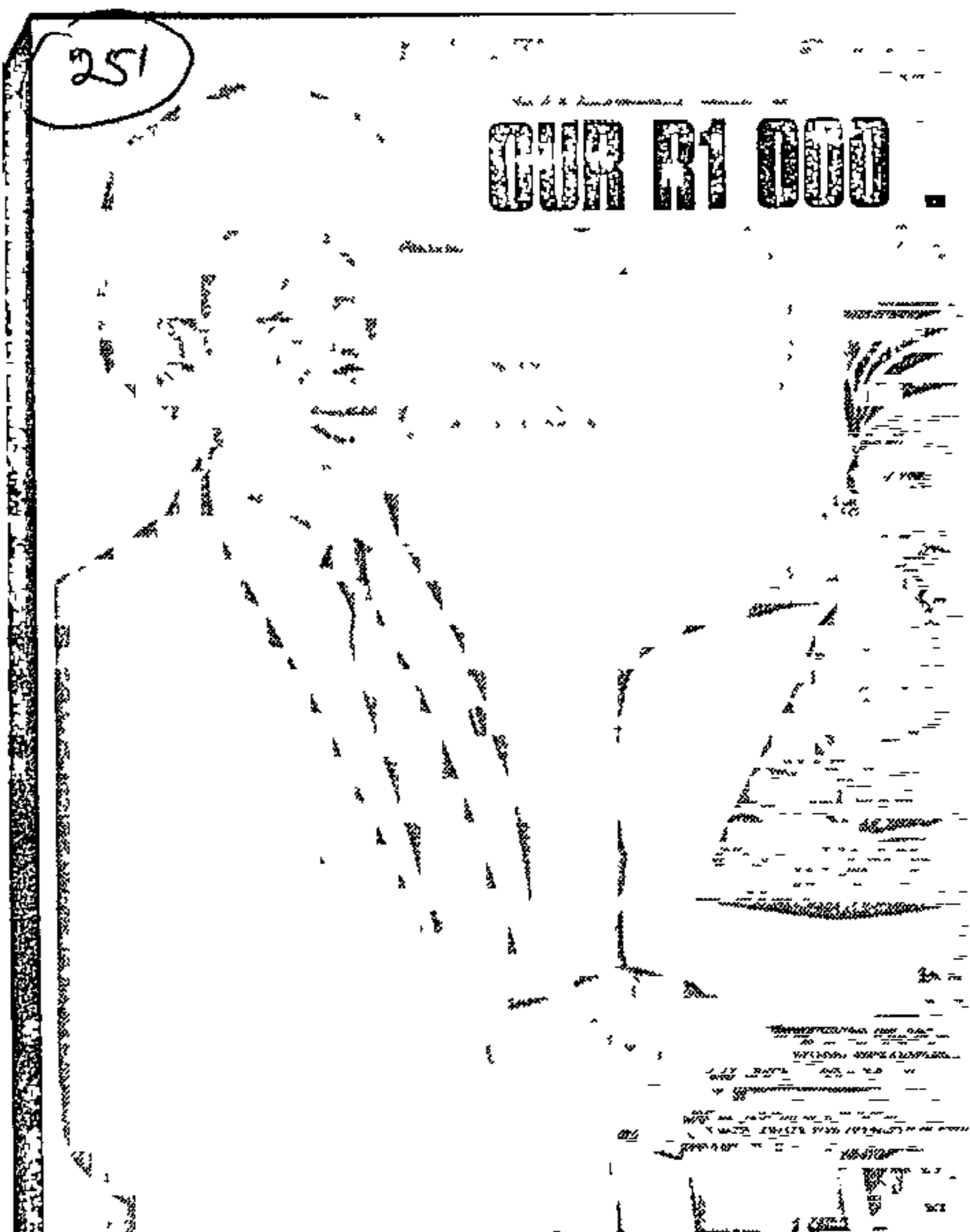
unbeaten record.

of emergency nine months ago

Of these, about 10 000 have been children and at least 3 500 women

Last week, *City Press* was threatened with the seizure of copies of the paper if the DPSC ad calling for all detainees' release was not withdrawn

This week the Rand Supreme Court granted a temporary order restraining police from seizing any edition of the *The Star* containing a DPSC advertisement



Delighted winner Suzanne Molebatsi receiving Boiki Mothei.

Bucs fan's win

LAST SATURDAY'S draw between Orlando Pirates and African Wanderers at Orlando Stadium disappointed die-hard Bucs supporter and housewife, Suzanne Molebatsi.

But this week her disappointment turned to joy when she learnt she had won the great *City Press* R1 000 Face in the Crowd competition.

"I was disappointed when Pirates drew with Wanderers, not knowing that I was to win R1 000. I did not even see

the photographer said Molebatsi, 41,

Molebatsi, a Bucs never missed a Bucs said she was going the education of her attending school at

To hand Molebatsi

City Press sportsman ● Watch out for R1 000 competi make sure to be in Stadium tomorrow.

THE MILD MENTHER

17/6/87 16/3/87 (251) 220
... on March 24.

SAP rifle 'sold to Crossroads leader'

Tygerberg Bureau

A FORMER Crossroads police reservist told Parow Regional Court he had acted as mediator in the sale of a "large rifle" during unrest in the squatter camp last year

The rifle was stolen on August 15 with a blue, unmarked police van from the home of a Murder and Robbery Squad detective

Mr David "Baai" Sidinana, a former police reservist, appeared as a State witness in the trial of Mr Michael Sibikya, Mr Bhetele Soja and Mr Domi-

nic Nkwana, all of Crossroads.

The three have pleaded not guilty to charges of stealing a blue police van and its contents, including an R-1 rifle and ammunition. They also pleaded not guilty to alternative charges of illegal possession of the rifle and ammunition.

Mr Sidinana said the three accused were involved as sellers when he negotiated the sale of a "large rifle" for R650 to a Crossroads leader, Mr Zalisile Tida, on August 16 last year.

Mr Sidinana said he was approached by Mr Nkwana to find him a buyer for the rifle

Mr Nkwana found them a group of buyers, headed by Mr Tida.

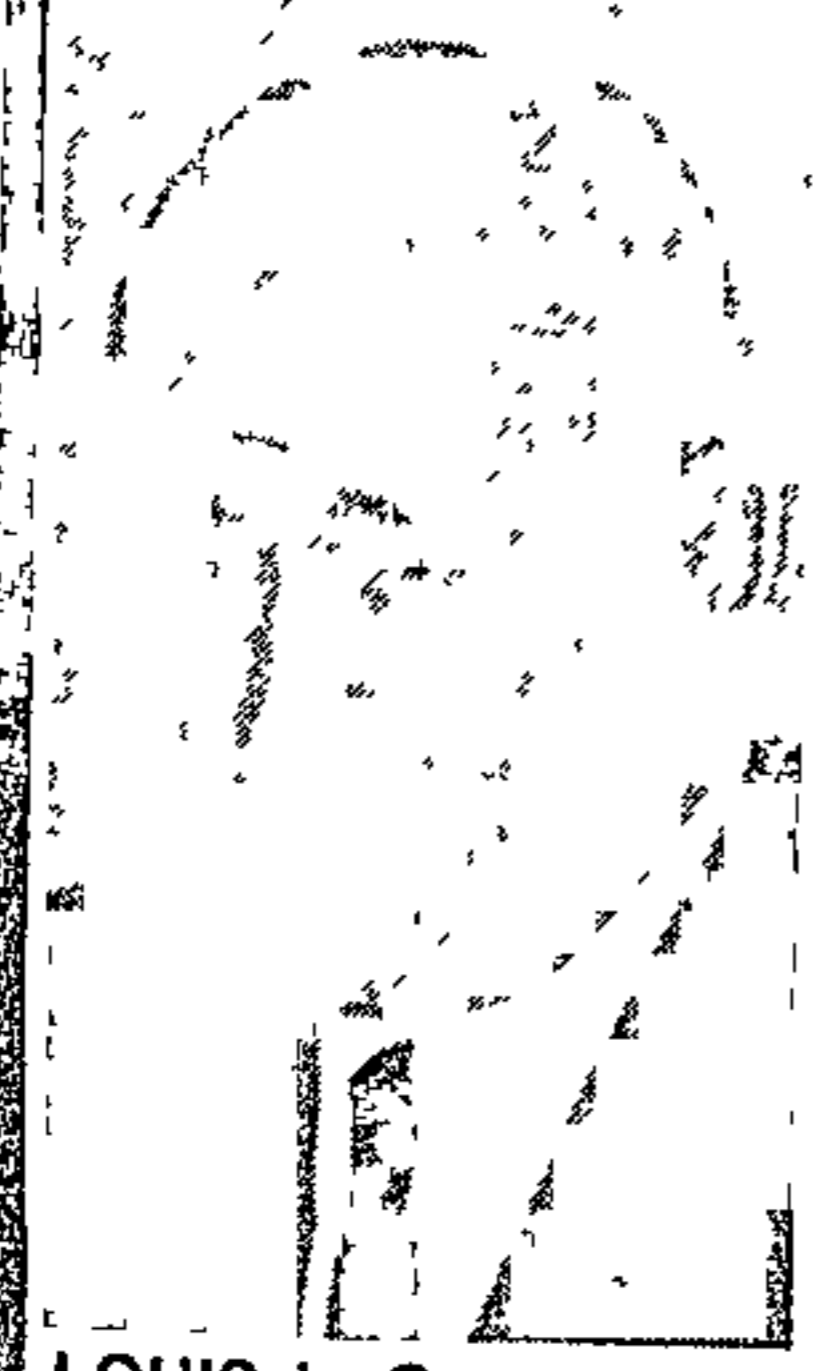
Mr Sidinana and Mr Tida said in evidence that the transaction was handled by Mr Sibikya, who set the price at R650. The men paid Mr Sibikya R400 on the spot and later gave Mr Sidinana the balance of R250

The police reservist was given a R30 fee

The hearing continues today.

Mr J D Huggett was on the Bench, Mrs M Voges appeared for the State and Mr Soja was represented by Mr B Lutzno

Vlok to pay out R260 000



LOUIS le Grange . . .
Minister at the time.

THE Minister of Law and Order will pay about R260 000 in costs for an application by Dr Wendy Orr and 43 others brought by the Port Elizabeth Supreme Court during the first state of emergency last year.

A spokesman for Cheadle, Thompson and Haysom, who represented Dr Orr and the 43 others, said the Minister of Law and Order had to pay the costs of the applicants in addition to his own

costs. ⁽²⁵¹⁾
The applicants' legal costs amounted to R259 818,83.

In her application, Dr Orr, a former district surgeon in Port Elizabeth, alleged detainees had been assaulted while in detention.

Interdict

The court granted an interim interdict in September last year restraining the police from assaulting detainees.

Dr Orr, who had

been responsible for visiting detainees, told the court detainees were being "systematically assaulted" and had complained to her of "brutal assaults".

The injuries she had found on them were consistent with their claims.

The police had opposed the order and filed answering affidavits denying the allegation and stating that people were sometimes injured while resisting arrest. **To Page 2**

SOWETAN 19/3/87

Some of those dis-
mised are chon steward

Vlok pays

From Page 1

However, the order fell away when the emergency was lifted and the only issue which remained was the question of costs.

The Minister agreed to pay the costs which were determined by the Registrar of the Port Elizabeth Supreme Court. — Sapa.

Child-torture allegations: Police act

ARGUS
19/3/77

~~ARGUS~~

251

The Argus Correspondent
JOHANNESBURG — Mrs Audrey Coleman, a member of the Detainees' Parents Support Committee, has been served with a subpoena to reveal to the police information about two children who, she has alleged to the World Council of Churches, were tortured by police

But her husband, chairman of the committee Dr Max Coleman, said there was no need for the subpoena because she had already decided to give the information

General Johann Coetzee, the Commissioner of Police, said police took the allegations so seriously that he appointed a senior officer to investigate them

"Two particular cases involving a 12-year-old boy and 15-year-old girl who were allegedly beaten up and tortured by the SAP were mentioned in a newsletter, which was published worldwide," General Coetzee said

As a matter of priority a brigadier had been instructed to call on the chairman of the DPSC to obtain details of the two complainants to enable the police to investigate the allegations

General Coetzee said that in view of the seriousness of the allegation Mrs Coleman was subpoenaed in terms of the Criminal Procedure Act to appear in court on Monday

Dr Coleman said "Since meeting the brigadier appointed by General Coetzee we have at all times indicated our willingness to assist in investigations of alleged criminal actions by members of the security forces against members of the public, in particular children in detention

"The only delay in furnishing the information requested has been occasioned by the appar-

ent reluctance of the officer concerned to meet us and our legal advisers, which we requested in order to discuss some simple safeguards for our clients

"We are naturally concerned that our clients agree to be questioned (which agreement we now have) and that they not be harassed in any way by the very people against whom the allegations of assault and torture were made"

He said the DPSC intended taking up the offer of the brigadier to furnish him with details of any other cases "similar to the two which he has been instructed to investigate"

11 killed in cafe bomb blast

DJIBOUTI — Eleven people, including four Frenchmen and three West Germans, were killed and at least 26 people injured when a bomb explosion tore through a crowded cafe in the Red Sea port of Djibouti

The French embassy in Djibouti put the number of injured at 45. A spokesman contacted by telephone from Paris said the French dead included civilians and soldiers

Official sources said there was another unidentified European among the dead

Police sources said the bomb

was probably planted by political dissidents linked to former Transport Minister Aden Robleh as a protest against France's military presence

The French embassy spokesman said the blast was apparently caused by explosives placed against one of the pillars supporting the Cafe Historil, a popular haunt of the 3 000-strong French garrison in the former French colony between Ethiopia and Somalia

No one has claimed responsibility for the blast — Sapa-Reuter

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251 (circled) 3/Day 19/3/07 (circled)

Minister to pay Wendy Orr's costs

THE Law and Order Minister will pay about R260 000 in costs for an application that Dr Wendy Orr and 43 others brought to the Port Elizabeth Supreme Court during the first emergency last year.

A spokesman for Cheadle, Thompson and Haysom, the lawyers who represented the applicants, said the Minister had to pay their costs and his costs

The applicants' legal costs amounted to R259 818,83.

In her application Orr, a former district surgeon in Port Elizabeth, alleged detainees had been assaulted while in detention.

The court granted an interim interdict in September restraining the police from assaulting detainees.

Orr, who had been responsible for visiting detainees, said they were being "systematically assaulted" and had complained to her of "brutal assaults" She said their injuries were consistent with their claims

The police had opposed the order and filed answering affidavits denying the allegations and stating that people were sometimes injured while resisting arrest

However, the order fell away when the emergency was lifted and the only issue which remained was the question of costs

The Minister agreed to pay the costs, which were determined by the Registrar of the Port Elizabeth Supreme Court — Sapa

1000 1207 SA307 0630 0705

Police order on torture claims

ALAN SENDZUL

POLICE yesterday subpoenaed Audrey Coleman, wife of the chairman of the Detainees' Parents Support Committee (DPSC), to appear in court concerning allegations published abroad of police torture of two children.

Coleman, wife of Dr Max Coleman, must appear in court on March 23 to present evidence backing up statements to the World Council of Churches (WCC) that police tortured a 12-year-old boy and 15-year-old girl.

The summons was issued in terms of Section 205 of the Criminal Procedure Act, following allegations made abroad by the DPSC. These were published in a newsletter after a youth conference in Harare.

A statement yesterday by Commissioner of Police General Johan Coetzee said there had been "no other recourse but to take legal steps to obtain the information".

"It was expected that the DPSC, following their statement to the world, would be eager, willing and able to supply the police with the details," said Coetzee.

A spokesman for the DPSC yesterday denied there was any intent to hold back evidence from the police.

He said: "We have at all times indicated our willingness to assist in investigations of alleged criminal actions by security force members against the public, particularly children in detention".

A source said two policemen arrived at Coleman's house at 6.30am yesterday.

This followed repeated attempts by DPSC officials to convene a meeting between a Brigadier Van Zyl (who was handling the matter), the DPSC and attorneys representing the children, the

● To Page 2



DPSC woman subpoenaed over torture claim

spokesman said.

He said the group had requested certain safeguards from the police concerning the two children. These were that

- The children be questioned indirectly through legal counsel,
- The police involved in the questioning should be not from the same area as the children, and,
- Assurances be given of no police harassment after questioning.

The spokesman said one meeting had taken place on March 9 with Brigadier van Zyl. Thereafter the DPSC had communicated with him telephonically.

"I phoned him all day on Tuesday but received no reply. There was absolutely no necessity to pursue Audrey Coleman with a subpoena.

"We in fact intend taking up the offer of the Brigadier to furnish him with details of any other cases similar to the two which he has been instructed to investigate, since we are more than anxious to assist in the investigation of such alleged malpractices," the spokesman said.

● From Page 1

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No need for subpoena, police told

JOHANNESBURG — The chairman of the Detainees Parents Support Committee, Dr Max Coleman, says there has been no need for police to subpoena his wife to appear in court in connection with allegations that police tortured children in detention

General Johan Coetzee said earlier he took seriously the allegations Mrs Audrey Coleman apparently made to the World Council of Churches, that he had appointed a senior officer to investigate them

Two particular cases involving a 12-year-old boy and 15-year-old girl who were allegedly beaten up and tortured by the SAP were mentioned in a newsletter which was published worldwide.

As a matter of priority, a brigadier had been instructed to call on the chairman of the DPSC to obtain details of the two complainants

Gen Coetzee said it would have been expected that the DPSC would have been eager, willing and able to supply the police with the required details

However "it has been more than 10 days since the police officer requested the DPSC to provide the relevant information" and "they have been either unable or unwilling to do so"

Mr Coleman said yesterday "Ever since meeting with the brigadier appointed by Gen Coetzee we have at all times indicated our willingness to assist in investigations of alleged criminal actions by members of the security forces against members of the public, in particular children in detention

"The only delay in furnishing the information requested has been occasioned by the apparent reluctance of the officer concerned to meet with us and our legal advisors, which we requested in order to discuss some simple safeguards for our clients." — Sapa

Minister

to pay

Dr Orr's

costs

JOHANNESBURG — The Minister of Law and Order will pay R259 818,83 in costs for an application Dr Wendy Orr and 43 others brought before the Port Elizabeth Supreme Court during the first state of emergency last year.

A spokesman for Cheadle, Thompson and Hayson, who represented the applicants, said the Minister of Law and Order had to pay the costs of the applicants in addition to his own costs.

In her application, Dr Orr, a former district surgeon in Port Elizabeth, alleged detainees had been assaulted while in detention.

The court granted an interim interdict last September restraining the police from assaulting detainees.

Dr Orr, who was responsible for visiting detainees, told the court detainees were being "systematically assaulted" and had complained to her of "brutal assaults".

The injuries she had found on them were consistent with their claims.

The police opposed the order and filed answering affidavits denying the allegations and stating that people were sometimes injured while resisting arrest.

However, the order fell away when the emergency was lifted and the only issue which remained was the question of costs.

The Minister agreed to pay the costs which were determined by the Registrar of the Port Elizabeth Supreme Court. — Sapa

Police probe killing of 7 boys

Pretoria Bureau

19/3/87
STAR

Police are still trying to find the motive for the killing of seven boys in kwaMashu, Durban, this week. Their mutilated bodies were found in a ditch in the township on Tuesday.

The names of five of the boys have been released by the Bureau for Information. They are Bhiki Mgwaba (15), Mdu Mkhize (17), Boy Thulani Mkhawanazi (16), Sipiwe Ndlovu (15) and Boysie Mbele (16).

The families of the other two still have be told of their deaths

The bureau said the bodies were found at about 8 am on Tuesday Each boy had been stabbed several times

Police are investigating, but no arrests have been reported

● In Sharpeville near Vereeniging, a group of about 30 people threw stones at the owner of a private vehicle on Tuesday when he refused them transport, according to the bureau A woman was injured

The bureau added that police announced that the explosion in Sandton on Monday night, in which a light delivery vehicle was demolished, had been caused by a commercial explosive The vehicle belonged to Mr Eric Meyer of Halfway House

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Inquest report on youth goes to A-G

WORCESTER — A magistrate here found yesterday that the death of a 17-year-old Zwelethemba schoolboy in November was caused by the actions of Constable Michael Luff "in circumstances amounting to an offence".

Mr J P Botha said he would send a record of the inquest to the Attorney-General.

The inquest found that William Dyasi died from multiple shotgun and pellet wounds. Mr Botha found no grounds for justifiable homicide as the youth had been under arrest, making the offence "technically" a punishable homicide.

Constable Luff and Constable Christiaan Geldenhuys had shot a youth in Zwelethemba. Hours later they found William Dyasi wounded and identified him as the person they had shot.

He was arrested for public violence but allegedly broke free and Constable Luff shot him in the back. The constable refused to give evidence which might incriminate him.

Minister of Law and Order
The Minister of Law and Order
1973/87

The Minister of Law and Order will pay about R260 000 in costs for an application brought before the Port Elizabeth Supreme Court during the first State of Emergency last year by Dr Wendy Orr and 43 others.

A spokesman for the lawyers representing them said the Minister had to pay their costs and his own.

In her application, Dr Orr, a former district surgeon in Port Elizabeth, alleged that detainees had been assaulted while in detention.

The court granted an interim interdict last September restraining the police from assaulting detainees.

Dr Orr, who had been responsible for visiting detainees, told the court that detainees were being "systematically assaulted" and had complained to her.

She said the injuries she found on them were consistent with their claims.

The police denied the allegations and said people were sometimes injured while resisting arrest.

The order fell away when the emergency was lifted — Sapa.

DPSC and police differ on subpoena

DPSC member Mrs Audrey Coleman has been served with a subpoena to reveal to the police information about two children who, she has alleged to the World Council of Churches, were tortured by police

But her husband, the chairman of the Detainees Parents Support Committee, Dr Max Coleman, said there had been no need for police to subpoena her as she had already decided to give the information

General Johann Coetzee, the Commissioner of Police, said the SAP took the allegations so seriously that he had appointed a senior investigating officer.

As a matter of priority, a brigadier had been instructed to call on the chairman of the DPSC to obtain details of the two complainants to enable the police to investigate the allegations fully

General Coetzee said it "has been more than 10 days since the police officer requested the DPSC to provide the relevant information and in spite of repeated requests they have been either unable or unwilling to do so"

Mr Coleman said "Ever since meeting the brigadier appointed by General Coetzee we have at all times indicated our willingness to assist in the investigation

"The only delay has been occasioned by the apparent reluctance of the officer concerned to meet with us and our legal advisors, which we requested in order to discuss some simple safeguards for our clients."

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Dr Wendy Orr: Minister to pay all legal costs

251
Cape Times 19/3/87

JOHANNESBURG — The Minister of Law and Order will pay about R260 000 in costs for an application Dr Wendy Orr and 43 others brought to the Port Elizabeth Supreme Court during the first state of emergency last year.

A spokesman for Cheadle, Thompspon and Hayson, who represented Dr Orr and the 43 others, said the Minister of Law and Order had to pay the costs of the applicants in addition to his own costs.

The applicants' legal costs amounted to R259 818,83

"Systematically assaulted"

In her application, Dr Orr, a former district surgeon in Port Elizabeth, alleged detainees had been assaulted while in detention.

The court granted an interim interdict in September last year restraining the police from assaulting detainees.

Dr Orr, who had been responsible for visiting detainees, told the court detainees were being "systematically assaulted" and had complained to her of "brutal assaults".

The injuries she had found on them were consistent with their claims.

Question of costs

The police had opposed the order and filed answering affidavits denying the allegations and stating that people were sometimes injured while resisting arrest.

However, the order fell away when the emergency was lifted and the only issue which remained was the question of costs.

The minister agreed to pay the costs which were determined by the Registrar of the Port Elizabeth Supreme Court. — Sapa

Cape Times

19/3/87

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Torture claims: Police subpoena

JOHANNESBURG. — Mrs Audrey Coleman, wife of the chairman of the Detainees' Parents' Support Committee, has been subpoenaed to appear in court on March 23 in connection with allegations made to the World Council of Churches that police tortured children.

Mrs Coleman is the wife of Dr Max Coleman. She allegedly made the allegation to the WCC concerning two children, a press release by General Johan Coetzee, the Commissioner of Police, said yesterday.

Police had no other recourse but to take legal steps to obtain the information relating to an alleged serious offence, the press release said.

"In view of the seriousness of

the allegation Mrs Audrey Coleman has been subpoenaed in terms of Section 205 of the Criminal Procedure Act to appear in court on Monday, 23 March, 1987.

"On 5 March, 1987, I issued a statement in which it was announced that I had appointed a senior officer to immediately investigate serious allegations made by the DPSC concerning the alleged assault and torture of children in South Africa.

"The allegations by the DPSC were made to the WCC and published in a newsletter following a youth conference in Harare.

"Two particular cases involving a 12-year-old boy and a 15-year-old girl who were allegedly beaten up and tortured by the South African Police were mentioned in the newsletter, which was distributed world-wide.

"I regarded the allegations concerning the two children in an extremely serious light and as a matter of priority instructed a brigadier to call on the chairman of the DPSC to obtain details of the particular two complainants to enable the police to investigate the allegations fully.

"It would have been expected that the DPSC, following their statement to the world which was presented as fact, would have been eager, willing and able to supply the police with the details concerning the two particular children.

"It has been more than 10 days since the police officer requested the DPSC to provide the relevant information and in spite of repeated requests they have been either unable or unwilling to do so." — Sapa

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STAR 20/3/87

Police warned against AIDS

Crime Reporter

Policemen throughout South Africa have been warned against the killer disease AIDS and have been issued with strict guidelines to follow if they come into contact with possible sufferers.

The warning was issued this month as a circular to divisional com-

missioners, by senior deputy commissioner (administration) Major General J Coetzee in Pretoria.

He gave the warning after Cape Town police recovered the body of AIDS victim Mr Wally Banks after he apparently jumped off a cliff. Tests conducted on the policemen proved negative.

A spokesman said "as far as was known" no policeman had yet got the disease.

Those policemen who came into contact with a possible AIDS victim were immediately to have two blood samples taken for analysis and SAP head-quarters in Pretoria had to be informed.

Blood tests were to be repeated eight weeks after initial contact.

2 boys shot: Constable ^{Am Tink's} acquitted ^{21/3/87}

JOHANNESBURG — A 22-year-old police constable who fatally shot two Soweto schoolboys during the first state of emergency in 1985 was found not guilty of murder and acquitted in the Rand Supreme Court yesterday.

Constable Jakobus Johannes Laubscher was also found not guilty of attempting to murder a 15-year-old youth.

He had pleaded not guilty to murdering Spencer Simelane, 17, and Godfrey Phuroe, 17.

Const Laubscher also pleaded not guilty to the attempted murder charge.

The constable did not testify but his defence was that he could not be prosecuted because the incidents had occurred during a state of emergency.

It was also submitted by his counsel that he had acted in self-defence and in accordance with his duty.

Mr Justice M J Strydom rejected his defence that his actions could be indemnified by Regulation 11 but found he had acted in self-defence after being attacked by stone-throwing children.

A policeman who gave evidence for the State during the trial was indemnified from prosecution by the judge.

Police grab gambling machines worth R1-m

EAST RAND BUREAU

Gambling machines valued at about R1 million have been seized by members of the East Rand Narcotics Bureau at cafes and hotels

A police spokesman said yesterday the machines presumably belonged to a syndicate operating in Primrose, Germiston and Alberton.

The machines were confiscated after a month-long investigation by the Narcotics Bureau under the command of Major Neels Venter

No arrests have been made and investigations are continuing

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Judge steps down in Star case

Argument in The Star's "seizure" application against the Commissioner of Police began all over again yesterday afternoon after the Rand Supreme Court judge hearing it recused himself

The matter is now being heard by the Deputy Judge President of the Transvaal, Mr Justice G Coetzee

Mr Justice L le Grange was asked to recuse himself by Mr P J van R Henning SC, counsel for The Star, on the ground that he had prejudged the issue before the completion of Mr Henning's argument

Counsel for the Commissioner opposed the move. The Star had applied for confirmation of an order which declared a Detainees' Parents Support Committee advertisement in the newspaper to be legal.

They had not asked for confirmation of a further section of the order which prohibited the police from seizing copies of The Star carrying the advertisement on March 10.

This section had become academic, but The Star wished the court to confirm their correctness in bringing the application to court.

The police opposed the confirmation.

Before recusing himself, Mr Justice le Grange said he had put to Mr Henning certain difficulties he had with The Star's case so they could be dealt with. He denied he had shown bias.

He had consulted the Judge President, who felt it to be his duty to continue, unless he personally felt he should recuse himself.

"I am not unmoved by the lack of confidence which Mr Henning has expressed in my approach to my judicial task, and if he engendered a similar apprehension in the minds of the applicants, they may have good reason to think justice cannot be seen to be done.

"Therefore, I shall recuse myself and another judge will hear this case," he said.

**LESLEY COWLING and
JO-ANNE RICHARDS**

Mr Justice le Grange said he regarded the application as a reflection on his personal ability to weigh the facts carefully and without bias.

In his application, Mr Henning said he had gained the impression that the judge had pre-judged the issue by making a finding on the credibility of evidence by the editor of The Star, Mr Harvey Tyson.

Mr Henning said he had tried unsuccessfully for 25 minutes to argue his case when the case resumed yesterday morning.

The judge appeared, from the questions he put to counsel, already to have decided the newspaper's case was not an impressive one.

"We noticed that the other side was rejoicing and this supported our impression," he said.

Counsel for the Commissioner of Police, Mr C Visser SC, denied that the Commissioner's legal team had "rejoiced".

The hearing continues.

Kitskonstabels 'source of increasing tension'

Staff Reporter

THE Progressive Federal Party has sent detailed accounts of 11 alleged incidents involving township "kitskonstabels" in the Western Cape to the Minister of Law and Order, Mr Adriaan Vlok.

The incidents, investigated by the party's Unrest Monitoring and Action Committee (Umac), allegedly took place between December 2 last year and March 7 this year. They include four fatal shootings, one shooting and six assault cases.

In an accompanying letter, Claremont MP and Umac chairman Mr Jan van Eck told Mr Vlok he was sending him the information as a matter of "extreme urgency".

Provocative

Since the introduction of special constables in Nyanga, Guguletu, New Crossroads and KTC, "increasing tension" had built up between the constables and the community.

"I want to put it clearly that these constables and the exceptionally provocative and violent methods they use against ordinary people does irreversible damage to the whole matter of law and order," he said.

"Their conduct is manna in the hands of any revolutionaries."

Mr van Eck said opposition to the "kitskonstabels" was "incredibly widespread" and affected all levels and sectors of the community, not just the "more politicised or radical" groups.

The fatal shootings listed were those of Mr Colin Goba at Fezeka High School, Guguletu, on January 17, Mr Sydney Siyo at Khayelitsha (January 30), Mr Sydney Petshana at Guguletu (February 1) and Mr Walter Mangqase at Nyanga East on March 7.

(Report by Robert Houwing, 122 St George's Street, Cape Town)

Police ask for increased costs after judge's recusal

By Jo-Anne Richards and Lesley Cowling

The Commissioner of Police has applied for a higher grade of "punitive cost" against The Star following the newspaper's application for the recusal of a Rand Supreme Court judge last week.

Mr Justice le'Grange recused himself from The Star's "seizure case" on Friday and the matter is now being heard by the Deputy Judge President, Mr Justice Coetzee.

Today, legal representatives for the Commissioner presented new affidavits to the court in support of their application for costs.

State Attorney Mr J Wagener said in papers he was shocked and surprised by the application for recusal because the judge had been put-

ting his difficulties to The Star's counsel, Mr P J van R Henning.

In a replying affidavit, attorney for The Star Mr Paul Jenkins said he did not agree that the judge was just putting his difficulties to Mr Henning.

Mr S Kentridge QC has joined Mr Henning in The Star's case.

The Star has applied for confirmation of an order which declared a Detainees Parents Support Committee (DPSC) advertisement published in The Star to be legal.

The newspaper has not asked for confirmation of a further section of the order which prohibited the police from seizing copies of The Star carrying the advertisement on March 10

Police have opposed the confirmation.

Mr Kentridge said today the correctness of the declaration, which found the DPSC advertisement, in the form that The Star published it, to be legal, was not contested.

He said The Star's need for the interdict had fallen away. He added that the Commissioner's viewpoint seemed to be that The Star was never entitled to apply for the interdict.

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STAR

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Suspect
23/3/87

2 policemen are shot dead

TWO Alberton policemen on the East Rand were shot dead early yesterday morning after stopping a car which they suspected had been stolen, the SABC has reported

They were 23-year-old Const J E Gloy and 20-year-old Const M H Buys.

A spokesman for the Police Directorate of Public Relations, Major V Kellerman, said the two policemen had trailed a car near Alberton because they suspected it had been stolen.

When the car became bogged down in mud they had followed the suspect on foot

One of the policemen had summoned a duty officer and ambulance by radio because the suspect had been wounded.

When the duty officer arrived at the scene, he found the two policemen dead. The police have launched a hunt for the killer — Sapa

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DPSC backs up torture allegations

ALAN SENDZUL

THE Detainees' Parents Support Committee (DPSC) has submitted affidavits to police backing allegations it made on police torture of detained children.

DPSC member Audrey Coleman was issued with a subpoena on Wednesday to provide evidence in court yesterday on claims in a DPSC newsletter that two children had been tortured in detention.

Coleman said affidavits from the girl, 15, and a boy, 12, had been given to police on Friday in the presence of the DPSC's legal advisers.

She said what now remained was for the police to carry out their investigations based on that information.

Coleman said the DPSC was anxiously awaiting developments.

She said the retrieval of the information the police sought had taken some time because DPSC dealt with hundreds of cases involving allegations against police.

A police spokesman said the investigation could not be solved "in a matter of a few hours" and was likely to take some time.

Police have said they viewed allegations of torture in "a serious light" and would not hesitate to bring to justice those concerned.

Accused allege prison assault

Own Correspondent

DURBAN — Six men who appeared in the Magistrate's Court here yesterday in connection with the deaths of seven youths in KwaMashu last week, allege they have been assaulted by police and awaiting-trial prisoners

No charges were put to Mr Emmanuel Khanyile, 27, Mr Siphon Clement Ndlovu, 32, Mr Bhekani Wilfred Phewa, 30, Mr Lucky Mtshali, 28, Mr Siphon Dube, 31, and Mr Sithembiso Morgan Mkize, 25, and they were not asked to plead

The six are facing allegations that on March 16 they were responsible for the deaths of Siphon Ndlovu, Mdu Mkhize, Boy Mkhwanazi, Boysie Mabele and Bhekani Mawaba and two others who were found in a ditch near Lindelane

Counsel for the six men, Mr E Bryer, told the court he had been informed by the men that they had been assaulted by members of the police force and prisoners awaiting trial

The magistrate, Mr A Roux, asked each of the men to stand before the court and show him signs of injury

Mr Khanyile showed the magistrate a swelling above the eye and bruises to his body and tongue which he claims were inflicted by the police

Mr Phewa also alleged police assault and pointed to injuries to his legs and neck

Mr Mtshali indicated lip, back and face injuries allegedly inflicted by prisoners, while Mr Ndlovu, Mr Dube and Mr Mkize all allege being assaulted by both the police and prisoners

Mr Roux ordered that the six men be kept separate from other prisoners and that they be seen by the District Surgeon

The hearing was adjourned till April 7

Businessman beaten in Soweto

JOHANNESBURG. — A West German-born businessman was punched several times in the face near Soweto's Maroka police station on Friday night after being forced to a halt by three cars

Maroka police said they had opened a docket into the assault "At this stage we don't know who is responsible," the branch commander at Maroka police station, a Captain Jooste, said yesterday.

Industrial Personnel Consultants MD Mr Gunther Fabé, 51, said he was driving an employee home from his Johannesburg office when his car was stopped by three vehicles — one with a siren — on the Old Potchefstroom Road soon after passing through a police roadblock near Baragwanath Hospital

He said about 10 white men in civilian clothes approached his car and ordered him to open the boot

Mr Fabé told police in a statement: "I opened the boot and turned around. The man grabbed my tie with one hand and started hitting me in the face"

Mr Fabé, his face still badly bruised and swollen, said in an interview yesterday that he would ask the German Embassy to complain formally to Law and Order Minister Mr Adriaan Vlok about the assault.

Mr Fabé has lived in SA for the past 19 years.

Police chief *CAA Timis 24/3/87* 'sought power *2003 2011 2017* to seize Star'

JOHANNESBURG. — The Commissioner of Police was seeking legal advice on the content of an advertisement placed by the Detainees Parents Support Committee in The Star with the one intention of finding out if he had the power to seize the newspaper, Mr Sydney Kentridge, SC, told the Rand Supreme Court yesterday.

The police were empowered by emergency regulations summarily to seize any infringing publication, he told Mr Justice Coetzee.

He was arguing that The Star had on reasonable apprehension brought application for an urgent interdict against the police on March 10.

The commissioner yesterday filed for punitive costs against The Star for having applied for the interdict without adequate reason.

First printed copy

Mr Kentridge, who joined The Star's council, Mr P J van R Henning, yesterday, said there was evidence that police action was not always reasonable

On March 10 two police officers had been in the offices of The Star. One returned to his superiors on learning that the advertisement differed from one placed the previous day in City Press.

The other waited for the first printed copy of the early edition and took it to his superiors who were seeking legal advice on its contents

"A man who does not go to court in the face of that threat would have to have his head read," Mr Kentridge said

If the police got advice that the advertisement was illegal they would have seized the newspapers and incurred several thousands of rands' cost to The Star

The case proceeds today. — Sapa

The Star feared that police would seize newspaper

Court given reasons for interdict plea

STAR
24/3/87
25

By Lesley Cowling and Jo-Anne Richards

An editor who did not approach the court to prevent his newspaper being seized in the circumstances faced by The Star on March 10 "would need his head read", Mr Sydney Kentridge, QC, said in the Rand Supreme Court yesterday.

Mr Kentridge was arguing that The Star had been correct in approaching the court for an interdict against the police preventing the newspaper from being seized.

The Star has applied for confirmation of an order declaring a Detainees' Parents Support Committee (DPSC) advertisement published in the newspaper to be legal. This is not contested by the Commissioner of Police.

The newspaper has not asked for confirmation of a further section of the order prohibiting its seizure on March 10, as this has become academic.

However, the Commissioner has asked for costs, saying The Star was never entitled to the interdict and had not been threatened with seizure.

Mr Kentridge gave the court an analogy to explain the position of the editor, Mr Harvey Tyson: "The police come to Your Lordship's house with orders to summarily blow up your house."

Possible police seizure

"However, they cannot tell Your Lordship if they will blow up your house or not, until they take legal advice. Three times during the morning, they are unable to tell you if they are going to blow up your house or not."

"That's what I call a threat," said Mr Kentridge.

The Star and its Editor had been under threat of being seized without notice and without being heard — even though Mr Tyson had been sure the advert was legal.

"Mr Tyson had no doubt that if they acted against the newspaper, it would have been illegal," Mr Kentridge said.

He pointed out that Mr Tyson had been advised that even the advertisement The Star had been warned by the police not to publish was legal. But that did not protect the newspaper from a possible police seizure.

Asked by the Deputy Judge-President, Mr Justice Coetzee, if Mr Tyson did not know there were other lawyers capable of giving correct legal advice, Mr Kentridge said one only had to read the law reports to know that "time and again the police have acted in a way the courts have held to be illegal."

Mr Tyson could not assume that their legal advice would be the same as his.

"The police have enormous powers of summary seizure. Is one to say an editor is not entitled to go to court to prevent them from doing this?" he asked.

Order of confiscation

The threat to The Star had mounted steadily until the newspaper went to court. First The Star was informed that it was possible it would be prosecuted for publishing a paragraph about "National Detainees Day".

Secondly, it was told that if it published the same — or similar — advertisement as carried in the City Press, then The Star would be seized.

Thirdly, The Star was visited by police with an order of confiscation, and when told by the Editor that the amended advertisement was legal, the police left "to get further instructions".

Finally, right up to the moment of going to court, The Star was unable to get any assurance from the police that the newspaper would not be seized that day. Once the police realised the advertisement published in The Star had been amended to remove anything that might possibly contravene the emergency regulations, that should have been the end of the matter, Mr Kentridge said.

The reason they took legal advice on the amended advert was that "they wanted to stop the publication of this advertisement if

they could. They wanted to seize The Star that day if they could. "If the police thought it worth taking advice on, I submit that a reasonable editor would have a reasonable apprehension of injury."

"The great pity is that no one throughout that morning said 'There is no question of us seizing your issue.' That would have been the end of it."

Commissioner General Johann Coetzee's claim, in his affidavit, that "there was no question" of seizing The Star was, at the very least, exaggerated, Mr Kentridge submitted.

Turning to the subject of the procedure of the urgent hearing in the Supreme Court on March 10, Mr Justice Coetzee asked Mr Kentridge why Mr Paul Jenkins, legal adviser to The Star, had not contacted the police to give them notice in advance of the urgent application that day.

Returned to the court

The police were informed of the application only about 20 minutes after it had already begun, and during an adjournment in the case shortly after 1 pm on that day. At that stage Mr Jenkins informed the police at Mr Justice O'Donovan's request, and then returned to the court and gave oral evidence.

In this earlier hearing, a rule nisi was granted declaring the advertisement legal and restraining the police from seizing the edition of The Star.

Yesterday Mr Justice Coetzee said that the right to be heard was one of the most important rights of every person, and it appeared that accepted practice had not been carried out in this case.

New affidavits were filed by both parties yesterday.

During Mr Kentridge's argument yesterday, Mr Justice Coetzee asked why Mr Jenkins had not told the original judge what had transpired in a telephone conversation that day between himself and Mr P Visser, SC, legal adviser for the police.

It was argued that Mr Jenkins believed the conversation was "off the record" because it was a discussion on friendly terms between two legal men.

Mr Jenkins was told by Mr Visser that the police would be advised that the advertisement was legal.

Although Mr Jenkins believed that this meant the police would probably not seize that edition of The Star, the police legal advisers were not prepared to give any undertaking.

Yesterday the Police applied for a higher grade of "punitive cost" against The Star after the newspaper's application for the recusal of a judge last week.

Mr Justice le Grange recused himself on Friday.

The hearing continues.

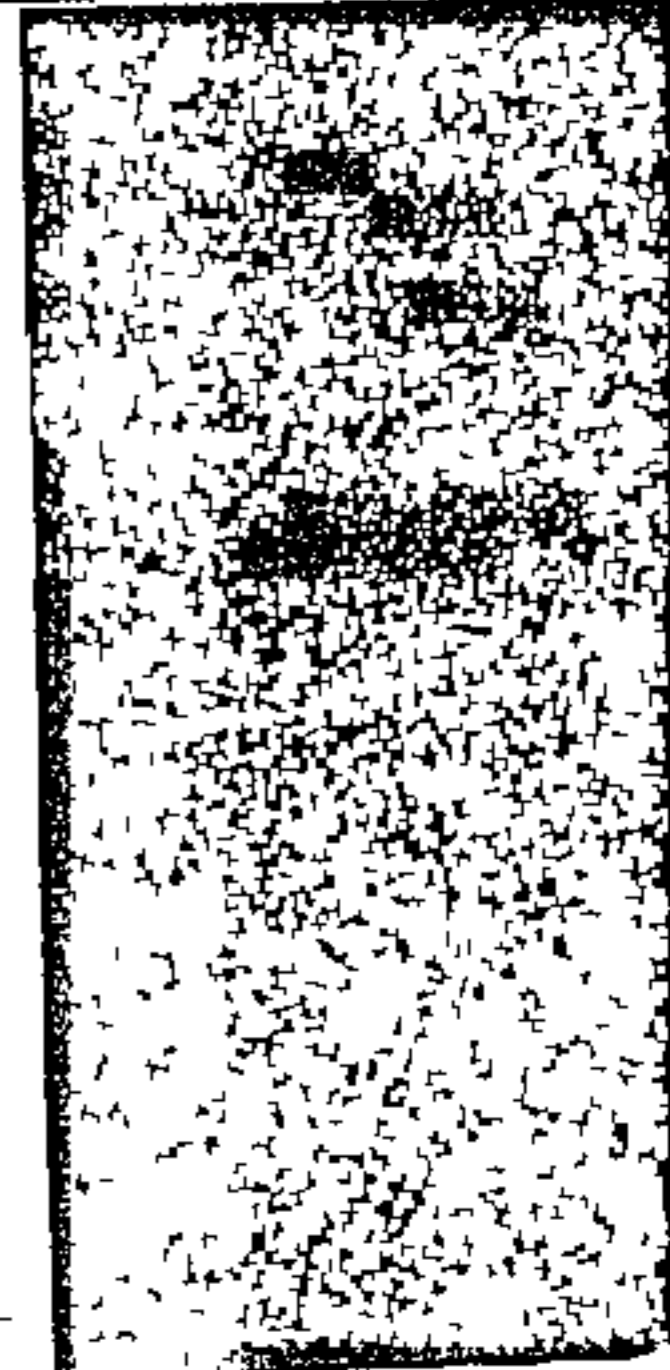
Trainees didn't stand for this

A bus company flew 10 national servicemen from East London to Uppington at the weekend after they left an overbooked bus.

An SADF spokesman confirmed that a contractor had overbooked for the bus and that the 10 trainees would have had to stand for the 1 000 km journey after paying a R76 fare.

A suggestion by the bus driver that they rotate with those sitting every two-and-a-half hours was refused.

The trainees left the bus and reported to the local SADF duty officer in East London. The SADF spokesman said the men were back with their units today. — Sapa



4 shot,

SOVIÉTAN, Wednesday, March 25, 1987

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Cop denies assault

A SENIOR police officer dismissed allegations of assault made by two of the 11 Duduza murder trialists to a magistrate because he believed they were untrue, the Pretoria Supreme Court heard yesterday.

Warrant Officer Johannes Scott, who was the investigating officer at the time of the 11 accused were arrested, said he never even investigated the alleged assault because he did not believe that Ms Lorraine Zanele Sobuzi (33), and a 17-year-old youth had

been assaulted by the police.

The court heard that the magistrate who took down a statement from Ms Sobuzi had noted that she sustained bruises in the face after alleging that she was assaulted by the police.

W/O Scott said these bruises could have been sustained when Ms Sobuzi was involved in an attack on Ms Rosaline Maki Sikhosana at the

Duduza cemetery on July 20, 1985.

All the accused have pleaded not guilty before Mr Justice Hartzenberg and two assessors to a charge of having murdered Ms Sikhosana.

Married

W/O Scott, cross-examined by Mr David Soggot, for the defence, said he never heard that Ms Sikhosana had a love

affair with Sergeant Joel Msibi. He added that Mr Msibi was a married man and until today he had not heard that he had an affair with the deceased.

The witness also told the court that magistrates normally made rulings that in cases where an accused or a suspect was assaulted before he made a statement, an investigation be

launched. He denied ever having assaulted or threatened any of the accused before they made statements.

W/O Scott said he was told by Lieutenant Roos that a State witness, Mr Petition Neubezelo, had testified in court recently alleging that he and a number of suspects were assaulted with batons and sjamboks by uniformed white policemen inside the Dumnottar po-

lice station on July 23, 1985 — three days after the murder of Ms Sikhosana.

W/O Scott said he never followed up these allegations.

He conceded that if the attacks on the suspects took place, some of the people in the nearby cell could have heard the screams. He agreed that some of the accused and suspects could not have answered questions freely thereafter after having seen those who had been assaulted. (Proceeding)

Court hears of assault by police officer

(S) CP 25/3/87

By JULIET SAUNDERS
FORT BEAUFORT — A pupil today told the Magistrate's Court here that he suffered from recurring epilepsy attacks, headaches and defective vision after he

was assaulted two years ago
Mr Siphwo Rangule, 20, now in Std 7, was testifying in the trial of Captain Gerrit Grobblaar, a former police station commander

at Fort Beaufort, charged with eight counts of assault.

He said he had been hospitalised for two weeks after the attack, and still received medical treatment

Mr Rangule's testimony was that Capt Grobblaar had assaulted him with a sjambok at a supermarket where he was temporarily employed during July, 1985.

Capt Grobblaar was allegedly accompanied by eight soldiers, who had, in Capt Grobblaar's presence, further assaulted him with rifle butts and batons

At one stage, Mr Rangule said, he was kicked in the stomach and had his head bashed against the ground.

He then lost consciousness and came round only after being admitted to the Adelaide Hospital.

Capt Grobblaar is also alleged to have assaulted Mrs Eunice Nyakatya, 65, Mr Dan Masiza, Mrs Irene Masiza, Mr Nkululeko Masiza, Mr Joe Masiza, Mr Xolani Mselem and Mr Leontine Tamsaxiqa

(Proceeding).

Mr Ray Nelson was on the Bench Mr Dave Damerell is appearing for the State. Mr Gideon Huisamen is appearing for Capt Grobblaar

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By Moura Levy
A SWORN statement by the father of a youth shot dead in a racial flare-up in the west coast town of Laarplek, complaining that the police did nothing to stop the violence, has been sent to the Commissioner of Police and the Department of Post and Telecommunications.

Jacobus Johannes Slabbert, father of 17 year old Jonathan who died in January, has claimed that all his efforts to get police help during the incident were ignored. He also alleges that an attempt to put through an urgent call to police in the nearby

city of Paarl was refused by the Laarplek telephone exchange. Attorney Enver Daniels confirmed violence first broke out at a local black pleasure resort when New Year fun-seekers, clashed with white youths. Later that day fighting erupted again at the Oase Cafe, allegedly after a Mr G. J. van der Westhuizen called the locals "hothotte". In the chaos that ensued a shot was fired, and Jonathan who was said to be sitting on the pavement across the road at the time, was hit

Slabbert said in his statement that he arrived at the scene to see his son's limp body being carried by about four youths. "I ran towards the police station. I saw two policemen there. I begged them to do something. I was hysterical at the time. "I was merely told by the policemen to whom I had spoken that I must calm down...I wanted the police to

I begged cop to help my dying son'

summon help and to intervene in the incident but they did not." When Henry Smeda, the chairperson of the local civic association, later tried to telephone the police in Paarl, "the exchange told him in crude terms that he would not put him through," Slabbert wrote in his affidavit. Jonathan was taken to hospital where he died the next day. His death provoked a fresh outbreak of violence in the town. According to Enver Daniels, a policeman was killed and two others were injured. "Had the police

intervened after the shooting and at least attempted to ascertain what had happened, the violence which erupted in Laarplek after the shooting would not have taken place," Slabbert said in his statement. "The police station is close to the Oase Cafe and the police were able to observe from the police station what was happening at the cafe." Daniels confirmed that the affidavit had been sent to the Commissioner of Police and the Post and Telecommunication department to lodge a complaint about their refusal to assist. And following the incident Mr Slabbert has claimed that he has been unfairly dismissed from his job in the local fishing industry and he is seeking reinstatement through the Industrial Court. An industrial Court action has also been brought by Smeda and two other fishermen who claim that they were not re-hired this year because they were detained in January under the emergency regulation. The Minister of Law and Order confirmed that he got complaints in Januarys. A departmental inquiry has been opened.

Trouble after 'kitsie' joins up

251

DOMESTIC squabbles at a normally tranquil home turned bloody after its head joined the kitskonstabels

And less than a month later the conflict culminated in tragic deaths. In a fit of rage, the head of the household, 32 year-old Mr Enoch Mbobo of Brown's Farm shot and killed his wife, Maureen. Later, Mr Mbobo turned the gun on himself.

This emerged in an interview with Mrs Catherine Ngqanga who was staying with the Mbobo family at the time. She now

looks after the couple's three children and her own four.

"The mood in the house changed dramatically after Enoch brought forms applying for the kitskonstabel job," she said.

"Everybody in the family including Enoch was not happy about this job. We talked about the dangers of the job including community resentment against the kitskonstabels. But he had been out of work for a long time so he took the job"

Miss Ngqanga said Enoch did a training course in December last year and he



Miss Ngqanga

returned early January.

"He dressed in a blue overall and started bringing

home a gun and a baton. This increased tension in the house. We were afraid of the gun. His wife asked him to leave the gun at work but he refused.

"My sister-in law was not happy," Miss Ngqanga said

"According to a neighbour, Catherine said one day if it were not for me she would have ran away She feared trouble. The children also began to feel the tension in the house. Squabbles were almost daily Minor problems became big issues.

Miss Ngqanga said she was in Pietermaritzburg when the shooting happened.

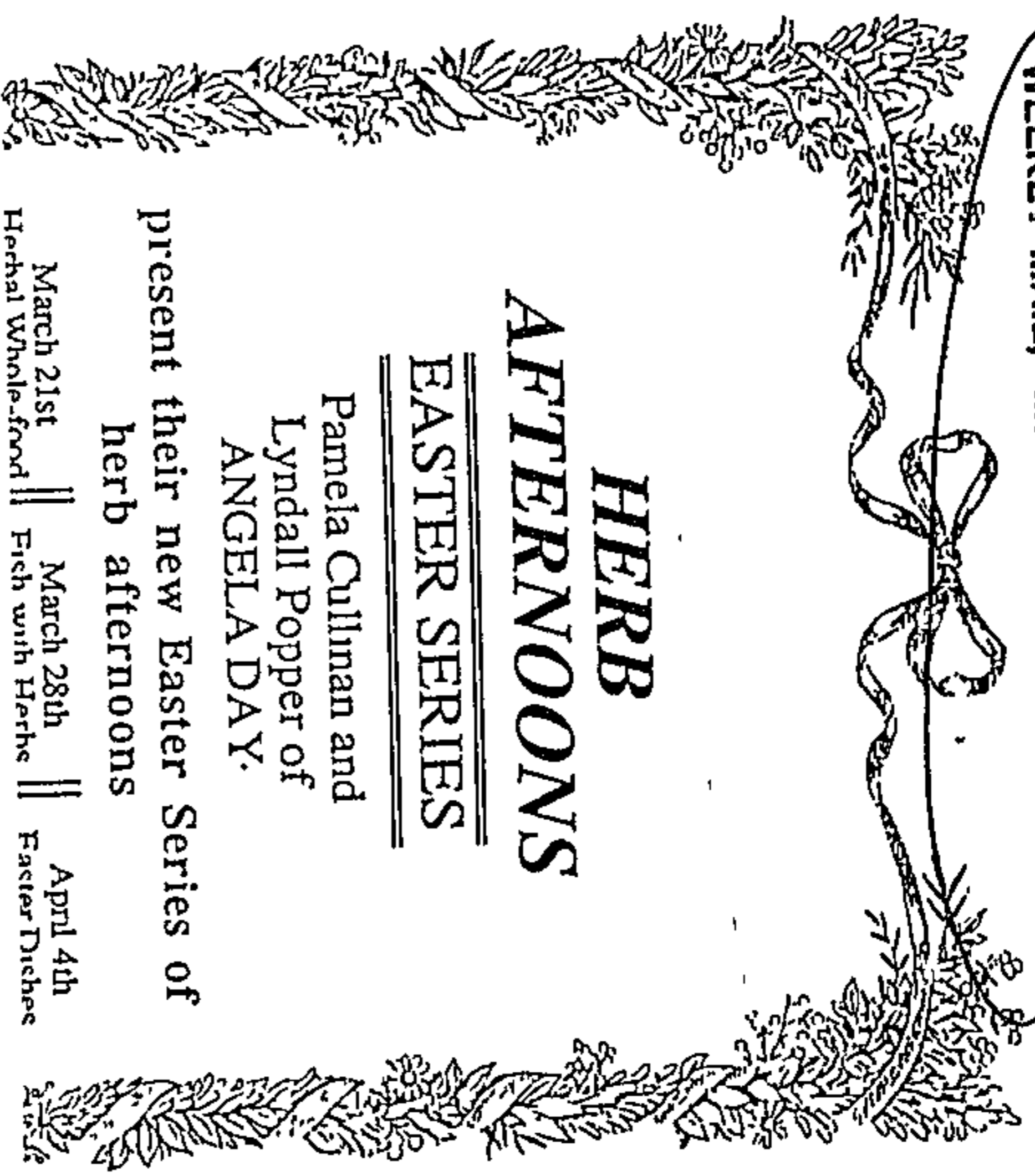
"According to the neighbours, Enoch first hit his wife with a bottle and a brick before shooting her twice with his service gun."

"Still carrying the gun, he called his children, saying he did not "want them to suffer". But neighbours kept the children. Enoch later went into the house and shot himself," she said.

"He was owed his salary for the 10 days prior his death. A court will have to decide who will get the money."

SAP Public Relations Directorate refused to comment on the matter.

"SA police consider this to be a departmental matter.



HERB AFTERNOONS

EASTER SERIES
Pamela Cullinan and
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ANGELA DAY.

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herb afternoons

March 21st ||| March 28th ||| April 4th
Herbal Whole-Food ||| Fish with Herbs ||| Fancier Dishes

THREE RESEARCH PAPERS FROM THIS WEEK'S BLACK

BLACK municipal police forces, established in many townships around the country last year, are increasingly responsible for policing township residents in the Eastern Cape and indications are that their targets are political opponents, especially young people

In a paper presented at the Black Sash National Conference in Cape Town last weekend, Cheryl Walker notes the Black Sash offices in Port Elizabeth and Grahamstown have received "numerous complaints and allegations of abuse against the council police" in the past year. At the same time the number of complaints to their offices concerning the SA Police and SA Defence Force, which were "so prevalent in 1985", decreased considerably. According to Walker, this supports

The third force

the view that these two forces have withdrawn "into a more supervisory role and that much of the immediate responsibility for crushing anti-government organisation and reasserting control over the townships has been devolved onto the black municipal police and the local authorities they serve. "By far" the most complaints received in the Eastern Cape offices concerned alleged assaults by municipal police on township residents. They raise "serious questions" about discipline within the force and the use of violent methods such as beatings, torture and midnight arrests in

municipal police operations, she says. Few if any municipal police "arrests" seem to have led to prosecutions in their area. In most cases the person arrested would be "unceremoniously released" after being held for anything between several hours and two days, "during which time he or she may be interrogated and reportedly suffer various abuses". The cases brought to their attention have been referred to lawyers for civil claims for damages, but since none has yet been completed, they are *sub judice* and could not be fully reported. In addition to specific cases, both

(105)
(251)
(411)

Police ask for aid in solving crimes

By JOHANN NEL
Crime Reporter

PORT ELIZABETH police today appealed to the public to assist in a number of investigations in connection with various crimes, ranging from public indecency to fraud.

The SA Police liaison officer for the Eastern Cape, Captain Peet Grobler, said police were looking for a man aged about 32, who allegedly tried to drag a 11-year-old schoolgirl into his vehicle in Sydenham on February 28.

The man, of whom police have compiled an identikit picture, is alleged to have exposed himself indecently to the young girl and five of her friends in Grahamstown Road opposite Eastern Cape Motors.

Anyone who can help should contact Detective-Sergeant Wilson at



The man depicted in this identikit picture is wanted by police in connection with public indecency.

☎ 343434 extension 2137 during office hours, or at ☎ 305158 at home.

● Algoa Park detectives are seeking information about the whereabouts of Mr Ernest Reuben Murphy, 56, formerly of 50 Errol Drive,

Framesby.

It is alleged that Mr Murphy paid for goods with a R67,56 dud cheque.

A warrant for his arrest was issued on January 30. Anyone with any information which can help the police should contact Detective-Constable De Lange at ☎ 422400 during office hours or ☎ 421437 at home.

● Louis le Grange Square detectives are seeking information which will lead to the recovery of goods stolen from Grey Junior School on January 16 and February 11.

The stolen goods were a National VHS Video recorder, an AC National adaptor, and a national video "turner-timer".

Anyone with information should contact Det-Sgt McLeod at ☎ 343434 extension 2168, or at ☎ 332924 after hours.

April 2, 1987

251 W/Mal 27/3
24/10

MORGAN SIBAYA, the mayor of Ratanda township a few kilometres outside Heidelberg in the Transvaal, believes his council police are doing a "fantastic job". Township residents, however, don't see it the same way.

For the last three months church workers have received consistent reports from township inhabitants of sjambokking and harassment by municipal police, who have imposed a *de facto* curfew.

"They come onto the streets at about 8.30 at night," said a representative for the South Eastern Transvaal regional Council of Churches last week. Council police have been accused by residents of entering shebeens and ordering people to go home, as well as beating them with sjamboks in the streets at night. An ex-mayor, Leach Mohlomi, was alleged to be a recent victim, as was a young woman, Lydia Khuzwayo.

While these random beatings have subsided in the last few weeks, they have claimed the life of Joseph Moloï, and, in December last year, they crippled 22-year-old Siphò Mazibuko.

Moloï died in hospital a few weeks after being severely sjambokked.

Mazibuko, who works in the packing department of a tobacco company in Heidelberg and supports his mother, has been in Natalspruit Hospital since he was shot, allegedly by council police — colloquially known as "green beans" because of the colour of their uniforms — three days before Christmas.

Mazibuko said he walked between two council policemen as he was leaving his girlfriend's house. As he crossed the road he "heard a shot and fell down". He is unable to walk as a result of the shot, which passed through the left-hand side of his back through the right front of his body.

Mazibuko is not politically involved and has no idea why he was shot. A nurse at his hospital ward says he

Who runs the municipal police? Not I, says the mayor

The mayor of Ratanda knows nothing about allegations of sjambokings against the council's police. They're doing a fantastic job, he says. RUTH BECKER reports

might be able to walk again with physiotherapy, but it will take "some time".

While Mazibuko's case is a stark illustration of Ratanda residents' complaints, Gregory Mothudi, an Anglican priest in the township, said "this thing has gone too far. There are too many people getting hurt."

"Personally, I think they want to scare people. The army has withdrawn and now they (the council police) have taken over."

His view is reiterated by the regional Council of Churches representative, who said the Methodist church was documenting numerous cases of sjambok injuries but the fear of retribution had made this "extremely difficult".

"With all the politically active folk in detention, it seems to be the case that the council is trying to impose an iron fist rule on the township," he said. Fieldworkers estimate more than

50 Ratanda residents are in detention — 11 from the civic association and student congress executives and about 42 members.

Ernest Pitso, publicity secretary for the Ratanda Civic Association (RCA) and president of the Ratanda Youth Congress (RYC), said the council "have been running the township at the barrel of a gun" since they were installed in March last year.

Municipal police are technically accountable to the council. But in the changeover to local authorities in Ratanda, the council police are stuck in the middle — neither the council nor the SAP finally takes responsibility for their activities.

Sibaya says when the council took over "they (local law enforcement officers) were under our control". But he also says all local law enforcement officers fall under the District Commandant of Heidelberg.

The new laws require certain

qualifications for police, Sibaya says which previously didn't apply.

"We've got good policemen who are uneducated — we admit it — you throw three of the educated ones away for that one. They are doing a fantastic job for us. We are just keeping them." As the current police vacate jobs — through retirement or injury — they will be replaced with others who meet the SAP qualifications, Sibaya says.

When asked if he was aware of the allegations concerning his council police, he said "Let me ask you one question, and thereafter I am not prepared to answer any more questions about the police. Friday we are here (in the council offices). You knock off Saturday you are at home, Sunday you are at home. Monday you see a report in the paper about these things. What do you think?"

Anybody with a complaint against the police could lay a charge, he said. "In my position it is very hairy. I would be committing myself to make any more comment on the police," and referred *Weekly Mail* to the local SAP adjutant and the station commander at Heidelberg.

The district commandant for Heidelberg, Major Visser, says the SAP "take an interest (in the council police) because we trained them and gave them the firearms and so on. At this stage they do the work of the police and so we look after them. We have to."

He described as "absolute nonsense" residents' allegations of sjambokking by council police.

Sibaya also denied that a curfew was in force, saying it was "impossible" for the council to impose a curfew. "We are governed by this country. We have limitations on our powers. The police are not under our control. The municipal police are not under our control. We've got no right to impose a curfew."

1251

Captain on eight assault charges

THE former commander of Fort Beaufort police station appeared in the local magistrate's court this week on eight charges of assault.

Captain Gerrit Grobblaar's appearance is a sequel to an investigation in nearby Tinus township by lawyers, during which 34 affidavits were forwarded to the Minister of Law and Order detailing police behaviour in Fort Beaufort during 1985 and 1986

By JEREMY BERNSTEIN and PETER AUF DER HEYDE in Fort Beaufort

Schoolboy Siphwo Rangule, 20, this week told the court Grobblaar had dragged him out of a shop where he was working during the school boycott, and assaulted him

"He took me by the collar and hit me with a sjambok I was also assaulted while I was outside," he said.

"I became unconscious and later woke up in hospital"

Rangule said he now suffers from epileptic fits and recurring headaches

Another witness, 65-year-old Eunice Nyakanya, said Grobblaar had hit her with "a one metre-long object" in July 1985, soon after she had been in hospital for treatment

Her daughter, Thembisa, said the incident had occurred while Grobblaar was looking for her brother, Themba

The police captain smashed down the door of their home, she said, and he and another policeman hit her mother while demanding to know where Themba was

When Themba was eventually found, she said, "there were lots of policemen around him -- some were hitting him, some were kicking him

"They weren't holding him -- Grobblaar was hitting him in the face," she said The case continues

Police beat me - widow

CP Correspondent

A 65-year-old widow this week told the Fort Beaufort Regional Court how she had allegedly been severely assaulted by a police captain after her release from hospital in July 1985.

Eunice Nyakatya, of Tinus Location, testified against former Fort Beau-

fort station commander Captain Gerrit Grobblaar, who is charged with eight counts of assault.

Grobblaar pleaded not guilty to the charges.

Nyakatya alleged Grobblaar and an unidentified policeman forced their way into her house early on July 21, 1985, before as-

saulting her with "a one metre long black object".

Her son, Themba, was also allegedly assaulted before he was led from the house. He was detained for eight months.

She said she was beaten on the head, arms and shoulders. At one stage she fell to the ground.



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SOUTHERN AFRICA LABOUR AND DEVELOPMENT RESEARCH UNIT



ASSAULTS and all allegations of assault by certain members of the South African Police on members of the public have risen dramatically in the past two decades. Similarly, payouts by the police to the public, compensating for injuries allegedly caused by the police, have also risen sharply in the same period. In 1969 there were 14 successful or settled actions and the total paid in settlement was R5 845. In 1983 there were 166 successful or settled actions and the amount paid out was a staggering R4 492 234.

FOCUS

ALL EGA-TIONS of South African Police brutality have never been out of the limelight.

In several cases over the past years the country has had to contend with adverse local and international attention concerning some highly publicised "assault" and death in detention issues.

Today the *Sowetan* focuses on six such cases. Steve Biko Imram Haron, Hoosen Haffjee, Joseph Mdluli, Neil Aggett and the Wendy Orr Supreme Court application

• On September 12, 1977, black consciousness leader Steve Biko died while in police custody

Brain

According to pathologists' reports Mr Biko had extensive brain injuries causing a reduction of circulation to other organs, complicated by widespread intravascular coagulation

It was also reported Mr Biko had sustained at least a dozen abrasions and bruises, including rib injuries. Reports said the injuries had been incurred over a period of between eight days and 12 hours before his death

Deaths that hit the headlines

SOWETAN Correspondent

A district surgeon told the Biko inquest that Security Police had prevented doctors from transferring him to a hospital three days before his death "because of the security risks involved".

He was later transported naked in the back of a Landrover from Port Elizabeth to Pretoria, where he later died.

His death was followed by an inquest which found nobody responsible and that his head injuries had probably been caused by a scuffle with the police.

Widow

The Minister of Police later agreed to pay R65 000 in an out-of-court settlement with Mr Biko's widow who had sued for R96 000.

• On September 27, 1969, Muslim leader Imram Abdullah Haron



STEVE Biko ... died in detention.



Mr JIMMY Kruger - Minister of Justice at the time.

died in police custody. He had been detained under the Terrorism Act. An inquest found he had died as a result of injuries caused in part by an "accidental fall down a flight of stairs". Later United Party MP Cathy Taylor alleged that a police assault had led to his death. She claimed in Parliament she had confidential information that an assault had been responsible for the subsequent decline in Mr Haron's physical condition which ultimately led to his death.

His wife, Gabena Haron, brought a civil action against the Minister but was later given an "ex gratia" payment by the State of R5 000. Mrs Taylor said the payment was tantamount to an admission on the part of the authorities that he did not die a natural death.

• On August 3, 1978, Dr Hoosen Haffjee, detained under the Terrorism Act, hanged himself with his trousers. An inquest found that nobody was to blame for his death. There was never any explanation for the many bruises found on his body. The bruises were widely distributed but concentrated on the knees, elbows and back. Scalp tissue was also bruised. Police said he must have been bruised while they were struggling to get him into vehicles on two occasions. But several experts said this was highly unlikely. They remained mystified about many of the injuries, but believed some could have been caused by fists or boots.

• In 1979 the widow of Joseph Mdluli received

a R15 000 out-of-court settlement following his death in detention in 1976. The Minister of Justice, Jimmy Kruger, admitted liability for the death. Lydia Mdluli originally claimed R28 616. Mr Mdluli died less than 24 hours after being detained in March 1976. Four security policemen were later acquitted of culpable homicide. In acquitting the four, the Judge President of Natal, Mr Justice James, strongly urged further investigations to ascertain how Mr Mdluli met his death. "This is important and should be solved." He said should it be established that police officers brought about his death they should be punished. He said on the evidence before the court he had not been satisfied the four security policemen had been directly involved in Mr Mdluli's death.

Shock

• On February 2, 1982, trade unionist Dr Neil Aggett hanged himself at John Vorster Square while in police detention. An inquest magistrate decided no-one was responsible for his death. A fellow detainee, Maurice Smithers, said in evidence however, he had watched Dr Aggett being made to strip and do exercises while a policeman hit him with a rolled up newspaper or a belt. Dr Aggett had also made a statement the day before he died complaining of assault, electric shock treatment and sleep deprivation. The Aggett family's case aimed to prove his sur-

icide had been induced that it followed intensive police questioning which reduced him to a state where he believed death was preferable to more interrogation. The police denied these allegations. They told the inquest that the 62-hour interrogation had been requested by Dr Aggett who had decided to "open his heart and tell all".

Beer

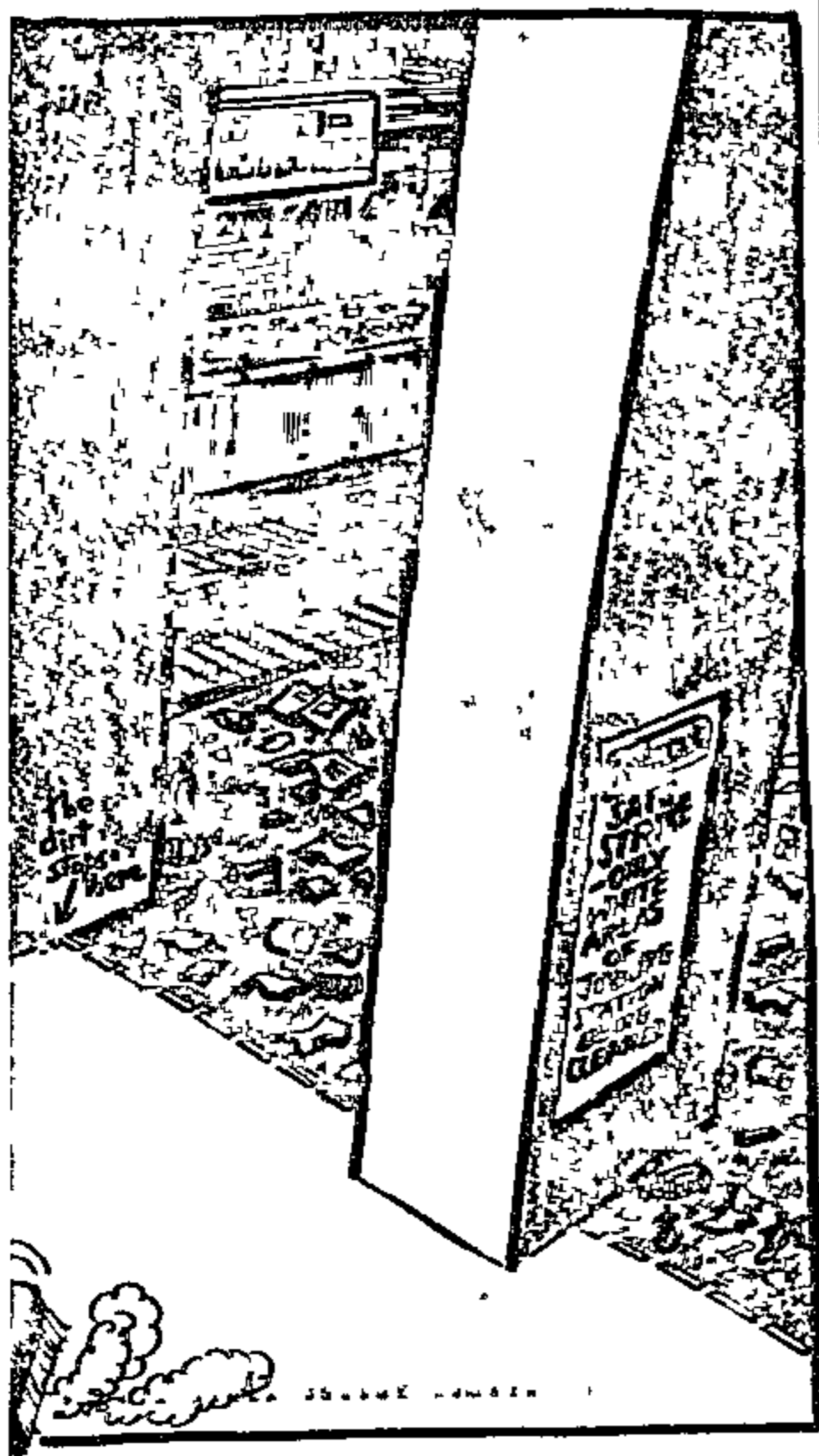
They also denied maltreating detainees. Some told of how they had taken their prisoners swimming or to a braai or drunk beer with them.

• September 25, 1985. In the Port Elizabeth Supreme Court a historic "restraining order" against the police was granted preventing them from assaulting detainees. The order was granted after a young district surgeon, Dr Wendy Orr, and 44 others brought the application. In papers she said "There seems to me to be an extensive pattern of police abuse upon detainees held under the emergency regulations. The overwhelming evidence presented to me convinced me that the detainees were being systematically assaulted and abused after their arrest and before being admitted to prison."

"Because the police were acting under the (1985) emergency regulations and apparently believed they had an immunity some of them were quite unrestrained in the abuses they inflicted upon detainees."

Brigadier E S Schnetler, Divisional Commissioner of Police in the Eastern Cape, said in a replying affidavit the impression that there was general unlawfulness in the South African Police was unfounded. He added that allegations of assaults had been made from time to time but in most cases they were unfounded.

It was reported recently that the Minister of Law and Order will pay about R260 000 in costs for the application.



Political comment in this issue by J Latakgomo and A Klaaste. Sub-editing, headlines and posters by S Matlhaku. All of 61 Commando Road, Industria West, Johannesburg.

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Sowetan
30/3/87
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PRELIMINARY PROOF

Council cops assaulted us, claim Katlehong residents



MR. LESENYEHO . . . fined.

SCORES of residents in Katlehong, near Germiston, claim they have been assaulted by council policemen who have unleashed a reign of terror in the township.

Most of the alleged victims are motorists. Some of them told the *Sowetan* that the alleged reign of terror by the policemen, also known as "Chicoco" in the township, started two months ago.

They claim that they had been assaulted at roadblocks set up by the policemen.

Mr Solly "Ntshhebe" Lukhele, the deputy mayor of Katlehong, said he was not aware of the allegations.

By MZIKAYISE EDOM

He said "No residents have complained about the behaviour of our police."

Fine

He promised to investigate the allegations. He also appealed to residents to report any incident of assault to the council.

A spokesman for the police public relations directorate in Pretoria said police were not aware of the allegations.

The Katlehong council has given its policemen powers to check

cars and arrest motorists in the township

All those arrested are locked up unless they pay a "spot fine"

A taxi owner, Mr Motala Motalung, claims the policemen assaulted him last week at a roadblock. He said they accused him of failing to obey a road sign.

He said he was hit with a rifle butt on the forehead and suffered a deep gash. He is still receiving medical treatment.

Released

He was later released by the policemen after being assaulted. Another taxi owner.

Mr Joseph Mlangeni, said three of his drivers were assaulted last week after being accused of overloading their taxis. He said they were only released after he had paid a fine of R200 for each driver.

Mr Vincent Lesenyehho said he was ar-

rested by the "Chicoco's" for allegedly driving an "unroadworthy vehicle".

He said he had to pay a "fine" of R40 to the police before he was released. "I was not given any receipt and I was told to go home," he added.

Man threatens police pair with speargun

(25) Ernest 30/3/82

DURBAN — A man threatened two policemen — first with a speargun, then with their firearms and again with a knife — in a Durban North home shortly after seven o'clock last night

The policemen, Sergeant N Bower and Const G Cadman, went to the house to investigate a complaint

When they arrived, they were held up by a man armed with a speargun. He forced them to hand over their firearms and ordered them into the house

As the man entered the

premises, the door was slammed on his thumb. He then handed over the firearms and gave himself up to the two policemen

But the drama wasn't over, for the assailant then produced a knife

A police spokesman today said that Sgt Bower had calmed the man who then finally gave himself up

The man was later examined by a district surgeon who proclaimed him fit to be arrested

A man has been detained by police. — Sapa

Koevoet

kills 60 in month

WINDHOEK. — A special police counter-insurgency unit shot and killed more than 60 Swapo insurgents in the past month, according to news reports published here yesterday

In the latest armed encounter, the unit (known as Koevoet) tracked down and killed three Swapo insurgents in skirmishes in northern Namibia on Wednesday

In another incident, insurgents attacked a temporary military base near Oshigambo in northern Namibia and wounded 10 soldiers who had been admitted to a hospital for treatment

A police contingent was attacked on Wednesday by 16 insurgents with RPG-7 rockets — Sapa

CAPE TIMES 30/3/87

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Report by Anthony Johnson 122 St George's

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Vol. 261

PRETORIA, 31 MARCH
MAART 1987

No. 10686

GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE

No. R. 664

31 March 1987

ASSIGNMENT OF CERTAIN POWERS, DUTIES AND FUNCTIONS OF MINISTER OF LAW AND ORDER TO MINISTER OF JUSTICE

It is hereby notified that the State President has under the powers vested in him by section 26 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983)—

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31/3/87
- assigned the administration of the provisions of the Public Safety Act, 1953 (Act 3 of 1953), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of section 5A of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987,
 - assigned the administration of the provisions of the Affected Organizations Act, 1974 (Act 31 of 1974), which entrust to the Minister of Justice any power, duty or function, the administration of which provisions was by Proclamation R 30 of 1984 assigned to the Minister of Law and Order, to the Minister of Justice with effect from 1 April 1987, and
 - assigned the administration of the provisions of the Internal Security Act, 1982 (Act 74 of 1982), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of sections 29, 45, 50, 50A, 71 and 72 (c) of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN JUSTISIE

No. R. 664

31 Maart 1987

OPDRAG VAN SEKERE BEVOEGDHEDE, PLIGTE EN WERKSAAMHEDE VAN MINISTER VAN WET EN ORDE AAN MINISTER VAN JUSTISIE

Hierby word bekendgemaak dat die Staatspresident kragtens die bevoegdheid hom verleen by artikel 26 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983)—

- die uitvoering van die bepalinge van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalinge van artikel 5A van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het,
- die uitvoering van die bepalinge van die Wet op Geafekteerde Organisasies, 1974 (Wet 31 van 1974), wat aan die Minister van Justisie 'n bevoegdheid, plig of werksaamheid toewys, die uitvoering van welke bepalinge by Proklamasie R 30 van 1984 aan die Minister van Wet en Orde opgedra is, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het, en
- die uitvoering van die bepalinge van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalinge van artikels 29, 45, 50, 50A, 71 en 72 (c) van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het

3/3/87
Sowetan
AS

Policeman's body in veld

A POLICEMAN was hacked to death and his body left in the veld near Klipspruit in one of the incidents of violence in Soweto over the weekend.

According to Colonel M A L Stoltz of the Soweto Police, the dead policeman was stationed at the Klip-town police station

The police have arrested a man in connection with the killing

Four other murders were reported to the police all involving the use of knives No ar-

rests have been made

Other cases reported to the police involve nine robberies, 12 rapes, 15 theft cases and 10 housebreaking cases

Police have also arrested 16 people for dealing in liquor without a licence and a further 10 for dealing in dagga

A total of 371 dozens of 750 ml of beer were confiscated by police and 12 dozens more of strong liquor

Eleven men were arrested in 23 recovered stolen vehicles



REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

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PRETORIA, 31 MARCH
MAART 1987

No. 10686

GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE

No. R. 664 31 March 1987

ASSIGNMENT OF CERTAIN POWERS, DUTIES AND FUNCTIONS OF MINISTER OF LAW AND ORDER TO MINISTER OF JUSTICE

It is hereby notified that the State President has under the powers vested in him by section 26 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983)—

- 57/10686
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25
3/13/87
- (a) assigned the administration of the provisions of the Public Safety Act, 1953 (Act 3 of 1953), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of section 5A of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987,
 - (b) assigned the administration of the provisions of the Affected Organizations Act, 1974 (Act 31 of 1974), which entrust to the Minister of Justice any power, duty or function, the administration of which provisions was by Proclamation R 30 of 1984 assigned to the Minister of Law and Order, to the Minister of Justice with effect from 1 April 1987, and
 - (c) assigned the administration of the provisions of the Internal Security Act, 1982 (Act 74 of 1982), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of sections 29, 45, 50, 50A, 71 and 72 (c) of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN JUSTISIE

No. R. 664 31 Maart 1987

OPDRAG VAN SEKERE BEVOEGDHEDE, PLIGTE EN WERKSAAMHEDE VAN MINISTER VAN WET EN ORDE AAN MINISTER VAN JUSTISIE

Hierby word bekendgemaak dat die Staatspresident kragtens die bevoegdheid hom verleen by artikel 26 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983)—

- (a) die uitvoering van die bepalings van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalings van artikel 5A van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het,
- (b) die uitvoering van die bepalings van die Wet op Geafekteerde Organisasies, 1974 (Wet 31 van 1974), wat aan die Minister van Justisie 'n bevoegdheid, plig of werksaamheid toewys, die uitvoering van welke bepalings by Proklamasie R 30 van 1984 aan die Minister van Wet en Orde opgedra is, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het, en
- (c) die uitvoering van die bepalings van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalings van artikels 29, 45, 50, 50A, 71 en 72 (c) van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het

Youths asked to spy — claim

152
Sanethur
11/4/87

YOUTHS in Venda, who are taken on government tours, are asked to become police informers, a youth, who was in one of the tours, has said.

The youth, who asked not to be named, said they were also lectured on the use of military weapons by army instructors of the Venda Defence Force (VDF)

A group of 32 youths and eight teachers are presently on a similar tour which started on Sunday and is scheduled to end on Friday.

The group is from eight schools in the Thoho ya Ndou circuit. They are housed at the Lupepe picnic centre near the Masisi military base, close to the Zimbabwe border.

End

The disclosure that youths were being told to inform on "anti-government activities" has been widely condemned by various organisations including the Azanian People's Organisation (Azapo), the Azania Students Movement (Azasm) and various trade unions. The organisations have called for an end to the exercise.

Youths who attended previous tours said they were taken to a military base where

- They were given large quantities of food and drinks during their stay.
- They were lectured on the use of firearms and were told that it was their duty to defend Venda
- They were told to report all "anti-government activities" to the police.

Security forces shot me — nurse

By Montshiwa Mroko

A Soweto mother of three has laid a complaint with the police after she was allegedly shot and wounded by members of the security forces while travelling home from work.

The attack on Miss Aurelia Qina (32), a nurse, took place at night on March 23 while she and three colleagues were travelling in a minibus along the Old Potchefstroom Road to Protea North

She was taken to Baragwanath Hospital where she was treated for a leg wound and discharged

In a telex reply to The Star, however, the SAP public relations directorate said

"We have no record that Miss Aurelia Qina has laid any charges with the SA Police at Kliptown. She is advised to do so as soon as possible as this is a serious allegation.

"Copies of your telex have been sent to the Divisional Criminal Investigation Officer, Soweto, and the Public Relations Division of the SADF."

Miss Qina said that about 7.20 pm as they were passing Zones One and Two, Pimville, they heard a noise in the car.

"Suddenly a military vehicle cut in front of us. Men in brown army uniform got out and approached us.

"This was the same army truck we saw when we stopped earlier at a robot opposite the Doornkop Military Base.

"One of them went to the driver's side and accused the driver of being drunk. He then hit the driver with a gun.

BLOOD

"I did not know what had happened until I felt heat in my leg. When I touched it my hand was stained with blood."

She said she heard one of the members of the security forces asking the others "Wie het geskiet, wie het geskiet?" (who shot, who shot?) No one replied.

The passengers asked what was wrong and one of the soldiers looked at the bleeding wound and remarked "Dit is net 'n krap (it is just a scratch)."

Miss Qina said another soldier told the driver of the minibus to take her to hospital. They tried to follow the army vehicle but lost track of it.

"We went to the Kliptown police station where we reported the matter after I had been treated for a bullet wound at Baragwanath Hospital.

Alliance lays charge

Dispatch Reporter

EAST LONDON — Police here have confirmed that a charge in connection with a contravention of the Electoral Act has been laid against the National Party in King William's Town.

The Border police liaison officer, Lieutenant Dot van der Vyver, said yesterday that the PFP/NRP alliance candidate for King William's Town, Mr Pat Rogers, had laid a charge against the NP

The charge follows the hiring of some 25 schoolboys to canvass for the party in the town

The police were investigating a possible contravention of sections 138 and 139 of the Electoral Act

Lieut Van der Vyver said the matter would be referred to the Attorney General for a decision

(Report by Barbara Hart, 33-Caxton Street, East London.)

Hennie tells of war horrors that drove him to crime

Hennie Beukes sat bolt upright in his bed. It was wet, again, and he was shaking with terror. Yet another nightmare had woken him all around him men, women and children were being shot in a burning village.



HENNIE BEUKES: His nightmares resemble "platoon".

It was not a scene from "Platoon" — the Vietnam War movie that has just won four Academy Awards — but a real episode in the life of Hennie Beukes, "Platoon" policeman, who served with distinction on the border.

Combat fatigue, also known as "Vietnam syndrome", made him turn to crime and his case has identified this problem in South Africa.

Dr Chris Kotze, a clinical psychologist, said during Mr. Beukes's Supreme Court trial: "If only he had received psychological treatment to identify the problem during his duty in the operational area, the case would not have had such tragic consequences."

Sergeant Beukes performed deeds of heroism instinctively, he said.

"Because of ignorance of the impact of repeated operational involvement, Sergeant Beukes was not able to take advantage of such treatment."

Mr. Beukes, now working as a salesman in Pretoria and studying for a degree, was recently re-

SARA MARTIN

leased from prison after four years served for robberies in Durban. He spoke to the Saturday Star in the hope of helping others.

He joined the SAP at 16 and made sergeant by 19. By 23 he had been promoted to warrant officer and volunteered for border service. He was on the Rhodesian border from 1972 to 1975 and later in Namibia.

"I read all I could on guerilla warfare and the US involvement in Vietnam," he said. "In 1974, without my commander's orders, I crossed the border and attacked an enemy base.

"It was during this period that

a change came about in me. I couldn't handle the killing any more. I couldn't handle going to my friends' funerals. But I never let it show.

"There were many others in my unit who displayed the same symptoms — one even drank himself to death."

One of the few happy periods of his life was spent as a detective at Pretoria Central Prison. It was there that he met his wife Jeanette, also a detective. She is now the mother of three girls and has

stood by him through his trouble.

"After my involvement in the Soweto riots and a spell in South West, the conflicts within me, between law and order reduced me almost to a zombie.

"In one skirmish one of the enemy dead was a 13-year-old boy. I couldn't help wondering what he knew about it all."

Hennie Beukes's mental state deteriorated to such an extent that, when he left the police and joined an international company as a security officer, he plotted his first robbery. This was followed by four more in the Transvaal

and Natal. He was arrested in Durban in January 1982.

Mr. Justice I W H Aekermann of the Pretoria Supreme Court handed down an unprecedented judgment — a 26-year sentence was suspended because he accepted that Mr. Beukes needed psychiatric help.

The Natal judge was not so lenient. Mr. Beukes was released in February this year after spending four years in jail.

"I have paid my debt to society," he says. "My only regret is to have robbed innocent women in banks. I have phoned them all to apologise. Now I just want to live a normal life with my family who

have endured so much because of me."

Commenting on Mr. Beukes's case, Commandant Sophia du Preez of the SA Defence Force Medical Services, said: "Each individual's physical and spiritual condition is of the greatest importance to us. We are constantly doing research to ensure the best treatment is available to all."

She said the army looked at all facets of combat and acted as the situation required.

"At scenes of combat there is always a rescue team on hand. Always included in the team are a clinical psychologist or a psychiatrist or both."

5/4/87 CP Press

Unexpected support

By STAN MHLONGO

SUPPORT for the Congress of SA Trade Unions' fight for a living wage came from an unexpected quarter this week - the Iekoia City Council

Iekoia mayor Esau Mahlatsi turned down an application at his council's monthly meeting by businessman F van der Merwe to build a poultry farm in the council's area of jurisdiction because he

was paying his employees R150 a month, which Mahlatsi said, "was not a living wage"

Van der Merwe told the council that in addition to the R150, his employees received six eggs a day, three meals and free sleeping quarters - all concessions which failed to impress the council which stuck to its decision that he would not be paying his employees a living wage

CP Press 5/4/87

Student granted order

CP Correspondent

A CAPE Town judge this week ordered the Minister of Law and Order and the officer commanding Pollsmoor Prison to "release forthwith" University of Cape Town social work student Ian Mackenzie, 24

The Minister was also ordered to pay Mackenzie's legal costs

He had been detained for 110 days under the emergency regulations - after police arrested him in Woodstock at 12 30am on December 12 while he was distributing pamphlets publicising the UDF's Christmas Against the Emergency campaign

An hour after his arrival at Security Branch headquarters Warrant Officer Johannes Louw, who interrogated him when he was detained from July to October last year, came in and was "extremely aggressive and threatening"

Louw denied these allegations

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The campaign calls on all peace-loving white South Africans to seriously consider the prevalent state of affairs in the country

Nusas will hold a non-racial poll in the week preceding the elections for students of all colours to make their feelings known on "one person, one vote"

Sansco executive member Pascal Moloi said the elections had no meaning for most black people in the country

Naude said the basic issue facing the country was granting full political rights to blacks

By SIPHO JACOBS

THE SABC's investigation into allegations of racism on the part of two senior employees is being investigated at departmental level.

The racism controversy was leaked to reporters after a document, allegedly signed by two senior SABC staffers, called for Soweto to be sealed off and its people wiped out in the event of a revolution.

The document was alleg-

5/4/87

Racism allegation at SABC

CP Press

edly signed by the editor of TV news input, Andre Kritzing, and crime reporter Chris Olckers.

The signing of the statement was allegedly witnessed by two other SABC staffers.

DPSC tea for detainees

By SANDILE MEMELA

TOMORROW ex-detainees and their parents will remember those still in detention at a tea party, a Detainees Parents' Support Committee member said this week

It will be held at the Civic Centre Methodist Church, 114 Rissik Street, Braamfontein, from 2pm and parents of detainees and ex-detainees are urged to attend

Numerous DPSC tea parties have been held to provide support for those who have been held in detention

9/4/87

(SI) (S) (S) SABC

Brother seeks release of 'abducted' man

Pretoria Bureau

An urgent application for the release of Mr Ebrahim Ismael Ebrahim (49), who was allegedly abducted at gunpoint by the South African Police from Swaziland last December, is being heard in the Pretoria Supreme Court today.

Mr Ebrahim, address given as Umgugu Reserve, Swaziland, is described by police as a top ANC official.

The hearing of the application was postponed twice last month and Mr Justice J Kriegler ordered that costs be reserved.

The applicant is the detained man's brother, Mr Essop Ebrahim, who wants the court to declare his brother's detention unlawful in terms of section 29 of the Internal Security Act and to order his immediate release. Alternatively he is asking the court to restrain the South African Police from assaulting his brother or interrogating him further.

The Minister of Law and Order, Mr A J Vlok, says in papers before the court that the detention is lawful. He says he cannot confirm or deny the alleged abduction of Mr Ebrahim Ebrahim but denies any involvement by members of the South African Police.

TAKEN FROM HOME

According to papers before the court, Mr Ebrahim Ebrahim, also known as Roy and Ahmed Zaheer, was abducted at gunpoint from his Swaziland home in the presence of his employee, Mr Dumisane Zwane, a Swazi national, on the night of December 15 1986.

He was abducted by two black men in civilian clothes who said they were "working for the South African Police".

His hands were tied behind his back with a rope and he was taken to his own car which was driven away by the kidnappers. The car was later found abandoned about 40 km from Umgugu Reserve, on the way to Manzini.

In an affidavit before the court, the arresting officer, Brigadier J H Cronje, commander of the security branch in the Northern Transvaal, says he arrested the detainee at his office in Compol Building in Pretoria on December 16 1986.

He says he did not know the circumstances under which the detainee had arrived in the city.

VALUABLE INFORMATION

Brigadier Cronje says he has reason to believe that the detainee can provide the police with valuable information concerning weapons caches, the identity of ANC terrorists in South Africa and where they may be found.

According to "reliable information" available to him, says the brigadier, the detainee was among the chief organisers of acts of terrorism in South Africa and is currently chairman of the Regional Military and Political Council of the ANC.

In his application for the release of his brother, Mr Essop Ebrahim argues that his brother's detention in terms of section 29 of the Internal Security Act is unlawful because it was not preceded by a lawful arrest.

He says the treatment of the detainee in the course of his detention is unlawful because "it does not leave unimpaired his right to physical and mental health".

He adds that, in detention, his brother has reached a state of physical and mental agony and exhaustion. "Further interrogation upon him would amount to torture," he says.

... as being a destabilising force.

Doctors claim detainees assaulted

JAN 24/87 251

A panel of doctors which treats freed detainees in Johannesburg has released a study alleging that 72 percent of those seen claimed they were assaulted in detention and 97 percent of these showed signs of abuse. The police have said the claims are vague and unsubstantiated.

The police say . . .

The SA Police have said it "is a pity" they were expected to reply to serious allegations about the treatment of detainees "which are not substantiated in any manner whatsoever".

In reply to a study by a panel of doctors, presented at the annual conference of the National Medical and Dental Association (Namda) at the weekend, the police public relations division said:

"First of all, Professor Selma Browde, of the University of the Witwatersrand . . . claims publicly that a so-called panel of doctors had found that 72 percent of detainees examined had alleged they had been physically assaulted.

"No details with regard to the 'panel' of doctors, the identity of the victims, places of alleged assault or any other relevant evidence, which could substantiate the allegations, is given

"The SA Police . . . cannot react to anonymous and unsubstantiated claims by faceless people."

The suggestion that detainees suffered gunshot wounds while in detention was "absurd and should be regarded with suspicion", the statement said.

"What seems to be conveniently overlooked is the strict code of discipline which ensures that all detainees are properly cared for, that they are not assaulted and that they receive proper medical, spiritual and other care.

"To ensure that the above is adhered to, detainees are frequently visited by district surgeons and other officials. In addition, provision is made for relatives and legal representatives to visit detainees.

"Ample opportunity thus exists for detainees who are of the opinion that they have been improperly treated, to file affidavits for investigation. All such complaints which are received are properly investigated and where proved to be true, appropriate steps are taken," the statement concluded.

The Namda study says . . .

Detainees have complained of being physically assaulted, mentally abused and, after release, have suffered psychological problems, according to a study by doctors.

Professor Selma Browde of the University of the Witwatersrand told delegates to the National Medical and Dental Association (Namda) Congress in Cape Town at the weekend that 72 percent of the detainees examined by a panel of doctors alleged they had been physically assaulted while in detention.

Medical examination of 97 percent of those bore out the allegations, with evidence of bruising, lacerations, sjambok lesions, eardrum perforations and gunshot wounds.

Detainees alleged, among other things, that they were beaten with fists or hands, kicked, sjambokked, hit with blunt instruments, slammed against walls, suffocated and subjected to electric shocks.

The study by Namda doctors of 131 released detainees showed that 78 percent of the detainees had allegedly been subjected to mental abuse through interrogation, threats or humiliation, including being forced to remove their clothing and make statements

Among the findings of the study were that 32 percent of the detainees spent time in solitary confinement, 84 percent of whom suffered psychological problems after release.

Of those detainees reporting mental abuse, 48 percent alleged physical deprivation, including denial of water and sleep.

Doctors examining the detainees had found evidence of post traumatic stress disorders, defined as being stress outside of normal human experience, in 83 individuals, 43,4 percent of whom had recurrent dreams and 68,7 percent sleep disturbances.

The study had shown, Professor Browde said, that detention without trial was detrimental to health.

Released detainees had "special mental and physical needs to be treated by doctors who had skills in rehabilitation".

The study also showed that existing acts and associated regulations were "insufficient to safeguard the health of detainees" and that the 1983 recommendations of the Medical Association of South Africa (Masa) with regard to the treatment of detainees had "not been implemented"

Masa had to reaffirm the need in the medical profession for responsibility towards detainees — Own Correspondent.

COP DENIES HE'S 'SOURCE OF EVIL'

A POLICEMAN who is alleged to have a reputation for brutality had also been described as a "witch" by residents in Duduza, Nigel, it was heard in the Pretoria Supreme Court yesterday.

Detective-Sergeant Joel Msibi denied under cross-examination by Mr David Soggot, for the defence that he had a reputation of brutality which suggested that "people see you as a source of evil — a person to be feared"

By MONK NKOMO

The policeman conceded that while watching a film showing the attack on Ms Rosaline Maki Sikhosana, he heard her alleged assailant shouting "Joel, Nalikekhe lakho" (Joel here is your cake), "Joel is a witch" and "Joel is your husband"

Sgt Msibi also told the court that he did not have a friend and never read newspapers "Nobody visits me I don't drink and my wife too does not read news-

papers," he said. The only newspaper he read, the court heard, was a police magazine, *Servamus*.

He was under cross-examination in the trial of 11 men and women, who include two youths, who have pleaded not guilty before Mr Justice Hartzenberg and two assessors to a charge of having murdered Ms Sikhosana near the Duduza cemetery on July 20, 1985.

Sgt Msibi said after watching the film showing the attack on Ms Sikhosana he identified nine of the accused and took part in the arrests of most of them.

The investigating officer, Warrant Officer Daniel Scott, had not told him that two of the accused had alleged that they were assaulted by the police.

Sgt Msibi said he had never seen detainees being beaten or maltreated at the Dunnottar police station. None of the accused or detainees arrested after Ms Sikhosana's death had a gash on the face, a broken arm or ribs while being interrogated, said Sgt Msibi. He never saw the police assaulting Ms Sanna Twala (23) in front of her mother during her arrest at her home.

Asked by Mr Soggot why some of the accused had alleged they were assaulted before they made statements, Sgt Msibi said these were tricks normally used by the accused after making confessions to a magistrate.

(Proceeding)

Handwritten text in a South African language, possibly Xhosa, at the top of the page. It includes a date '19/5/77' and a signature 'E. Ngcobo'.

MARITZBURG — A policeman who was injured when alleged insurgent Mr Gordon Webster was rescued from Edendale Hospital denied in the Pietermaritzburg Supreme Court yesterday that he exaggerated his injuries to explain why he allowed Mr Webster to escape.

Constable E Ngcobo was testifying at the trial of Mr Derrick McBride (53) and Mr Antonio du Preez (22) who allegedly attempted to murder him when they rescued Mr Webster from Edendale.

The two men face three other attempted murder counts as well as a count of murder related to the the rescue.

They are also charged with terrorism, aiding a prisoner to escape and concealing or harbouring a terrorist.

UNABLE TO USE GUN

Under cross-examination by defence advocate Mr H Viljoen, SC, Constable Ngcobo said that, after he was shot at and his hand was injured by "a coloured man", he had run away as he was unable to use his gun.

He agreed he told the judge at the trial of Mr McBride's son, Robert, that a bullet had lodged between his thumb and finger but said he learnt afterwards it was a splinter from a bullet.

Mr Ngcobo told the court that the splinter had made his hand numb and he had been off duty from the time of the rescue — May 4 — until the end of June.

The hearing continues today. — Sapa.

Shootout cop dead

THE 19-year-old police constable critically wounded in a shootout with suspected ANC insurgents in Ventersdorp died in the Johannesburg Hospital yesterday morning.

A Police spokesman in Pretoria who announced Constable Danie Boshoff's death also said the policeman's kidneys were being removed and would be transplanted soon — Sapa

(251)
10/4/87

Cape Times 10/4/87 (243) 231

TV man's tapes 'edited', inquest told

By HILARY VENABLES

A VIDEO filmed by ITN newsman Mr George De'Ath moments before he was fatally assaulted during fighting at the KTC squatter camp last June, was edited before police handed it back to the network, according to affidavits submitted to the Cape Town inquest court

The affidavits were quoted yesterday during an application by Mr De'Ath's family for the court to hear oral evidence on the circumstances surrounding his death

The magistrate, Mr W J Marais, turned down the application, saying he would make a finding based on written evidence only

Mr Jeremy Gauntlett, for the family, argued that the affidavits contained disputes of fact and that it could not be decided from the papers "who is a reliable witness and who is lying"

To page 3

From page 1

The evidence was contentious and required a full and open public inquiry, he said

He cited the video tapes as an example

Mr De'Ath's soundman, Mr Andile Fosi, who was also injured in the attack, suggested in his affidavit that one of the tapes taken by the police after the assault had been partly obliterated

Mr Gauntlett said that if Mr De'Ath had continued filming to the very end, it would be possible to see who was closest to him when he was attacked.

"This may establish the circumstances under which the deceased died and who was responsible for his death," Mr Gauntlett said

But the entire tape consisted of a freeze-frame — an effect which could only have been obtained by an editing machine, according to Mr Fosi

A film editor employed by ITN, Mr Ian Robbie, said in his affidavit that he did not see how Mr De'Ath could have achieved this effect with his camera

"If anything calls for an inquiry, this calls for an inquiry," Mr Gauntlett said.

Mr Gauntlett said he had collected 17 affidavits from a variety of people, including doctors, ministers of religion, journalists and members of the public

These people had formed "the overwhelming impression that the witdoek vigilantes were operating in complicity with the police".

Witnesses had noted the identification numbers of Casspirs present during the clashes, and had quoted ranks and names of security force members in their sworn statements, Mr Gauntlett said

There were also allegations that police and witdoeke had fired on comrades and journalists and that there was some delay before Mr De'Ath received medical treatment

The contradictions between these statements and the official version of events could not be resolved "without verbal evidence and the opportunity this affords for the cross-examination of witnesses"

For the State, Mr S Shrock argued that the inquest was not a judicial inquiry into the Crossroads unrest.

After the magistrate turned down the application, Mr Gauntlett gave notice that he would apply for a Supreme Court review to set aside the ruling

Mr Gauntlett was instructed by Mr Gordon Rushton of Findlay and Tait Mr W J Marais presided

251 DD 11/4/87

PRETORIA — The South African Police said yesterday they were not investigating the circumstances surrounding a Pretoria-registered minibus which contained a bomb that killed three people in Gaborone on Thursday.

A woman from the Pretoria township of Eersterus — traced through the vehicle's registration number — confirmed that the bus was hers.

She said that her husband ran a taxi service and had driven to Bo-

SAP not probing blast bus

tswana last Saturday.

She was worried because he had not been seen since.

A woman, 30, her daughter and a infant girl died in the blast in

Gaborone west.

Police said they would investigate the whereabouts of the taxi driver if he was reported missing.

● President Quett Masire has expressed outrage at a bomb blast yesterday and called for vigilance in his nation of one million people.

"The government of Botswana wishes to express its outrage at this act of murder and destruction of property," Mr Masire said.

Police cases ⁽²⁵¹⁾ delayed

By DAN DHLAMINI

TWO separate cases of murder and culpable homicide involving Ikageng Town Council policemen were this week adjourned to a later date.

Constable Aaron Molo, 23, is facing a charge of murder and six attempted murder charges.

He allegedly fatally shot Victor Nthongoa and injured Suzan Dithipe, Patronela Mkhuma, Sandy Moeketsi, Abel Mosiane, Israel Motsabi and Jerry Moloane on December 14 at a shebeen.

Magistrate Schalk van der Sandt told Molo he would appear before a judge on a date still to be determined. He is out on R500 bail.

Meanwhile, Magistrate PAJ Kotze adjourned a case involving Sergeant Elias Mokoena, 29, to May 14 for judgment.

Mokoena is alleged to have shot Ncodemus Ntoagae on October 4.

Last week Mokoena admitted that he had fired the fatal shot.

*CP Press
12/4/87*

Child torture probe advanced — SAP

Capl. Timis 13/4/87
Own Correspondent

JOHANNESBURG. — Investigations into alleged police torture of two child detainees are at an advanced stage, says investigating officer Brigadier van Zyl.

The police subpoenaed Ms Audrey Coleman, a member of the Detainees' Parents Support Committee (DPSC), to appear in court on March 23 with evidence to support claims that police had tortured a 12-year-old boy and 15-year-old girl.

The subpoena was dropped and an investigation headed by Brig Van Zyl initiated to check out affidavits made to police by the two children.

Brig Van Zyl said that once his investigation was completed, documents would be submitted to the attorney-general, who would then decide whether the evidence before him was strong enough for prosecution.

Ms Coleman said she had not heard anything further from the police since the affidavits were made in the presence of DPSC attorneys.

However, she could only wait for the outcome but was delighted to note the police's commitment.

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 5.10: Yo
 5.31: Fat

CAPL Times 13/4/87

Gunmen kill Natal policeman

251

DURBAN — Black gunmen, thought to be African National Congress guerillas, shot two policemen, killing one and wounding another, a police spokesman said yesterday

The officer, who was not identified, was the second in five days to be killed in a clash with ANC guerillas. He was the 60th policeman killed in unrest since September 1984.

The shooting happened at Umbumbulu, about 30km west of Durban, about 4pm.

"Two men of the security branch, both black warrant officers, were confronted by about nine other black men armed with Russian AK-47 rifles," said the spokesman, Lieutenant Hein Lourens.

"They were fired upon at point-blank range. One officer was killed and the other was wounded," he said.

A police source said the two officers parked outside the Umbumbulu police station and walked towards a nearby hut, where they planned to investigate a tip that ANC guerillas were present.

They were fired upon as they approached the hut by men waiting in ambush.

Local residents said large numbers of police, some with dogs, arrived within minutes and a police helicopter combed the area.

Officers were searching for nine heavily armed men.

Police have killed at least 11 alleged ANC guerillas in six clashes since Christmas.

Two insurgents and a policeman died in a shootout at Ventersdorp on Wednesday — UPI

act of.

Case No 14/4/87

Arresting attire: Pupil freed

CAMOUFLAGE CHIC can get you into trouble — especially if it is the real thing.

When Sizamile High School pupil Ms Pascalena Nomuntu Mgayiya, 19, of Nyanga, stepped out of a Claremont second-hand clothing store at the weekend, she had no idea her purchases were the combat fatigues or battle shirt and trousers of the now-defunct Railway Police.

That's how she was dressed in Nyanga on Sunday morning when she was picked up by police and held overnight.

Police confirmed her arrest.

Yesterday she was released without being charged.

In terms of the Police Act, it is an offence, punishable by a maximum fine of R200, to wear "any uniform or distinctive badge or button of the Force or anything so closely resembling any such uniform, badge or button as to be calculated to deceive".

CESAR'S EX-LUIGI, CNR VICTORIA & MOUNTAIN RDS
WOODSTOCK PH 47 3647, A/H 44 5893

Outcry over 'kitscoops'

BY VUYO BAVUMA

THE SAP's Special Constables or "kitskonstabels" have a short but stormy history. They were introduced to townships in several parts of the country in October last year after a six-week crash course. The first batch of 320 "kitscoops", dressed in blue overalls and armed with batons and rifles, were deployed in Pennington townships.

They trained near Koeberg and their headquarters are in a refurbished beerhall at Nyanga.

So far they have been implicated in numerous incidents.

The chairman of the PFP Unrest Monitoring Committee, MP Jan van Eck, last month submitted a report to the Minister of Law and Order Mr Adnaam Vlok, detailing a number of shooting and assault incidents allegedly involving "kitskonstabels".

Murder docket

The report included:

- The death of a 24 year old Guguletu man Colin Goba who was shot on January 17. The police confirmed that a murder docket was opened after the incident.
- The death of Sidney Siyo 41 of Khayelitsha who was shot in front of his house on January 30.
- The shooting of Sidney Peshana who died of gunshot wounds in Groote Schuur Hospital. Shots were fired at a vehicle in which he had been travelling.
- The death of Walter Mangqase of Miller Camp at Nyanga who died of gunshot wounds after being shot twice in the back.
- Other cases in the report include:
 - A seven month pregnant woman miscarried after being allegedly kicked by a "kitskonstabel" in the back.
 - The alleged assault on a number of JD Mize High School pupils by a group of about 30 "kitskonstabels". Some students required medical attention.
 - A spokesman for the PFP said this week that the Minister had not yet responded to the allegations.
 - Other cases under investigation include:
 - The fatal shooting of a Cape Youth Congress activist, Mpunetelo Kwakwira, 24 of New Crossroads, on October 27 last year.

Shot at close range

• The shooting of Rose Charhe, 16, of Khayelitsha on January 24. She was allegedly shot at close range with a shotgun.

Many people in the Western Cape have instituted claims against the Minister of Law and Order arising from incidents allegedly involving the kitskonstabels. They include:

- A 19 year old high school student Sydney Ndumeka, of New Crossroads who was allegedly injured after being shot on January 15, is claiming R3 000 from the Minister of Law and Order. According to his attorney, Ndumeka was handcuffed and frog-marched for about two kilometres to Nyanga police station.

• The family of Walter Mangqanga, 26 of Nyanga, who was fatally injured in a shooting incident on March 7 according to the Legal Resources Centre.

Members of the Special Constables have also died in township violence. In February Mr Solomon Nkodo 35, was stoned and set alight by a mob.

An off-duty kitskonstabel, Enoch Mphofo of Brown's Farm a father of three shot and killed his wife after a domestic quarrel in January. Later Enoch turned the gun on him.



4 die in bloody shooting

THREE "kitskonstabels" are when the "kitskonstabels" arrived at his house. Grahamstown Magistrates Court. Their appearance follows a bloody shooting in Tanyil and when the light came on, she location in Grahamstown. In Rebrunary during which four people were killed and five injured.

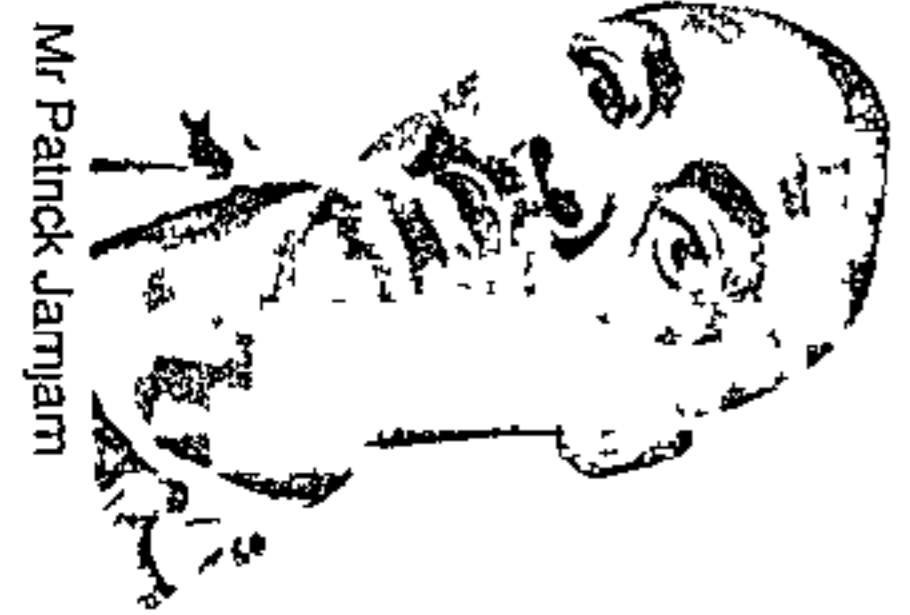
A witness to the shooting said at the time Mr Phikile Mantle had just arrived home from work

Two of the "kitskonstabels", men would lead to a public outcry.

— Albany News Agency

while the third man, Vuyo Habane, remains in police custody.

The three were all unrepresented and at their first court appearance the state prosecutor, Mrs Belinda Hartle, opposed bail because of the sensitive nature of the case.



Mr Patrick Janyam

Father impotent after shooting

A FATHER of six who suffered multiple injuries after being involved in a shooting incident, plans to sue the Minister of Law and Order Mr Adnaam Vlok.

Mr Patrick Janyam, a 42 year old builder from Langsa, who was shot in October last year, sustained serious stomach and leg injuries. He also became impotent.

He spent five months at Tygerberg Hospital. Mr Janyam told SOUTH he planned to claim damages as he was shot without any reason at all.

We were removing a house at New Crossroads when a group of armed men passed nearby. I asked my friends who these people were. One of them heard me and started hitting me with a baton.

He claimed he tried to run away and one of them shot him from behind. He was taken to Nyanga police station and later to Tygerberg Hospital.

Mr Janyam said he was unable to work because of his injuries.

I still feel pain. I will only be able to do light jobs.

A spokesman for Essa Moosa Associates confirmed that Mr Janyam's case was being handled.

Three 'kitscops' on rape charge

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SOUTH 15-21/4/87

By VUYO BAVUMA

A 19-YEAR-OLD Nyanga woman claims she was raped repeatedly by three "kitskonstabels".

The woman, who may not be identified, has laid charges of rape and assault at the Guguletu police station

Police confirmed the charges but refused to comment as the "matter was still being investigated"

"As soon as the investigation has been completed the docket will be sent to the appropriate judicial authority for decision," a police liaison officer said

The visibly upset woman told SOUTH that three armed "kitscops" entered a shack at Oscar Mpetha Square where she and her three friends were sleeping at 1am on April 2

"After searching the shack, the 'kitskonstabels' ordered us to accompany them. They wanted us to

show them our 'real homes'," she said

"My friend was left behind at the camp after pointing to a shack of her relatives. They then threatened to take me to Nyanga police station

"One of them hit me in the face after I had asked for mercy. I started to cry," she said.

She claimed she was hit with rifle butts and fists before they took her to nearby bushes where she was allegedly raped by all of them.

She said she was ordered to go home after the assault

"The following day I reported the incident at the police station. After that, I visited a doctor at Athlone," she said

Outcry over 'kitscops', page 13

ECC 'never called for refusal to do service'

251
S.M.C.
15/4/87

By Jo-Anne Collinge

At no stage had the End Conscription Campaign called on conscripts to refuse to render military service, the organisation's national secretary, Miss Adele Kirsten, said yesterday.

She was reacting to a speech in Grahamstown this week by Defence Minister General Magnus Malan, who described the ECC as "a direct enemy of the South African Defence Force" and a propagator of conscientious objection.

Miss Kirsten issued a statement stressing that "one of the main objectives of the ECC is to work for the right of all conscripts to choose whether or not they participate in the SADF".

She noted that Government itself had recognised that individual conscripts might have sound religious reasons for adopting a pacifist position. The Defence Amendment Act of 1983 had granted them the right to alternative community service.

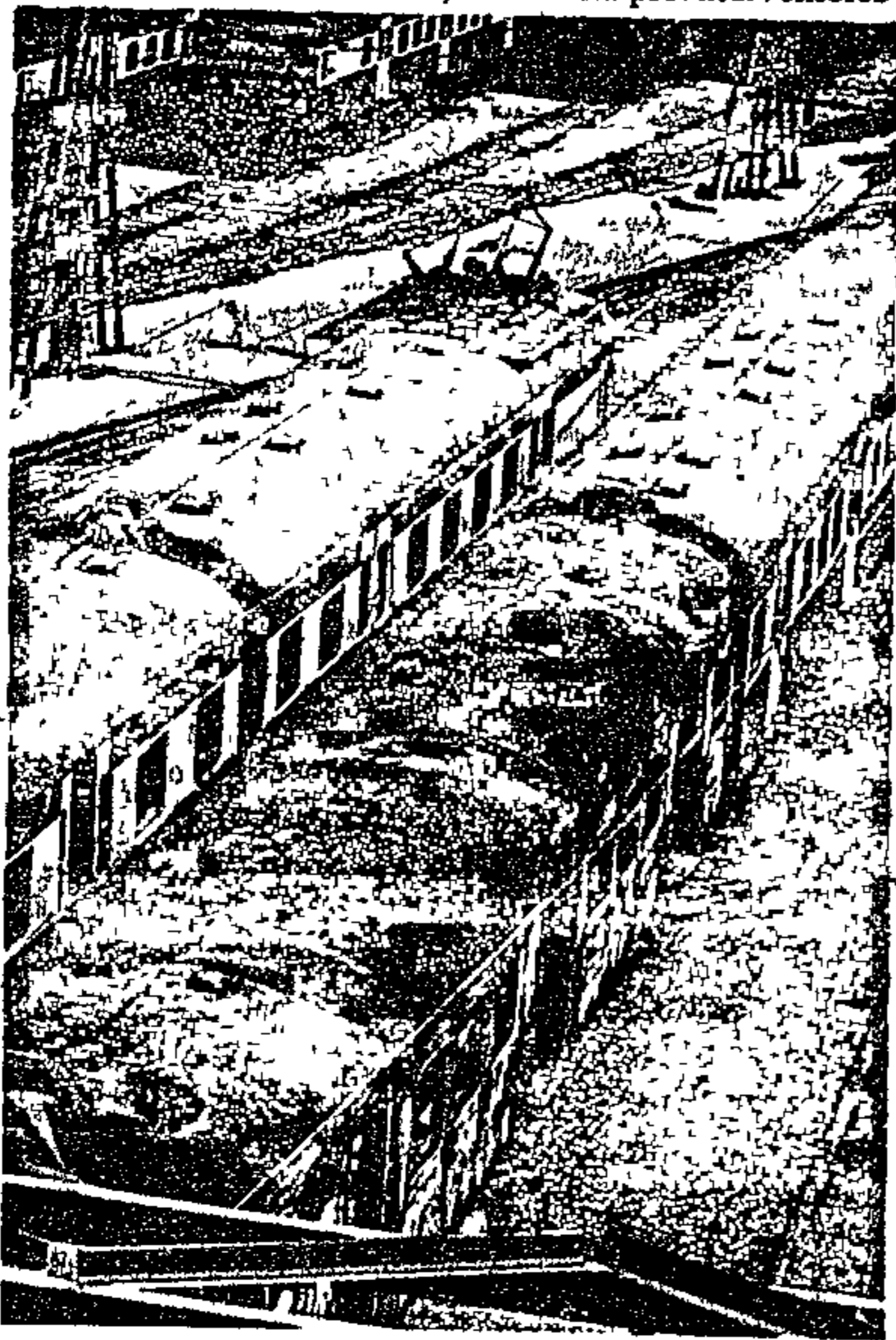
Ms Kirsten said the ECC aimed to inform conscripts of their rights in relation to military service.

Armed police guard trains and stations

By Zenaide Vendeiro and Montshiwa Moroke

Armed police were guarding trains and railway stations in Soweto today after four more trains were set alight yesterday. Signalling equipment was also damaged and resulted in temporary suspension of services on one of the lines into the township complex.

Trains on Soweto lines were running 50 minutes late today and thousands of commuters had to use taxis, buses and private vehicles to get to work



One of the fire-damaged trains stands in a siding at the Johannesburg Station.

The general manager of South African Transport Services (SATS), Dr Bart Grove, issued a warning that "stronger action" would be taken to combat what he said had developed into civil unrest.

His statement came after damage to a total of 14 trains in two days and disruption of commuter services.

Although trains were running late today, services on both Soweto lines appeared to be operating normally.

Armed police travelled in trains or guarded stations. At 6.30 am trains were full, but later became noticeably empty.

There was confusion and tension at stations, and some people seemed unsure whether or not to board trains. Thousands of commuters turned to private cars, taxis and buses.

A Bureau for Information spokesman said four trains were set alight at stations yesterday.

At 10 am two coaches of a passenger train were set alight at Orlando Station. Another was torched at 4 pm.

Lines deviate

A goods train was set ablaze at New Canada Station shortly after 5 pm. It is at New Canada Station that the lines deviate — one to Naledi, and the other to Tshiwelo.

At 5.20 pm, SATS suspended normal services on the Naledi line because of damage to a signal cable. A shuttle train was run between New Canada and Dube, but SATS was unable to obtain buses to operate further than Dube station.

There was a fourth attack at Dube at about 8 pm when a locomotive was set alight.

Yesterday the Congress of South African Trade Unions (Cosatu) repeated its willingness to assist getting talks between SATS and Sarhwa, an affiliate, back on course.

Cosatu also expressed anger at insinuations that it or Sarhwa had resorted to intimidation, and interpreted allegations of "torture" by SATS as a sign that management is "moving further away from the idea of dealing with elected worker representatives".

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Cape Times, Thursday, April 16, 1987 9

2 343 more 'kitskonstabels' employed

Staff Reporter

A FURTHER 2 343 special constables had been employed since the first contingent completed their training at Koeberg on September 1 last year, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

Speaking at a passing-out parade of 657 new special constables at the Koeberg training centre yesterday, Mr Vlok said the short but intensive six-week training programme for the men had been deemed insufficient by the government's critics. He said the programme was for basic training. The rest came through practice, which "makes perfect"

In the Western Province, the contingent of special constables posted in Khayelitsha, Guguletu and Nyanga since October last year had made 286 arrests for serious crimes, including robbery, car theft, drug possession and serious assaults, he said

During their first three months on duty in Grahamstown, Fort Beaufort, Cradock, Uitenhage and Port Elizabeth, the men had made 56 arrests

He said any policeman who went beyond his legal powers and acted in a way that clearly showed a lack of compassion and discipline would be dealt with immediately, as the police force had a proud record which it protected with diligence

He said he was aware that those responsible for criticism concentrated mainly on the wrongdoings of a few policemen and tried to portray these actions as representing the force generally

He asked those involved in the "campaign" against the special constables why they were silent in expressing their concern or condolences to the 800 black police families who had been left homeless after their homes had been destroyed



BY THE LEFT ... Special policemen on the march at a passing-out parade yesterday.

Picture OBED ZILWA

Police move in to guard Rand trains

CP
16/4/87

251

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Post Correspondent
JOHANNESBURG — Police are providing more protection from today for white passengers at railway stations in Johannesburg and on the East and West Rand after arsonists, who yesterday attacked trains in Soweto, last night set fire to empty white coaches.

Thirteen coaches were burnt or damaged at eight railway stations in or near Johannesburg in a wave of arson that left thousands of commuters stranded for hours.

Damage estimated at millions of rands has already been caused by the arsonists, who switched their attacks to trains at Braamfontein, Langlaagte and Croesus stations in the Johannesburg area and brought traffic to a standstill.

The action by arsonists spread to areas outside Johannesburg and Soweto, and police confirmed attacks involving passenger trains at Irene and Kaalfontein on the Pretoria line, at Germiston on the East

Rand and at Lui-paardsvlei on the Krugersdorp line.

The timing of the incidents indicated that they were aimed at achieving maximum disruption of peak-hour evening traffic.

The Johannesburg Fire Department was called in to help put out fires at the three stations.

After the attacks, armed police were put on township trains and assigned to guard stations.

A train coach was set alight today at the George

Goch station and a train attacked by stone throwers near Kempton Park, according to the Bureau for Information.

Bureau spokesman Mr Deon Van Loggerenburg said the first attack took place just after 7pm.

Today's arson attack brings to 48 the number of coaches that have been damaged so far.

Yesterday 13 coaches were burnt or damaged at eight railway stations in or around Johannesburg.
— Sapa

9716 7/25/87

Journalist

'kills with Koevoet'

WINDHOEK — It was not police policy to allow journalists reporting on police activities to take an active part in the combating of insurgency in northern Namibia, a police spokesman said here yesterday

The spokesman, Chief Inspector Tubby Kaaijk, was approached for comment on a news report in the Namibian newspaper which carried photographs showing a Windhoek reporter, Mr Gene Travers, in a hunter-like pose at the body of a dead Swapo insurgent

Mr Travers, of the Republikein newspaper, was wearing bush uniform and held an automatic rifle

The photographs were taken on reporting assignments with the police counter-insurgency unit Koevoet when, he allegedly claims, he has killed three Swapo

Chief Inspector Kaaijk said police would not issue automatic rifles to reporters

"A journalist may carry a camera but it is not police policy to let journalists become actively involved in skirmishes"

— Sapa

(S)

Wednesday, April 22, 1

DD 22/4/87

64 injured in police college grenade attack

PRETORIA — A total of 64 recruits were injured and one was killed in a handgrenade attack on a municipal police training college in Soweto yesterday, according to the Bureau for Information's latest report

Of these, six men were seriously injured.

Twenty-two of the 64 men have already been discharged from the Baragwanath Hospital

The man killed in the blast was identified as Mr Hubert Mngcinya

The military wing of the banned Pan Africanist Congress, the Azanian People's Liberation Army, has claimed responsibility for the attack.

"If I could have laid my hands on them I would have thrashed them," the shocked commanding-officer of the Soweto municipal police training college, Commandant Pieter de Beer, said

He added, when describing his feelings about the attack, that he saw his injured men, sprawled on the Tladi college parade ground, after men in a moving white Toyota bakkie had lobbed a handgrenade over the security fence running along the parade ground.

"It was not a pretty sight to see the recruits floored. They've become like family.

"But they are not going to get us down," Cmdt De Beer said

He said security at the municipal-run college, where several hundred men are being trained, was being reappraised

The Minister of Law and Order, Mr Adriaan Vlok, said the grenade attack was once again an

indication that South Africa's enemies would use any means in their efforts to undermine law and order.

He also expressed his condolences to the relatives of Mr Mngcinya, and those who were injured

Condemning the "reprehensible and cowardly terrorist attack", Mr Vlok said those (municipal constables) who believed in the need to maintain law and order would not let themselves be intimidated by such deeds and would continue to serve their communities

Mr Vlok also gave the assurance police would do everything possible to apprehend the attackers.

● A luxury BMW, belonging to the Avis car hire organisation, was badly damaged when an explosive device went off outside a BMW dealership opposite Grosvenor station west of Johannesburg yesterday afternoon.

Eyewitnesses said they heard a "big bang" and buildings shook and glass shattered when the device exploded. No one was injured

The managing director of Avis, Mr Tony Langley, said it seemed to be "just an unfortunate incident" in which one of the company's cars was damaged in the blast

He said the company had "extremely good relations" with its labour force

Police have not identified the explosive device as yet. It was also not immediately clear if the device had been placed under the car or in it. — Sapa

EAST LONDON 26141

Police
appeal
for public
assistance

SI
DO
22/4/87

Dispatch Reporter

EAST LONDON —
Bluewater police have
appealed for assist-
ance in a housebreak-
ing case they are in-
vestigating

A police spokesman,
Lieutenant Dave
Walker, said the crime
occurred on April 15
at a building site in
Cintsa East.

Lieutenant Walker said
the stolen goods in-
cluded a black and
gold 2,5 watt Kragfon-
tein generator, model
number K2500-137,
and series number
7329-86-6 marked in
orange paint

"Other missing items in-
clude a Hilti electric
drill, model number
TE 12, which is also
marked with orange
paint, and a Hitachi
electric drill and dif-
ferent tools marked
with the same orange
paint"

Lieut Walker said that
anyone seeing the
missing items could
contact W/O D J
Reybders at Mooi-
plaas 4112.

... WILL BEING ...

Cape Times 22/4/87
25/10

Cop 'performed duty' when he killed youth

JOHANNESBURG. — An inquest magistrate here found yesterday that a police officer was performing his duty when he fired on and killed a 16-year-old boy from Diepkloof, Soweto, last year.

The magistrate, Mr C G de Lange, found that Sergeant David Schalk Haarhoff, of the Soweto, Vehicle Branch, was not criminally liable for the death of Mr Tembinkosi Tjesi on March 19 last year.

A family member told the court Tembinkosi was mentally retarded and undergoing treatment.

During the formal inquest, police officers testified that they drove to the Diepkloof area after receiving a report that a group of about 200 youngsters had gathered.

Sgt Haarhoff told the court he and other officers had earlier that day confiscated 56 petrol bombs in the area.

At about 9pm they came across a large rowdy gathering. They returned fire after shots were allegedly fired at them from within the crowd.

Sgt Haarhoff fired the shot which killed Mr Tjesi, whom he said he saw carrying a firearm.

He said he did not aim to kill, but fired in the general direction of the fleeing youngster. — Sapa

Mourners teargassed

By Michael Tissong

Several people were injured when policemen used sjamboks and teargas to disperse mourners at a funeral of two African National Congress (ANC) men in Soweto yesterday.

The Bureau for Information confirmed that police used teargas to disperse people at the burial of the two men who were killed in a shootout with police near Ventersdorp.

Police claimed there were no injuries or arrests at the funeral and added that action was taken because the funeral was "not held according to restrictions".

Before the funeral started, the coffins of Philip Mpogi Matabane (32) and

Andrew Modise Matabane (27) were taken to the Emdem Catholic Church.

Police said the service could not be held in the church because it was a violation of restrictions which stated that the service be held at the men's Emdem home. The police ordered the coffins be taken immediately to Avalon Cemetery. Police at the entrance to the cemetery let only 200 people through. Hundreds were turned back.

Mrs Winnie Mandela, wife of jailed ANC leader Nelson Mandela, read a message on one of the wreaths and was stopped from reading further by police.

(Parts of this report have been omitted to comply with the emergency regulations.)

64 others are injured — six seriously

**Municipal
cop killed
as hand
grenade is
hurled
from
moving
bakkie**

PARADE GROUND BLAST

BLAST

A MUNICIPAL policeman was killed and 64 others injured — six seriously — when a hand grenade was hurled from a moving delivery vehicle into the parade ground of the Tladi Police Training College in Soweto early yesterday.

By SY MAKARINGE

Eye-witnesses told the *Sowetan* yesterday that more than 70 municipal police recruits were being drilled on the parade grounds when an explosive device was thrown over the fence from a passing bakkie at 8 40am. The Azanian Peoples' Liberation Army (Apla) — the

military wing of the banned Pan Africanist Congress — claimed responsibility immediately after the incident took place.

The Bureau for Information confirmed the attack but could not at the time of going to press furnish the name of the dead policeman. The policeman together with his injured colleagues, was employed by the Soweto City Council.

The Bureau also identified the vehicle as a white Toyota bakkie. It had not established the origin of the hand grenade at the time of going to press.

By midday yesterday, 22 of the injured had been discharged from the Baragwanath hospital.

An eye witness told the *Sowetan* that she was walking near the college when she heard a deafening explosion.

Sprawled

A few minutes earlier I saw policemen being drilled at the college. All I could see after the blast was policemen sprawled on the ground. There was pandemonium as others woke up and started running in all directions", the eye-witness said.

The witness who refused to be identified said ambulances were called to ferry the injured to hospital.

"I've never heard such a powerful explosion

To Page 3

**Cops
bombed**
From Page 1
22/4/87
before," she said.

Security forces immediately launched a massive helicopter-supported manhunt for the white Toyota bakkie and its occupants immediately after the bombing.

The Soweto Council also planned to examine its "security strategy" and see where it could be improved.

• a Car bomb exploded at Langlaagte, just west of central Johannesburg, at 2.38pm yesterday.

Lieutenant Pierre Louw, police liaison officer for the Witwatersrand, said initial reports said that a BMW car was parked on the corner of Robertson and Central Avenues when the explosion occurred. The blast damaged the front portion of the vehicle. Lt Louw said.

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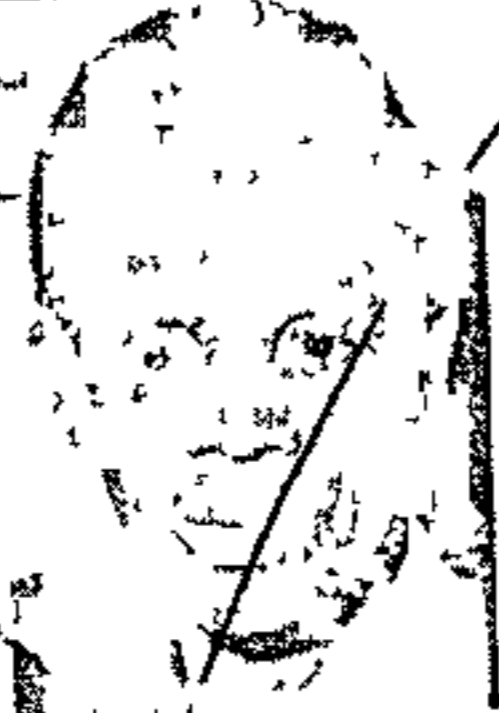
Mourners barred

ABOUT 300 mourners in trucks, a bus and private cars were yesterday barred from entering the Avalon Cemetery in Soweto during the burial of two alleged African National Congress guerrillas.

Those buried were brothers, Mr Phillip Mpogi Matabane and Mr Andrew Modise Matabane of Emdeni South in Soweto. They died in a gunfight with the security police in Ventersdorp two weeks ago.

One of the white policemen who tracked them down died of gunshot wounds in hospital days after the incident.

The funeral was attended by more than 1000 people, including Mrs Winnie Mandela, the wife of the jailed ANC leader, Nelson Mandela, and officials of the Release Mandela



MR DAVID Leeuw spokesman for Matabane family

Committee, Mr Aubrey Mokoena and Mr Seth Mazlibuko.

Mrs Mandela drove a kombi which ferried youths, members of the Mandela United Football Club. She laid wreaths at the cemetery, although she was stopped halfway by the police. She protested strongly against the action.

The funeral was disrupted several times

as the police insisted on compliance with the restrictions served on the family by Brigadier A P van Zyl of Protea Police Station in Soweto.

The church service at the Roman Catholic Church in Emdeni was abandoned as the Reverend Buti Thagale, who was presiding, was told it was illegal.

A family spokesman, Mr David Leeuw said the police commanding officer in charge informed them twice that the family would be charged under emergency regulations for violating the restrictions. An official of the Soweto Riot Unit in Protea yesterday said although the family was warned that it would be charged if it violated the restrictions "no such charges were to be pressed" against the family.



251
Sowetan
22/4/87

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Sowetan

22/4/87

17 acquitted of attempting to kill policeman

22/4/85 Pretoria Bureau

Seventeen of 18 Mamelodi residents, charged with the attempted murder of a former local policeman and his brother, were acquitted by a Pretoria Magistrate yesterday

The 18 were accused of attempting to murder Mr Billy Riba and his brother, Thomas, public violence, arson and assaulting Mr Riba's sister, Lucy, on the night of September 17 1985 in Mamelodi East

They were acquitted on all charges.

The magistrate, Mr M J van Zyl, issued a warrant for the arrest of the 18th accused, Mr Scheepers Morudu, who failed to appear in court

Mr Morudu's R100 bail was withdrawn and his case postponed to May 4 this year at the same court

Mr van Zyl said in his judgment that, although it had been proved that Mr Riba had been attacked and that some of the accused were identified by the complainant and the State witnesses, those accused had, in fact, proved that they were not at the scene of the attack on the night of September 17

There was no proof that they participated in the attack, he said

On the night of the attack the home of Mr Riba, who was accused by a mob of youths of being a police informer, was stoned, doused with petrol and set alight. The youths also attempted to necklaced him. Mr Riba escaped with severe burns.

01695 23/487
Nyanga man
gets R3 500
in settlement

Supreme Court Reports
251

AN Nyanga East man will receive R3 500 and legal costs from the Minister of Law and Order in terms of a settlement reached in a damages claim for alleged police assault.

The action brought by Mr Cecil Wana, 25, was withdrawn after the parties had reached settlement. An attorney said the settlement was R3 500 plus costs.

Claiming damages of R20 000 from the Minister, Mr Wana alleged that on October 3 1985 a policeman struck him with "fists and a sjambok, kicking him and pushing him".

Mr Wana said he received multiple lacerations in the assault and experienced "extreme pain" for weeks.

In papers the Minister denied that police assaulted Mr Wana or that he was liable to pay compensation.

Dr Roger Strover said in a report that scars on Mr Wana's arm and back were typical of sjambok injuries.

"The presence of the scars almost six months after the injury shows they must result from deep weals," he said.

App. Times 23/4/87

'Beating' settlement

Supreme Court Reporter

251

A NYANGA EAST resident, allegedly beaten up in his home by a policeman while another policeman pointed a gun at him, has won an out-of-court settlement of R3 500, plus his legal costs, from the Minister of Law and Order

The settlement follows the launching of a Supreme Court suit against the minister by Mr Cecil Wana, 25 Mr Wana withdrew the suit after the agreement

Mr Wana alleged that on October 3, 1985 a policeman punched him, pushed and kicked him and whipped him with a sjambok while another pointed a gun at him

Mr Wana, who said he was in intense pain for about two weeks after the assault and in some pain for about six weeks, suffered no permanent damage, according to a doctor, other than one scar in the centre of his back

Mr Wana originally claimed R20 000

Mr Wana was represented by Bernadt Vukic and Potash

Police use dogs in Supreme Court

CALL TIME 23/4/87

251

By SHAUNA WESTCOTT
Supreme Court Reporter

POLICE brought leashed dogs into the Supreme Court building yesterday afternoon after the 15 men accused of terrorism joined people in the public gallery in singing a freedom song after the court adjourned.

Policemen tried to hasten the pace of the accused down the stairs to the cells, but were defeated by the fact that the 15 are still in leg irons.

The Bench has not yet ruled on a defence plea that the accused be unchained while in court.

Security arrangements for the trial — which included a police helicopter on Tuesday — appear to have eased. There was no helicopter yesterday and fewer uniformed policemen were outside the court.

The accused, who refused to return to court on Tuesday afternoon in protest at the official lunch of slabs of dry bread with or without jam, were reported to be "happier" with yesterday's lunch of meat pies, hot chips, fruit juice and milk supplied by a local cafe.

In terms of an agreement between the State and the defence team, a policeman will accom-

pany attorney Mr Ramesh Vassen — the defence team member "in charge of lunch" — to the cafe each day to pick up food.

Most of yesterday's hearing was taken up by evidence from Lieutenant William Liebenberg of the Cape Town security police who gave details about the arrests of most of the accused and the alleged pointing out of three hidden limpet mines.

Lieut Liebenberg said accused number seven, Mr Joseph Mkhulhwa, 30, took police to "a certain address" in Langa where they dug up a wooden box containing a limpet mine.

Another limpet mine and a mini-limpet mine were found hidden under dry grass in the Langa stadium after accused number two, Thembinkosi Mzukwa, 22, took police there.

A piece of paper alleged to show detonation times for limpet mines or hand-grenades was allegedly found in the house of accused number 10, Mr Quentin Michels, 24.

ANC and SACP literature was allegedly found at the house of accused number 11, Mr Cecil Esau, 22, while number 12, Mr Neville van der Rheede, 26, was the alleged possessor of a copy of Congress Review and Mr

Mkhulhwa of a green, black and yellow flag "similar to the colours of the ANC".

Four AK-47 magazines with 119 rounds were allegedly found concealed in the bed of accused number five, 32-year-old Mr Sazi Veldtman, while eight limpet mine detonators were allegedly found in a tissue box on his dressing table.

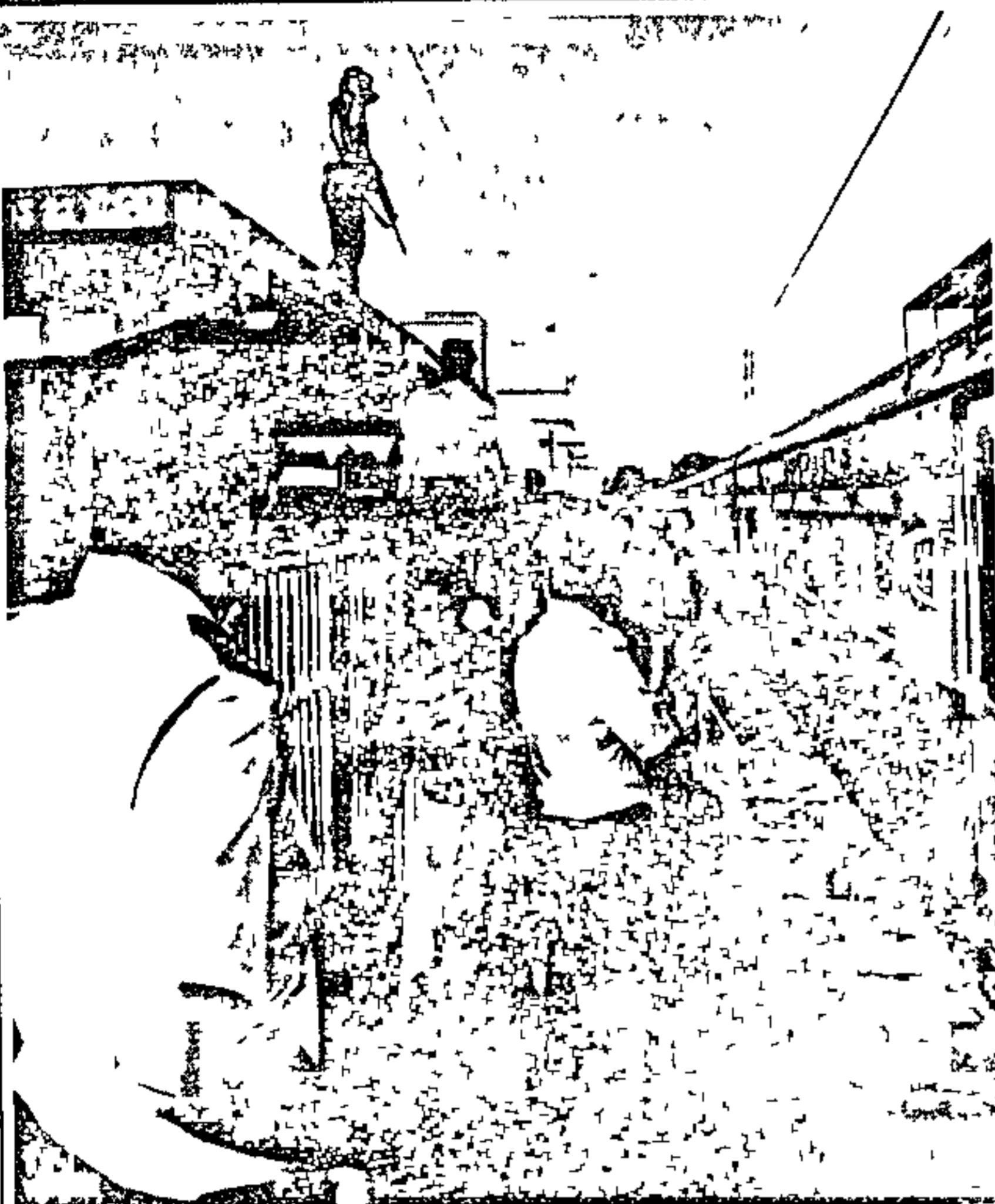
He was also the alleged possessor of a Luger pistol and magazine while number six, 35-year-old Mr Mthetho Myamya, allegedly revealed a hidden AK-47 to police after his arrest.

Lieut Liebenberg said Mr Myamya fell when he was "grabbed" by himself and a Warrant-Officer Nel at the time of his arrest. "There was a scratch on his forehead, I think, but there wasn't really a lot of blood."

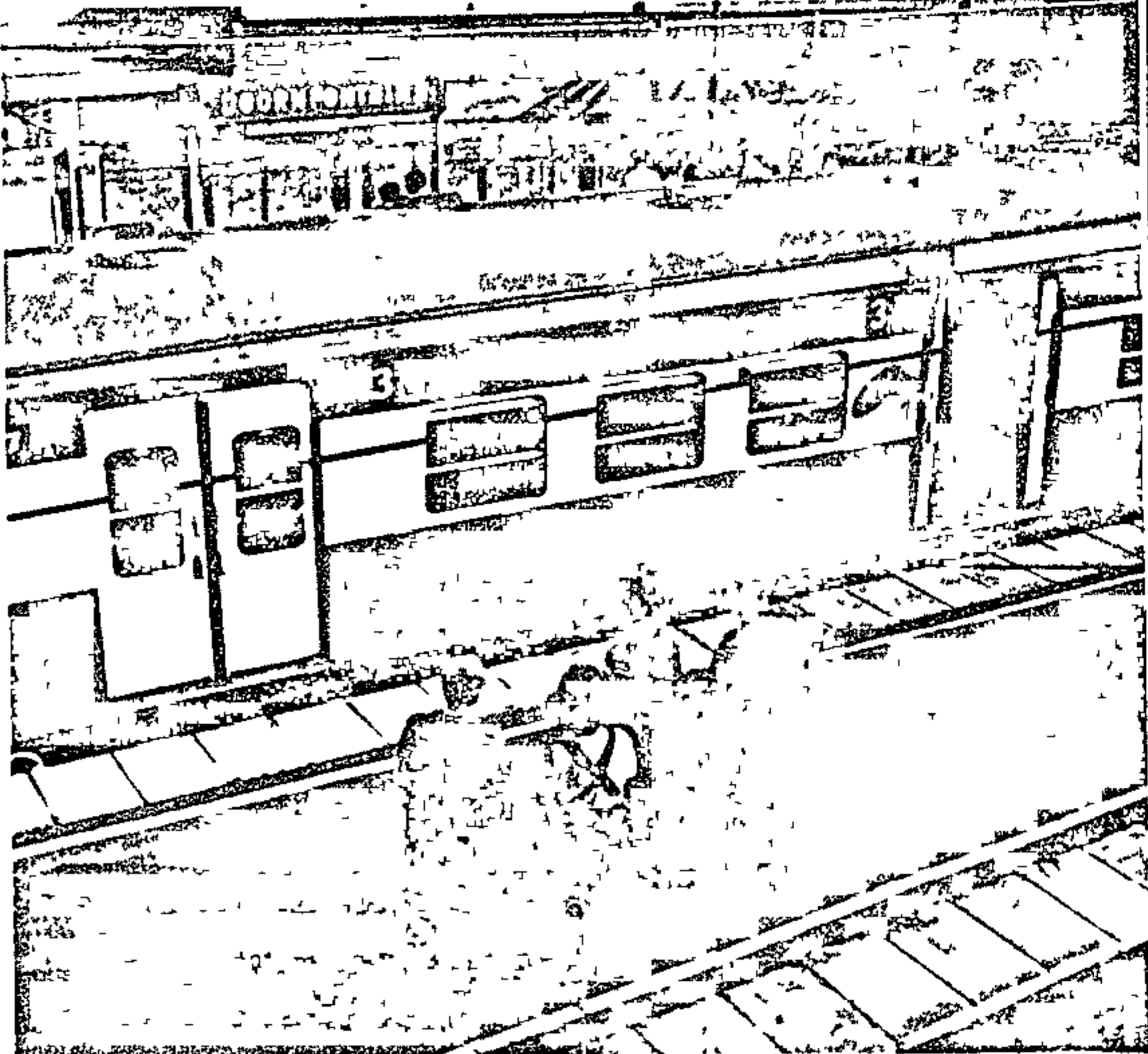
Earlier, Lieutenant Michael Fryer denied under cross-examination that a group of people in the Langa single quarters were assaulted when Mr Mkhulhwa was arrested.

The trial continues.

Mr Justice H C Nel presided with Mr L P Francis and Mr W R Vivier as assessors. Mr W C Viljoen appeared for the State with Mr M Stowe, Mr D A Kuy SC with Mr J R Whitehead, Mr A M Omar and Mr S Desai and instructed by E Moosa and Associates and R Vassen and Co appeared for the defence.



POLICE ALERT A strong police presence was evident at Langlaagte station, near Johannesburg, on Tuesday — the day SATS issued a final ultimatum to its 18 000 striking railworkers



THE AFTERMATH Police patrol Doornfontein station — where three workers were killed and two policemen were injured in clashes earlier yesterday Pictures DANIEL SIMON

6 men killed, 16 000 strikers fired

Reef violence

JOHANNESBURG. — In a day of street battles and heightened tension, six people believed to be SATS strikers were killed in police shootings, 16 000 strikers were dismissed by SATS and thousands of Soweto residents stayed away from work.

In addition, police entered Cosatu House in Johannesburg late yesterday, after laying siege to it for much of the afternoon and a large number of unionists were arrested.

The first deaths of the day occurred about 11am at the South African Railways and Harbours Workers' Union (SARHU) office

in Germiston. According to the police, a meeting failed to disperse after warnings, the crowd became aggressive and police were "forced to shoot" when they were attacked.

Three unionists were killed and one was injured, and four policemen were injured.

However, according to an attorney representing Cosatu, police opened fire without warning on a meeting which was discussing the SATS ultimatum to strikers. He did not explain injuries to the police.

About 1pm another three people were killed apparently during a march from Cosatu House to the nearby Doornfontein station. According to the Bureau for Information a group again failed to disperse after a

"peaceful" police warning. Tearsmoke was used in an attempt to disperse them. It was then that they turned on the police and attacked them with stones and knives.

Authorities have barred newspapers from publishing a number of witnesses' accounts of the shootings.

Soon after the Doornfontein shootings a large contingent of police surrounded Cosatu House, and later arrested an unspecified but large number of the occupants who had been prevented from leaving the building for at least four hours.

The Cape Times correspondent and his photographer at the scene were held for some time

To page 2

Stayaway in Soweto

SOWETO has again come under siege following a massive stayaway from work by thousands of its residents in protest against rent boycott evictions yesterday.

The township exploded into another wave of violence resulting in the stopping of cars and residents marching to the council chambers to demand an end to evictions.

Johannesburg was half-empty and the usual bee-hive activity at some taxi ranks in the city seemed like a thing of the past.

All Putco buses were withdrawn from Soweto by 9am when the extent of the stayaway and unrest became appar-

ent, company spokesman Mr Robin Duff said.

The stay home was apparently a response to an anonymous pamphlet distributed by the thousands in the township on Tuesday afternoon and evening.

Emergency regulations prohibit reporting on the main call made to residents in the pamphlet which links yesterday's events to recent evictions of Sowetans for non payment of rent.

The pamphlet urged that rent evictions be halted, title deeds to homes be handed over to tenants, the state of emergency be lifted troops and vigilantes be withdrawn — Sapa

and leaked they were not permitted to report what they saw

Cosatu attorneys planned to make an urgent application to the Rand Supreme Court today for an order restraining the police from using excessive force. However, the plan was abandoned when a senior police officer gave an undertaking that no unlawful acts would be committed against workers.

Earlier in the day, SATS management began the process of dismissing 16 000 strikers who had failed to heed an ultimatum to end their six-week strike. About 2 000 have returned since Tuesday.

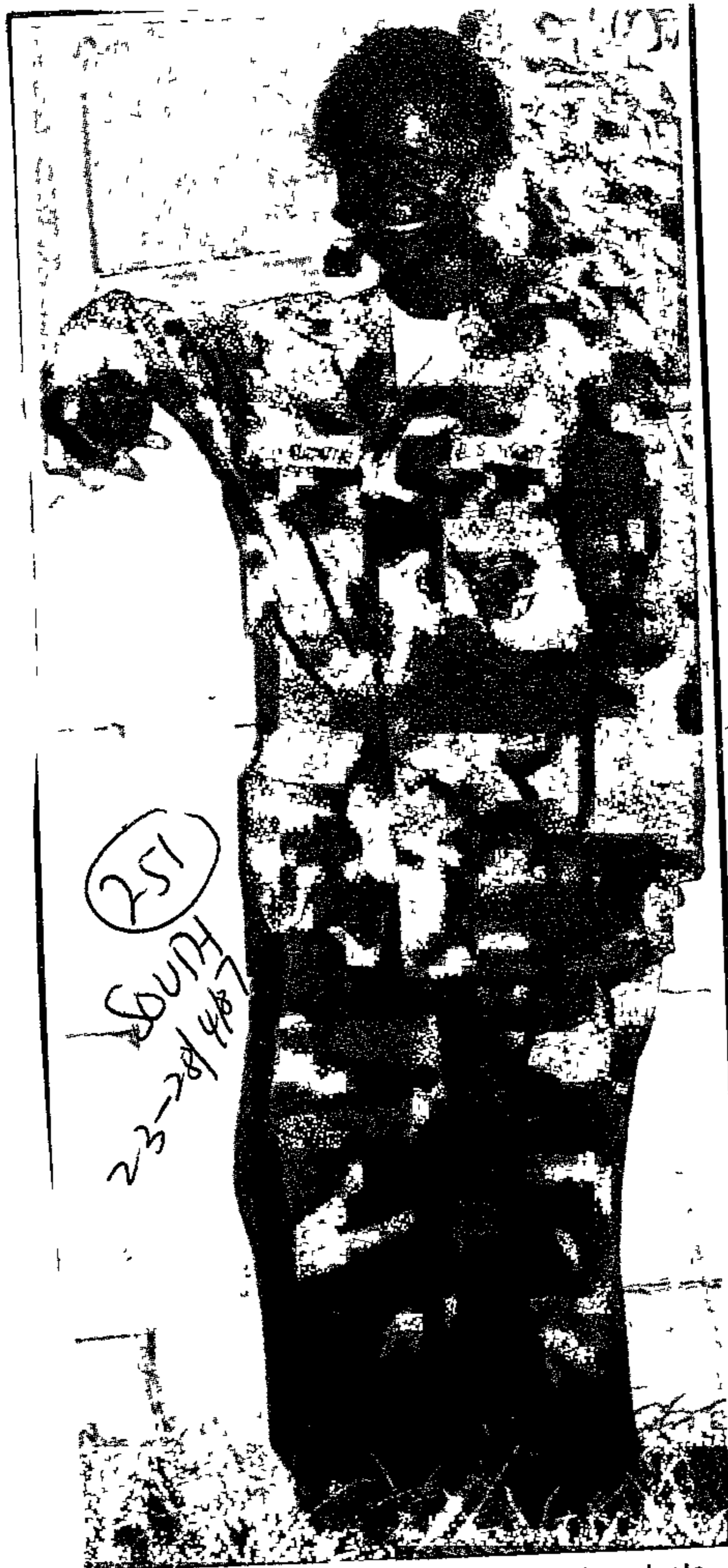
The SATS general manager, Mr Bart Grove, said last night that dismissed workers would be able to apply for re-employment, provided they did so within about two days.

While union membership would not be taken into account in considering applications, those guilty of intimidation during the strike would definitely not be rehired, he said.

Selection criteria would include knowledge, reliability, attendance before the strike and general ability, he added.

The FCI president, Mr Hugo Snyckers, yesterday expressed concern that the strike had not been satisfactorily settled, "especially in the context of the currently unresolved post office strike and escalating tension and violence in the townships".

He called on the parties "to exercise restraint and caution in attempting to restore industrial relations and civil order" — Own Correspondent and Sapa



Pascalena Mgayiya in a camouflage suit similar to the one that cost her 31 hours in a police cell

Is fashion a crime?

By ANTON FISHER

IS it a cop . . . No, it's a high school pupil from Guguletu who spent 31 hours locked up in police cells for trying to be fashionable

Pascalena Mgayiya, who is in matric at Sizamile High School, says she was scared out of her wits as she spent the time alone in a cell at Nyanga police station where she was kept before being released without being charged.

Her only crime was wearing

a suit made from camouflage material

In terms of the Police Act, it is an offence punishable by a fine of up to R200, to wear "any uniform or distinctive badge or button of the force or anything else so closely resembling any such uniform, badge or button as to be calculated to deceive".

Asked to confirm her arrest and release without being charged, police said they do not confirm the arrest of suspects for publication purposes.

Reef rocked by violence as strikers, police clash

23/4/87

Staff Reporters

Violence and drama struck the Reef yesterday in clashes between police and railways strikers in Johannesburg and Germiston

- Six strikers were shot dead and others wounded.
- Eight policemen were injured
- People were arrested in a police raid on a Johannesburg union building
- Teargas was used in Soweto Youths attacked vehicles and thousands of residents stayed at home or were stranded after a call for a stayaway

In the most violent clash six strikers died, five were hurt and four policemen were injured, three seriously, when about 100 strikers and police fought near Johannesburg's Doornfontein Station

Bystanders said the strikers, singing freedom songs, were followed down Davies Street. Some of the crowd fled back to Cosatu House

Police said they were defending themselves, colleagues, residents and property from attack. Lieutenant Pierre Louw, police spokesman, said a mob of Railways and Harbours Workers' Union members was told to disperse

"They refused and police were forced to use tear-smoke," said Lieutenant Louw. He said the crowd attacked with knives, pangas, and kerries. Three policemen were stabbed. Police opened fire

Mr Juhan Kuus, a news photographer, said he saw 50 black men carrying axes and clubs march a kilometre to Doornfontein station from Cosatu House, HQ of the 600 000-member Congress of South African Trade Unions. An officer who tossed a teargas canister was thrown up against a wall, beaten and stabbed

Bystanders said police surrounded the union building afterwards. An injured striker was carried by others from Davies Street to Cosatu House in Jeppe Street, his blood leaving a trail

Communications to the building were interrupted, according to news agency reports, and about 50 railways union members continued a closed-door meeting throughout the day in a locked hall. A Cosatu official said hundreds of union members were at another meeting on the ground floor.

At 5pm it was announced over a loudspeaker that everyone had to go to the ground floor and leave. Mr Mike Roussos, spokesman for the strikers, said he was told people would be forcibly removed if they did not leave within 10 minutes

A half-dozen journalists came out and some were taken away. A CBS News TV crew which drove by was taken into the building and the CBS bureau said at least four of its people were in custody

A German TV crew's film was confiscated and a photographer from The Star was taken to John Vorster Square and his film confiscated

At 5 10pm the building was entered, offices were searched and workers handcuffed or steered out of the building in armlocks. Several police vans were filled and driven away, onlookers said

Lieutenant Louw later said several people had been arrested

Police and strikers also clashed earlier in the day at the World Centre in Germiston. Three unionists were shot dead and four policemen and a union member were injured

A striker who did not wish to be identified said "Those of us inside the room could smell teargas and were worried about being trapped. People put their fists through the large windows to get out. Many people were injured"

A police spokesman said at least 500 strikers gathered illegally at about 11am and were told to disperse. They refused and attacked the police. Several shots were fired, three strikers died and one was admitted to hospital with a bullet wound

Four policemen were injured. One has a fractured skull. It is believed two people were bitten by police dogs after a mob started plundering shops in the World Centre

The names of the dead and injured have not been released

The day started with chaos in Soweto following the distribution of pamphlets calling for residents to stay at home. Thousands of people did

(Parts of this report have been amended to comply with the emergency regulations)

Police in clash with strikers

6 ARE SHOT DEAD

251
Sowetan
23/4/87

SIX people thought to be connected with the SATS strike were yesterday shot dead in two incidents in Doornfontein and Germiston.

Three men were killed when police opened fire at Doornfontein station while the other three were shot dead outside the South African Railway and Harbours Workers' Union offices in Germiston.

Several union members were injured in both incidents.

At the time of going to press the Bureau for Information in Pretoria could not confirm the

By SY MAKARINGE

deaths, saying police had information on the incidents but had to clear it first with Minister of Law and Order, Mr Adriaan Vlok

The deaths took place after the South African Transport Services' authorities gave the 18 000 striking workers an ultimatum to return to work by 8am yesterday. A random survey by the *Sowetan* revealed that very few had heeded management's call to go back to work.

The identities of the dead had not yet been established at the time of going to press.

A spokesman for the Police Directorate of Public Relations said a crowd of people gathered at Doornfontein station about

1pm. Police moved in and ordered them to disperse. He said tear smoke was used but the crowd became unruly and attacked the police.

Two policemen were wounded, he said.

When the *Sowetan* arrived at Germiston, all streets leading to the station were closed to traffic.

An eye-witness, who watched the shooting from an office window, said a crowd of railway-workers had gathered at the entrance of a building housing their Germiston offices when police arrived and ordered them to disperse.

"Immediately after that I heard gunshots I was terrified when I saw a man being shot through the head. He died on the

To Page 2

5
S

6 shot dead

From Page 1

spot. There were also three people who were lying on the ground as shots rang out. I was so terrified I had to close my eyes," she said.

Cosatu House, which houses, among others, offices of Sarhwa, was surrounded by security forces soon after the Doornfontein incident.

No one was allowed to enter or leave the building.

At least eight journalists working for foreign news organisations were seized by police and their film was confiscated.

Dozens of police surrounded the Cosatu building and for four hours prevented several hundred people inside from leaving.

The Interdepartmental Press Liaison Committee yesterday refused Sapa permission to use a United Democratic Front statement "as published".

MAN HELD AFTER 8 ^(S) COPS KILLED

POLICE have arrested a truck driver after eight SAP members — including two women — returning from a roadblock were killed when their van was involved in a smash near Piet Retief in the Eastern Transvaal yesterday morning, a spokesman said.

The smash happened at about

5 40am, about 10 km outside the town after the police vehicle smashed into a trailer after a truck apparently turned in front of it.

The names of the dead, which include a sergeant, a woman police constable and a female reservist constable, have not yet been released, the spokesman said.

“The members were on their way to their various stations from a roadblock at Dirkiesdorp when the accident happened,” he said.

Charges

Although police declined to say what charges the detained driver will face, it is understood that a culpable homicide docket will be opened and referred to the State prosecutor when the investigation is completed.



Peter Harris (left) and the secretary-general of Cosatu, Mr Jay Naidoo, in Germiston after being told they may not speak to the press

From page 11
 CAP- T1415 24/4/87
 Cosatu
 application
 postponed
 Own Correspondent
 JOHANNESBURG —

The executive of the Witwatersrand region of Cosatu was meeting last night to discuss its response to Wednesday's events, including the dismissal of 16 000 strikers. General secretary Mr Jay Naidoo said attorneys were considering bringing an action for damage to property.

The SAP said it was investigating charges of terrorism, attempted murder and robbery following the detention of a "considerable number" of people when police and troops laid siege to Cosatu House.

In the first detailed statement on the shootings near the Germiston and Doornfontein railway stations, the SAP Directorate of Public Relations said last night that police had "reasonable grounds" to believe a number of trained terrorists were in Cosatu House. The directorate said Cosatu House was surrounded by security force members and it was decided to search the building because of the following information:

□ A group of about 200 men ran into Cosatu House after the attack on the policemen and most of them were armed with sticks, knobkerries, "quirts", pangas and axes, and

□ It was understood violent action against SAP members and their families was being planned in Cosatu House to avenge the death of a fellow striker killed by police in Germiston earlier.

Transvaal Administrator Mr Willem Cruywagen yesterday met representatives of the Soweto Electricity Advice Centre (SEAC) who asked him to plead for a moratorium on rent evictions in the township.

Mr Cruywagen later telephoned Soweto council town clerk Mr Nico Malan, who confirmed his discussion with Mr Cruywagen but said he could not disclose details.

In a statement after the meeting, the SEAC said "the decision to start evicting for non-payment of rent is partly responsible for the present stayaway".

Cosatu application postponed

An urgent application brought yesterday by the Congress of South African Trade Unions (Cosatu) to prevent police from acting unlawfully against union members at Cosatu's Germiston premises, has been postponed to Monday.

The respondents to the application, brought in the Rand Supreme Court, are the Minister of Law and Order, Commissioner of Police and Divisional Commissioner of Police of the East Rand.

In an affidavit, Cosatu general secretary Mr Jay Naidoo said the application was brought after the commissioner did not respond to Cosatu's request yesterday for an undertaking that police not use life-endangering weapons without lawful cause or warning and unless life or property was threatened.

JOHANNESBURG — The unrest death toll on the Reef rose to seven yesterday as thousands of Soweto residents stayed away from work for the second consecutive day and SATS management completed arrangements to fire 16 000 striking railwaymen.

It was reported from Washington yesterday that the US State Department had demanded that Pretoria establish an "independent commission" to inquire into Wednesday's shootings by police in Johannesburg in which six people were killed.

"The commission should determine the reasons why police opened fire on demonstrators" in incidents at Doornfontein railway station and outside Cosatu headquarters.

"We are extremely disturbed by the loss of life," State Department spokesman Mr Charles Redman said.

Police shot dead 18-year-old Patrick Phokojole who, according to the Bureau for Information, was one of 20 youths who stoned a delivery vehicle in Naledi, Soweto.

A Putco spokesman said bus services were resumed at 3 30pm after a 50% passenger drop in the morning. Two buses were hijacked, one of which was rammed into a supermarket in Dobsonville.

Stayaway rates at Johannesburg businesses varied wildly yesterday. SATS said trains ran normally yesterday morning. Occupancy on Soweto trains was 65%.

Reef death toll at 7 as stayaway continues

Own Correspondent

Police will not solve anything and can only lead to further tragedy.

The tenor of Mr Redman's remarks and the unprecedented call for an inquiry marked a further escalation of the administration's criticism of SA government actions.

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R15 000 for shot boy

157
228 0251
Supr. Court Reporter

"UNREASONABLE" police behaviour has been criticized in the Supreme Court which yesterday awarded damages of R15 000 to a Bellville South schoolboy who was 14 when he was shot by the commander of the Bellville unrest unit

Mr Acting Justice H P Viljoen found that Captain Ockert van Schalkwyk used unreasonable force to arrest the child after dispersing a group throwing stones on September 5, 1985

The judge accepted the evidence of witnesses that the boy fell in Kosmos Street although police claimed he was shot in Industrie Street. He said the fact that police were wrong about the

location of the shooting called their powers of observation into question

However, he said the police mistake could have been an honest one "because of the number of similar incidents which were occurring in the area at the time"

He said the evidence of the commander and a Constable Crous showed that they went to the scene "with the preconceived idea" of using an R1 rifle "to bring down people" who fled when they saw police

He criticized police for acting drastically before making any attempt to chase the youths, shout a warning to aim a shot at their legs

Mr M Doren, instructed by E Moosa and / appeared for the child. Mr W J Louw, instructed by the State Attorney, appeared for the minister

CAP- Times 24/4/87

Chaos at Cosatu House

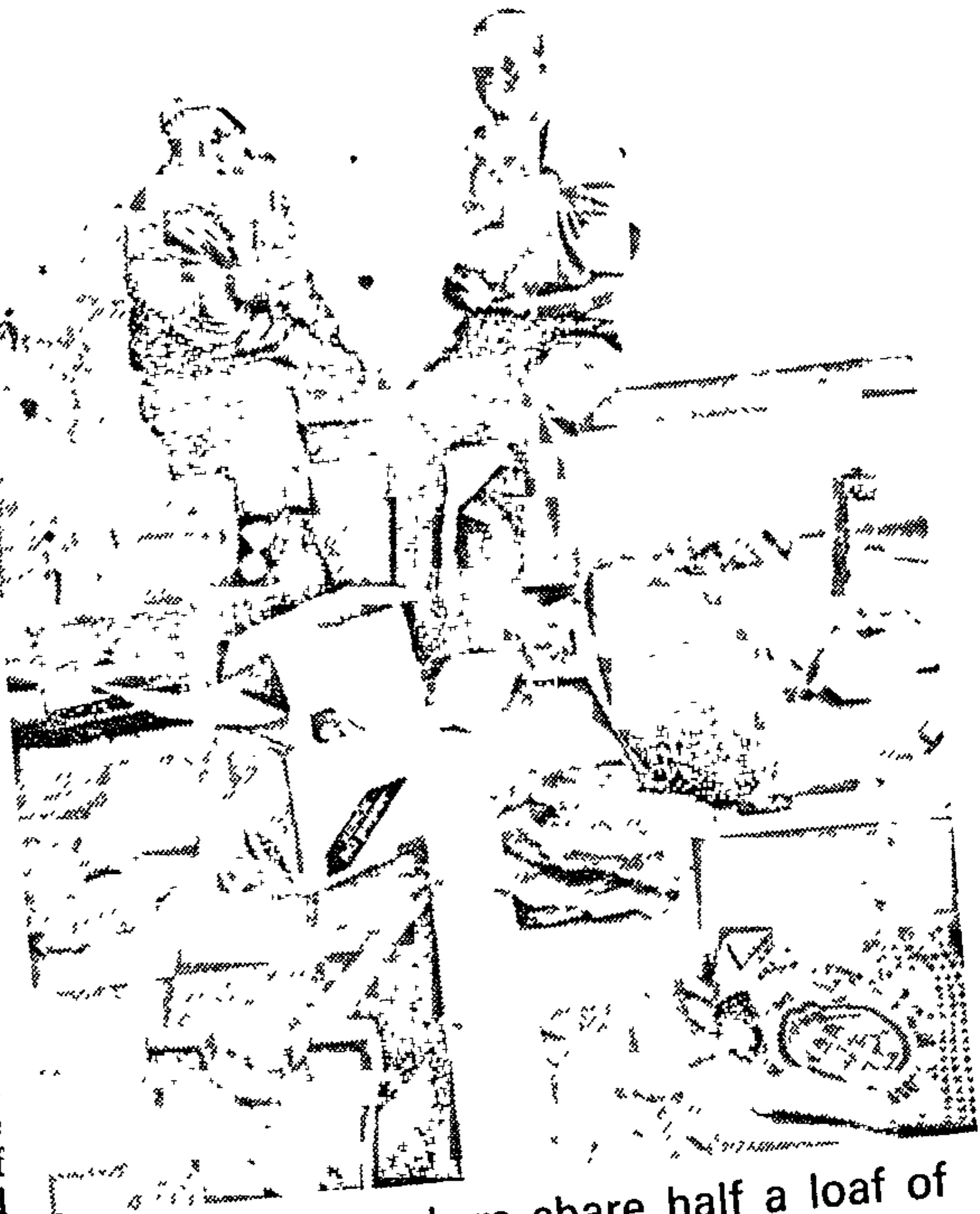
Own Correspondent

JOHANNESBURG. — Cosatu House, the scene of Wednesday's siege and police search operation, yesterday morning looked as if it had been swept by a whirlwind.

Scores of doors had been smashed open, cupboards ransacked, telephone wires cut in some offices, documents strewn around offices and thrown out of windows, and briefcases ripped open.

The third and fourth floors, occupied by the National Union of Mineworkers (NUM) and the Commercial, Catering and Allied Workers' Union respectively, appeared hardest hit.

An SAP spokesman said he was not prepared to comment on the damage.



Two railway workers share half a loaf of bread in the wreckage of the union offices in Germiston after police stormed the building and broke up a union meeting. One worker was shot dead.

Picture: REUTER

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24-29/4/87

Police dubious of PAC army claim

By PATRICK LAURENCE

SECURITY POLICE are cautious about the claim by the outlawed Pan-Africanist Congress that it was responsible for this week's grenade attack on municipal police in Soweto

They have no independent evidence that Tuesday's attack on parading policemen — the first major assault on the newly-formed municipal police — was carried out by members of the Azanian People's Liberation Army (APLA), the armed wing of the PAC.

Neither could they confirm another claim made by the PAC: that a unit of its military wing was responsible for the "Scorpion attacks" on Security Force patrols in Johannesburg's Alexandra township late last year. The men who launched the attacks were armed with Scorpion machine-pistols.

Police acknowledge that the PAC has infiltrated fighters and cadres into South Africa but their investigations have not unveiled independent evidence that the PAC men have actually succeeded in launching attacks since the days of Poqo, a senior security police officer told Weekly Mail.

Police may, of course, be reluctant to credit the PAC with attacks, including its claim to have assassinated Brigadier Andrew Malope, the police commander at the Winterveld massacre.

But if they are feigning scepticism it would be inimical to the more obvious disinformation strategy of building the PAC up to foment rivalry with the ANC on the basis of divide and rule

What can be asserted confidently is that there has been a modest revival of Africanism, the underlying ideology of the PAC, in the past year or so.

Two lawful organisations now openly espouse Africanism, the Azanian National Youth Unity, Azanu, and the South African Black Municipal and Allied Workers Union, Sabmawu

That does not mean that they are "front" organisations for the outlawed PAC. But it certainly does not harm the PAC either

Apart from Azanu and Sabmawu and claimed responsibility for guerilla strikes by the PAC, there is little evidence of major PAC or neo-PAC activity

Law and Order Minister Adriaan Vlok announced in February that five "Libyan-trained" terrorists had been captured. These men were part of an original group of 12 PAC cadres whose efforts to reach South Africa were thwarted a year ago when they were arrested at Athens Airport

Another pointer to PAC activity — or lack of it — is to be found in political trials

The most important of these is the trial, on charges of terrorism and attempted murder, of seven alleged PAC members in Pretoria

Police restrained from assaulting Sash worker

The Argus Correspondent

AR645 24/4/87 (12) (251)
EAST LONDON. — A Duncan Village resident was assaulted by municipal police when he inquired about a radio they had taken from him, it was claimed in papers before the Grahamstown Supreme Court.

Mr Justice Kannemeyer granted an interim order restraining the municipal police from assaulting or threatening Mr Anthony MacKiben, a translator in the Black Sash advice office.

The application was brought on behalf of Mr MacKiben by his mother, Mrs Olga MacKiben, against the Gompo Town Committee under whose authority the police fall.

The return date is May 21.

In an affidavit, Mr MacKiben said police took his portable radio when they stopped and searched him while he was walking in the street on April 10.

When he went to inquire about the radio, he was taken into an office and assaulted, he said.

A municipal policeman struck him "with an open hand in the face, an elbow in the stomach and with a fist in the mouth and eye". Two other policemen were present throughout the assault, he said.

His radio was handed back later and he said one of the policemen had threatened that "if he saw me in the street he will do something to me and might even shoot me".

Schoolboy awarded R15 000 damages

Own Correspondent

CAPE TOWN — A 15-year-old Bellville South schoolboy, shot in the back by the commander of the Bellville police unrest unit in September 1985, has been awarded R15 000 damages in the Supreme Court

Mr Acting Justice Viljoen found unreasonable force was used by Captain Ockert van Schalkwyk and a Constable Crous to arrest Geswin Davids, after the policemen had dispersed a group of stone-throwers

Captain van Schalkwyk and Constable Crous were patrolling in an unmarked police car in Industrie Street, Bellville South, when they saw a burning tyre barricade and a group of youths stoning a car.

The police car was also stoned and the youths fled when they realised they were stoning policemen

Captain van Schalkwyk said he "marked" Geswin "with the eye" as a stone-thrower, and when he realised he would not catch the fleeing youths by foot, he fired four shots with the R1 — loaded with plastic bullets — the last of which hit Geswin in the back.

Geswin was then arrested.

The captain's evidence was that Geswin fell in Jool Street, but the judge, basing his decision on the evidence of witnesses, accepted that he had fallen in Kosmos Street

Geswin's evidence was that he had not been involved in the stone-throwing in Industrie, but had been on the way back from running some errands for his grandmother when he was shot

WRONG

Mr Acting Justice Viljoen said in judgment that the fact that the policemen had been wrong about the street placed a question mark against their powers of observation

He found the Minister had not discharged the burden of proof on the question of whether it was Geswin who committed an offence in Captain van Schalkwyk's presence.

"The policemen's evidence has not convinced me that their actions in arresting Geswin were reasonable

"Their evidence has shown that on the day in question they went to the scene with the pre-conceived idea of using the R1 rifle to bring down people who fled when they saw the policemen," Mr Acting Justice Viljoen said

(251) 24/4/87
Star

Policeman denies planting timetable in accused's home

Own Correspondent

CAPE TOWN — A security policeman who arrested several of the 15 alleged Umkhonto we Sizwe members on trial in the Supreme Court yesterday denied planting a list of handgrenade and limpet mine detonation times in the home of an accused.

Lieutenant Liebenberg said that while searching Mr Quentin Michels's house, he found a piece of paper containing numbers, labelled "timetable".

During cross-examination Mr D Kuny SC, for the 15, said "I say you had the timetable in your possession and didn't find it in Mr Michels's house . . . our instructions are that the timetable was in Mr Ngqungwana's handwriting and was found at Mr Ngqungwana's house".

Lieutenant Liebenberg said he did not know about the handwriting, but the timetable was in Mr Michels's house.

Asked about the arrest of Mr Mkhulhwa at single quarters in Langa, Lieutenant Liebenberg said Lieutenant Michael Fryer forced the door open and about 20 people were ordered out of the room.

A LOT OF BLOOD

Mr Kuny I understand certain of your people assaulted some people to find out who "Mgwashu" (Mr Mkhulhwa) was.

Lieutenant Liebenberg denied this or that later there was a lot of blood in the room. He denied that Mr Mkhulhwa was assaulted after he was arrested.

Mr Kuny read a district surgeon's report saying Mr Mkhulhwa told the doctor he was hit, kicked in the chest, throttled and his testicles were squeezed.

The State alleges Mr Ngqungwana coordinated military activities and the smuggling of weapons and explosives from Botswana and Lesotho.

Mr Mzukwa is alleged to have planted a limpet mine at Langa police station and thrown hand grenades at the police station and at a Casspir in 1985.

Mr Ngoma is alleged to have planted two limpet mines which damaged Mowbray Railway Station in 1986.

The 15 men who have pleaded not guilty to charges of terrorism are Mr Lizo Ngqungwana (24), Mr Thembinkosi Mzukwa (22), Mr Joseph Ngoma (26), Mr Temba Tshubika (38), Mr Sazi Veldtman (32), Mr Mthetho Myamya (35), Mr Joseph Mkhulhwa (30), Mr Anderson Ncivata (27), Mr Reed Macozoma (28), Mr Quentin Michels (24), Mr Cecil Esau (32), Mr Neville van der Rheede (26), Mr Gladwin Mabengeza (30), Mr Cyril Ntabeni (30), and Mr Norman Macanda (29).

(Proceeding)

DD 25/4/87

ANC suspects die in fierce battle

Dispatch Correspondent
DURBAN — A Police constable is in a serious condition in hospital and another three are recovering after a fierce gun-battle in Umlazi early yesterday morning in which three suspected ANC terrorists were killed

Constable Freddie van Rooyen, who was shot in the head and shoulder in the skirmish, is in a serious condition in Wentworth Hospital where he is receiving specialised treatment

A police spokesman said the other policemen injured were Warrant Officer Martinus Ras and Constable J C Clinch, who are both sat-

isfactory in Addington Hospital, and Sergeant C A van der Westhuizen, who had been sent home

This latest shoot-out between police and suspected terrorists is the third in just over a month in the Port Natal Police Division

On April 15 W/O Boy Lembede was shot dead and his colleague, W/O Vusi Muzi Myeza, was injured when they were ambushed by a group of men armed with AK47 rifles at Umbumbulu on the Natal South Coast

Late last month police shot dead a suspected terrorist at Inanda and recovered an AK47 rifle, ammunition and hand-grenades.

25/4

'Mosque violation led to death'

By SHAUNA WESTCOTT
Supreme Court Reporter

OUTRAGE at the violation of a mosque by policemen who entered it without removing their boots led five young Muslims into an armed quest for weapons that ended in the death of a security guard, the Supreme Court heard yesterday.

This evidence was given in writing by 29-year-old Mr Nazir Bhawoodien, his 23-year-old brother Said and the two Abrahams brothers — 22-year-old Moegamat and 27-year-old Naz-eem, who yesterday changed their pleas on charges of murder,

attempted murder and robbery from not guilty to guilty.

A fifth accused, Mr Rushdien Abrahams, 29, escaped from the van transporting prisoners to court on April 3

Mr Nazir Bhawoodien said that as a devout Muslim he had been "terribly upset" at "a most gross violation of the House of God" when he heard about the police action at the Park Road mosque on November 29, 1985.

He spoke to "a very prominent Muslim figure", Mr Hanief Sayed, who "convinced me it was my duty as a Muslim to . . . ensure that no further violations would occur".

Mr Sayed suggested arms should be obtained to defend mosques and planted the idea of robbing two armed guards at the Lincoln Tavern in Belgravia Road of their weapons.

Mr Bhawoodien enlisted his brother and the other accused for this mission on the same night.

Mr Bhawoodien said the desecration of the mosque shocked him into irrational behaviour the consequences of which he deeply regretted. He said it was against his beliefs as a Muslim to cause harm to innocent people.

The trial continues on Tuesday.

CAP 7/1/85 25/4/87

Second Cosatu application filed

Own Correspondent

JOHANNESBURG. — Cosatu yesterday filed another urgent application against the Minister of Law and Order in the Rand Supreme Court asking that police be prevented from committing unlawful acts on it and its affiliates.

The application will be heard on Tuesday.

Sapa reports that in the Rand Supreme Court on Thursday, an affidavit noted that a senior police officer was overheard planning "what the story would be" after three people died in a police attack on railway strikers in Germiston on Wednesday.

Reading his affidavit, Mr Jay Naidoo, Cosatu's general secretary, said the police committed unprovoked and vicious assaults on strikers who had been holding a peaceful meeting. At least one unarmed person was shot while running away, he said.

He said a Metal and Allied Workers' Union official, Mr Ben Petersen, overheard a conversation between a SADF officer and a person believed to be a senior officer of the SAP.

The SADF officer reportedly said: "What will the story be?". The SAP officer replied: "Let us put it this way. There was a riotous meeting in the street. This is unlawful because of the state of emergency. We had to take action when they got out of control".

The police deny the allegations and say they will present replying affidavits on Monday.

UMTATA — Transkei authorities have denied allegations by an American Catholic priest, Father Casimir Paulsen, that he was tortured during nearly three months of detention.

Father Paulsen, 52, said he was seized by plain-clothes security police on December 17 and was held at a detention centre at Kei Bridge where he was interrogated and tortured.

He made the allegations at a reception in his honour, hosted by two Democratic senators in his home state of Michigan on Wednesday.

The head of the Transkei Security Police, General Leonard Kawe, said

T'kei denies Paulsen's torture claims

the priest had been allowed to see a representative from the US Consulate in Durban and had made no mention of being ill-treated

Fr Paulsen had also seen a magistrate in private and again had made no complaint

Gen Kawe alleged that Fr Paulsen had harboured two men the police wanted in connection with an attack

he was treated as any on the Umtata police station. He had said it was his moral duty as a Catholic to hide people running from the police irrespective of the crime.

Fr Paulsen, he said, was "concocting stories" about Transkei.

When asked about the conditions of the cell described by the priest, Gen Kawe replied that

other prisoner and that "it was not necessary to put him up in a hotel"

He added that Father Paulsen's colleagues were even allowed to bring him food and clothing parcels

Fr Paulsen said he believed his detention was triggered by his decision to find accommodation for two black youths who had fled from violence in townships near the big cities. He said the youths were later accused of attacking the police station at Umtata.

Father Paulsen has called on the United States to increase pressure on the government of South Africa — DDR-Sapa

Soldiers die in bus blast

ATHENS — A bus carrying American soldiers to a US military base outside Athens was blown up yesterday and several people were hurt, police said.

Police said the bus was taking the soldiers from the town of Elefsina to the US base of Hellenikon, about 12 km east of Athens.

Police seize material on advertisement

PORT ELIZABETH — Two security policemen with a search warrant seized material, dealing with an advertisement on the detention of children, from the offices of the Eastern Province Herald yesterday.

The warrant empowered them to take stencils, documents, receipts and receipt books.

The advertisement had been published after two firms of lawyers had advised that it was permissible in terms of the Police Commissioner's recently proclaimed restrictions on campaigning for the release of detainees.

The advertisement was in the name of the

Southern Africa Project, Lawyers' Committee for Civil Rights Under Law, Washington DC

Among other newspapers to run the advertisement were The Cape Times and The Star, both of which reported no police action in connection with the advertisement — DDC

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Specials posted to Durban

26/4/87
By S'BU MNGADI

THE first groups of Special Constables were this week deployed in several black townships around Durban after a six-week "intensive" training course at Koeberg.

Port Natal SAP Divisional Inspector Brig Jaap Venter said that the 3 324 men were to be used for normal crime prevention and maintenance of law and order in Durban townships.

He said they fell under the authority of the Riot Unit and would only be used in unrest situations when necessary.

(251)

SAP chief challenged

By REVELATION NTOLUA

THE Commissioner of Police, General Johan Coetzee, is to be challenged in the Maritzburg Supreme Court next Tuesday in an attempt to strip him of his newly acquired powers concerning detainees.

The case, which was partly heard last week, is being brought by the Black Sash and the Detainees Parents' Support Committee. Meanwhile, the Oposition PFP has also instituted proceedings

against Coetzee's new powers, which forbid campaigning for the release of detainees.

Announcing the PFP's Supreme Court bid to set aside the notice promulgating the ban, Ken Andrew, chairman of the party's federal executive, said the State had indicated it was going to defend the action.

The commissioner's powers have been widely criticised by political and civil rights organisations as a denial of fundamental political

rights and freedom of speech, and blocking criticism of the State's use of detention to neutralise political opponents.

In terms of the ban, issued on April 10, it is illegal to participate in any campaign, project or action aimed at accomplishing the release of people detained under Section 28 of the Internal Security Act 1982 or regulation 3 of the security regulations.

Journalists' condemnation of Mangga sale

BOTH Times Media Johannesburg and the Freelance and Allied Journalists' chapels of the Southern African Society of Journalists have condemned the sale by Natal Newspapers of *Mlanga* to an Inkatha-based organisation, they said in a statement.

The chapels fully supported the demands by the *Mlanga* staff to have the sale rescinded. Both chapels said they viewed the sale of the newspaper as politically insensitive, especially in a climate where impartial journalists were forced to take sides.

"The fact that KwaZulu government officials have already been called in to run the newspaper makes a mockery of claims that there will be no interference with editorial freedom," the statement said.

The chapels believed that the newspaper would become "nothing less than a mouthpiece of Inkatha and/or the KwaZulu government". The sale is seen as a serious blow against press freedom, which could lead not only to an exacerbation of tensions in Natal, but would contribute to racial polarisation.

The statement called on newspaper managers to carefully consider such transactions in future, lest they compromise whatever claims they might still have on the protection of freedom of the Press.

IN EMERGENCY
This newspaper has been produced under emergency regulations which amount to censorship. The restrictions effectively suppress information of public interest. No details of unrest or security force action can be published without permission. However, within the limits of these restrictions, City Press will continue to make every effort to provide objective coverage.

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24/3/87
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'SJAMBOKKING AT CEMETERY'

251

A SENIOR police officer told his juniors who were sjambokking mourners at a cemetery "donner die kaffirs," a witness said at the Delmas treason trial yesterday.

The witness, Mr Gcina Malindi, was giving evidence in his defence. He is one of the 19 people appearing before Mr Justice K van Dijkhorst and an assessor on charges of high treason, alternatively terrorism, subversion and

murder

The State alleges they committed the offences during the outbreak of unrest in the townships on the Vaal Triangle during September 1984

Mr Malindi said he was one of the hundreds of people who attended the funeral of Mr Joseph Sithole on September 23, 1984

A military helicopter, he said, circled above the church building where the funeral was held

Mr Malindi said the coffin was carried shoulder-high from the church to the hearse. Police in their vehicles led the procession to the local cemetery. Other police cars were at the tail of the procession, said Mr Malindi. He denied that some mourners walked to the cemetery.

He said the burial service was just about to end when police surrounded the mourners at the cemetery and began sjambokking them. Later

Witness tells treason trial

he heard a gun shot and mourners dispersed in different directions

Mr Malindi said Mr P Mahlatsi, the brother of the mayor, Mr E Mahlatsi, tried in 1982 to influence him to encourage members of Cosas to accept the community council. He said Mr Mahlatsi told him that money was no problem and Cosas could be financially assisted by the Mahlatsi's if they accepted the community councils.

Mr Malindi said he saw the police fire rubber

bullets, tear smoke and sjambok mourners at the cemetery. He said he heard Colonel Viljoen shouting that his men should "donner die kaffirs"

Mourners ran in different directions and he was one of those who took refuge in some of the cars in the cemetery. He said he was sjambokked by the police and shot above one eye with a rubber bullet. He was arrested on that day, he said.

He said Mr E Mahlatsi told him there was nothing wrong with the councils but the people running them. He criticised his predecessor, Mr Matjila.

Mr Malindi said one of his colleagues in Cosas, Mr Tim Moropodi, was given R280 to pay for his computer lessons.

(Proceeding)

Birdshot, sjamboks as 7 arrested

Police open fire sit UCT

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28/4/87
251

Staff Reporter

IN A day of violent confrontations at the University of Cape Town, police fired birdshot and teargas and sjambokked students on the campus yesterday, the Bureau for Information confirmed last night. Seven people were arrested

It is believed to be the first time police have opened fire with live ammunition on a white university campus in South Africa

A spokesman for the Bureau for Information said police had fired birdshot and used sjamboks on the students after police and private vehicles were stoned

He said police had decided to use birdshot when they feared tearmoke being used to disperse the students would drift on to De Waal Drive below the campus

It was the second time in four days



Two UCT students near the unrest scene on campus yesterday

that students and police had confronted each other on the campus

According to the Bureau for Information, seven people were arrested and three policemen were slightly injured. The spokesman, quoting police, said he had no knowledge of any other injuries

Yesterday's incidents began at 2pm when about 500 students gathered above De Waal Drive after a mass lunchtime meeting called to protest against the SADF raid into Zambia and the presence on Friday of police on the campus

Students retreated to the campus. Students said the UCT vice-chancellor, Dr Stuart Saunders, tried to negotiate with police but students demanded that the police leave. Dr Saunders then pleaded with the students to disperse and "stop throwing stones", they said

Refused to obey

He told them the consequences if they did not would be very severe

However, the students refused to obey him and a series of incidents took place. At one stage students sought sanctuary in the Jagger Library

A Reuters photographer, Mr Guy Tillim, was also sjambokked while trying to escape the teargas

Students ran for shelter in the student union and Jameson Hall and an emergency meeting was held in Jameson Hall

Dr Saunders held a number of meetings with senior administrative staff and the SRC yesterday evening, and said he would be meeting student leaders again this morning

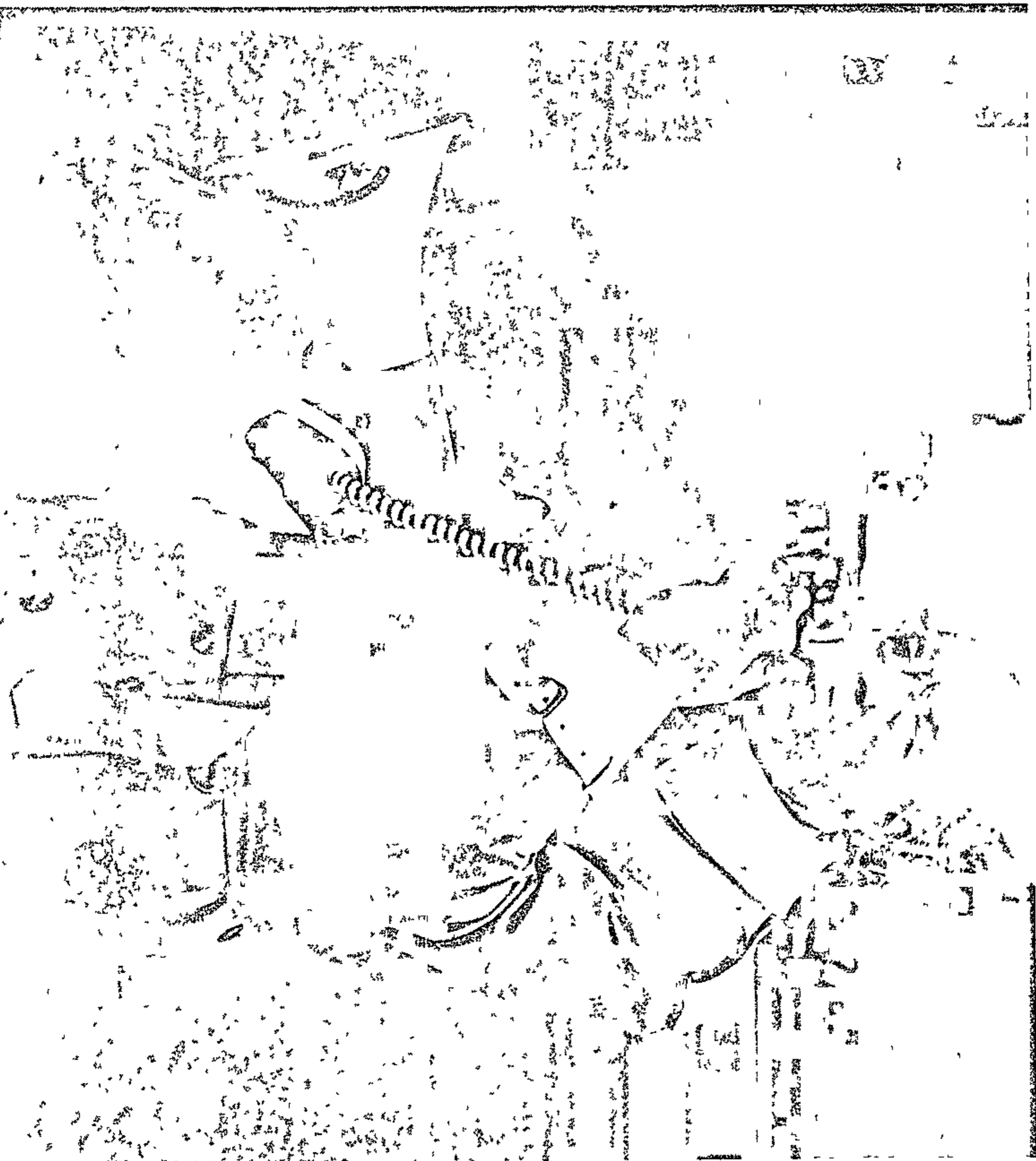
'Abhor this violence'

He said last night that he was "shocked by the throwing of missiles by people on the campus and shocked by the use of birdshot by police"

"I abhor this violence and call on everybody to desist from this violence", he said "I regard this matter as extremely serious"

The UDF last night urged police to keep off university campuses, saying their presence "is an intense provocation that can only lay the basis of heightened tension and conflict"

Sections of this report have been deleted to comply with the emergency regulations



UCT vice-chancellor Dr Stuart Saunders near the scene of unrest yesterday

State witness tells of police assault

Dispatch Reporter

BISHO — A state witness told the terrorism trial at the Supreme Court here yesterday how she alleged she had been assaulted by two security police officers while she had been in detention.

The witness, whose identity is protected in terms of the court ruling, testified in the trial of the Reverend Makhenkesi Stofile, Mr Mzwakhe Ndlela, Mr Linda Stofile, Mr Gladwell Gqubitole and Miss Nomvuyiso Stofile.

The five accused have pleaded not guilty to charges of terrorism, harbouring a terrorist and possessing arms.

On Friday last week, the unidentified witness told the court that she would not testify against the accused because she shared the same aspirations as they did.

Yesterday, she told the court that she knew Mr Makhenkesi Stofile and Mr Ndlela only by sight. She said that she had seen Mr Linda Stofile at Mr Makhenkesi Stofile's house where she had been staying.

She said she had seen firearms on television and that an AK-47 rifle exhibited in court had been shown to her by the security police, but that she had never handled such a weapon.

She told the court that she had never been given instructions on how to use a limpet mine.

She said she had made a statement to the security police, but that it was not the truth. She said that what she had told the court was true.

She said that she had been assaulted a number of times and that on one occasion she had been kicked repeatedly and that her assailants had kept saying that she had met two terrorists at Mr Makhenkesi Stofile's home.

28/1/87
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She said she could not sustain the assaults and had lost consciousness and had later admitted to certain allegations because she believed the assaults would stop.

She named two of the security policemen she said had assaulted her as Sergeants Swelindawo and Hlulani.

She said she had been examined by a doctor.

When she was asked by the state why she had feared giving evidence previously, she said that she was worried that she would be asked questions that would harm the accused.

A second state witness was called, Colonel Temba Marele, who was identified as the second in command of criminal investigation as well as being the district commanding officer in charge of the Alice police station on the security side.

While Col Marele was giving evidence, Mr Justice Pickard adjourned proceedings as he said evidence submitted was embarking on a trial within a trial.

At the resumption, Mr W F Jurgens for the state, said that after discussing the matter they had decided not to proceed with an application for a trial within a trial and would continue with the proceedings.

Col Marele continued to give evidence and was cross-examined by Mr M W Friedman for the defence.

A Ciskei security police officer, Warrant Officer William Dastile was recalled by the defence and re-examined by the state to give further evidence in connection with the finding of an ID book and Transkeian travel documents at a roadblock at Kwezana, near Alice, in October last year.

The case continues today.

Drift man appeared briefly in the magis- motor vehicles in...

FILE TIME 28/4/77 (RDA) (28)

Cosatu court action

JOHANNESBURG. — The six-hour police blockade of the headquarters here of the Congress of South African Trade Unions last Wednesday will have a sequel in court today when Cosatu asks for an order restraining the police from disrupting lawful trade union activities in the building. Cosatu will also seek an interim order preventing the police from assaulting, interfering with or intimidating members of Cosatu and its affiliated unions.

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Police fire birdshot at UCT gathering

CAPE TOWN — In a day of violent confrontations at the University of Cape Town, police fired birdshot, teargas and sjambokked students on the campus yesterday, the Bureau for Information confirmed last night

Seven people were arrested and three policemen were slightly injured

A Bureau for Information spokesman said the decision to use birdshot had been taken when it was feared tear smoke being used to disperse the students would drift onto De Waal Drive below the campus

The spokesman said about 300 students of all races were involved in the unrest

It is believed to be the first time police have opened fire with live ammunition on a white university campus in South Africa.

It was the second time in four days that students and police have confronted each other on the campus

Yesterday's incidents began at 2 pm when about 500 students gathered above De Waal Drive after a mass lunchtime meeting called to protest against the SADF raid into Zambia and the police's presence on campus on Friday

The UCT vice-chancellor, Dr Stuart Saunders, tried to negotiate with police but students demanded that the police leave

Dr Saunders then pleaded with the students to disperse and "stop throwing stones"

However the students refused to obey him and a series of incidents took place. At one stage students sought sanctuary in the Jagger Library

Students ran for shelter in the student union and Jameson Hall and held an emergency meeting in Jameson Hall

Dr Saunders held a number of meetings with senior administrat-

ive staff and the SRC yesterday evening, and said he would be meeting student leaders again this morning

He said last night he was "shocked by the throwing of missiles by people on the campus and shocked by the use of birdshot by police".

"I abhor this violence and call on everybody to desist from this violence," he said "I regard this matter as extremely serious"

The UDF last night urged police to keep off university campuses, saying their presence "is an intense provocation that can only lay the basis of heightened tension and conflict"

In a statement released after Friday's confrontation at UCT, the UDF said police activity on campus was "not only a threat to our right of peaceful assembly and association, but also a direct attack on the freedom to debate and address the realities of our society"

— DDC-Sapa

CAMPUS SCENE: Clouds of tearsmoke partly obscure the front of the students' union building.



WATCHING: Students on the Jameson steps.

“Meeting condemned raid”

“A South African brewer's delivery vehicle's driving cabin was burnt in the tennis courts on Upper Ring Road.”

“On Monday, April 27, protesters again stood outside the sports centre after a mass meeting held to condemn the SADF actions in Zambia, the coming election and the action of the police on Friday.”

“Stones were thrown at cars on De Waal Drive and the police responded with teargas.”

“The police entered the campus, were repeatedly stoned and repeatedly used teargas.”

“This occurred several times on the Plaza in front of the Jameson Hall called upon the students to disperse and told them that the police had agreed my request to leave the campus.”

“As the police were leaving stones and bottles were thrown at them. They retaliated with teargas and this was repeated several times.”

“The police entered the library and several other buildings and hit students with quirts and fired teargas into some buildings.”

“Treated for birdshot wounds”

“Seven students were arrested and I understand are due to appear in court.”

“Ten students were treated for birdshot wounds and one for a dog bite at the students health centre.”

“I strongly deplore the use of firearms by the police and have condemned some of the other actions of the police to the Divisional Commissioner as well.”

“Let me make it quite clear that I understand the crisis in the land is being felt on this campus.”

“This university has always upheld the right of peaceful and appropriate protest. Violent protest and arson are intolerable.”

“I condemn them and I know the vast majority of people on this campus condemn them also.”

Dr Stuart Saunders



UCT Journal calls for



calm on

campus

*News
28/4/82
[Signature]*

Staff Reporter

DR STUART Saunders, principal and vice-chancellor of the University of Cape Town, has condemned violence on the campus and appealed for calm on all sides.

In an open message to the UCT community following disturbances on Friday and yesterday when students and police clashed on the campus, he said

"The events of Friday, April 24, and of Monday, April 27, shocked us all.

"On Friday, April 24, a group of 150 to 200 students gathered on the edge of the De Waal Drive near the Indoor Sports Centre to protest against the dismissal of the striking SABS workers and the deaths of strikers in the Transvaal

"Stones were thrown at passing cars before the police arrived on the scene. Police used teargas to disperse the students and they pursued the students well into the campus



3 dead SATS men named

THREE of the six South African Transport Services striking workers who were killed by the police on the Reef last week have been identified, writes THEMBA MOLEFE.

The SATS workers, Mr Mdahale Mohlarametsa, Mr Moses Makgapha and Mr Molahle Mohoar, were shot dead by the police at a South African Railway and Harbours Workers' Union (Sarhwu) meeting in Germiston last Wednesday.

The Congress of South African Trade Unions (Cosatu), has meanwhile, made an application to the Rand Supreme Court seeking to restrain the police from breaking Sarhwu meetings.

This follows last week's raid on Cosatu House in which police arrested about 400 people at a meeting.

Cosatu general secretary, Mr Jay Naidoo, told the Supreme Court last week that damage caused during the raid was estimated at R54 000.

The application will be heard in court tomorrow.

- A post office worker, Malevu Yani (36), was last Wednesday sentenced to three years' jail in the Johannesburg Magistrate's Court after being convicted of intimidation.

Yani was arrested by security forces two weeks ago and charged with intimidating post office workers during the three-weekold strike by members of the Post and Tele-

communications Workers' Association (Potwa).

Another worker who had been in custody for about two weeks had intimidation charges withdrawn against him by a Johannesburg magistrate on Thursday.

According to Potwa spokesman, Mr Vusi Kumalo, the post office management dropped charges against the workers after conceding to one of the conditions set by Potwa before negotiations over the dispute could begin.

Talks between management and Potwa might resume tomorrow.

Hawkers sue Minister

(5)
Summons
27/4/72

THREE Mohlakeng street hawkers have issued summonses totalling R20 000 to the Minister of Law and Order, Mr Adriaan Vlok, alleging that they were shot at by policemen while selling their wares in the township last year.

Two of the women are claiming R5 000 each for injuries sustained and the other, who was seriously hurt, is claiming R10 000.

The three are Mrs Sophie Ntsoelengoe of 397 Mathije Street, Mrs Nesta Mashiloane of 1015 Phokompe Street, and Mrs Margareth Malambe of 247 Chaka Street.

A lawyer representing the three yesterday confirmed that summonses have been issued.

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27/4/87

Cosatu seeks SAP court order

JOHANNESBURG — The six-hour police blockade of the headquarters of the Congress of South African Trade Unions last Wednesday will have a sequel in court tomorrow when Cosatu asks for an order restraining the police from disrupting lawful trade union activities in the building.

Cosatu will ask the Rand Supreme Court to direct the Minister of Law and Order, Mr Adriaan Vlok, and the Witwatersrand Divisional Commissioner of Police to return all the property seized by police in Cosatu House.

Cosatu's lawyer, Mr Peter Harris, said the seizure of items as cheque books and financial records made it impossible for the unions concerned to continue with their day to day activities

— sapa

251 20 27/4/87

Officer cleared at inquest on youth

Post Correspondent.
GRAHAMSTOWN — Warrant Officer J J Erasmus of Port Elizabeth was cleared at an inquest here last week of acting outside the scope of his duty in shooting dead a 17-year-old youth last year

The inquest was for Mngcini "Big Boy" Mgwinya, who died after the funeral of an unrest victim in Grahamstown.

The magistrate, Mr S Stander, ruled that WO Erasmus was not unjustified in shooting the boy.

"The death of the youth does not amount to an act or omission involving an offence on the part of members of the

police," he said in his findings

A doctor gave the cause of death as "bleeding from a destructive leg wound."

The court heard that the policeman had shot the boy in self defence as he believed his life to be endangered

"They were singing in their own language and this always causes riots," WO Erasmus said

Then he saw a man with a petrol bomb and jumped out to arrest him. The man started to run away and I gave chase

"After a few metres he turned around and acted as if he was going to throw the bottle at me.

"I then shot him."

WO Erasmus said he tried to take the bottle away from the injured youth because he thought it might hold acid.

Two church ministers denied that any of the people had been armed with petrol bombs and they said police had suddenly jumped from the bus and pointed their weapons at the youths, who then turned to run.

Lieutenant A Smit said the boy had been lying in the bus while policemen were searching the area for petrol bombs

Mr T Fourie of Grahamstown, instructed by Mr B Sandi of Grahamstown appeared for the family of the deceased. The Minister of Law and Order was represented by Mr C Jansen of Pretoria, instructed by the state attorneys office in Port Elizabeth

Policeman denies assaults in arrests

CAR Twp's 28/4/87 251

By PETER DENNEHY

A SECURITY policeman told the Supreme Court yesterday that each arrest of a suspected member of Umkhonto we Sizwe generated more arrests as suspects led police to arms caches and houses where they identified people.

Warrant Officer Johannes Nel was giving evidence in the trial of 15 men accused of terrorism. As he spoke, two limpet mines, eight detonators, an AK-47 rifle and four loaded magazines were placed on the table as exhibits.

'Dived on him'

W O Nel told the court that in May last year, Mr Lizo Ngqungwana, who had been in custody for a month, took him and about 15 other policemen to an address in Nyanga where they arrested Mr Sazi Veldtman.

Police took Mr Veldtman outside to be identified by Mr Ngqungwana. When he was brought back he showed police his bed and then "moved towards his cupboard". Police dived on him as they "feared he was going to get something". A struggle ensued and they subdued Mr Veldtman, who emerged with blood on his forehead which "must have been the result of his fall".

Cross-examined by Mr Denis Kuny, SC, W O Nel denied that Mr Veldtman had been kicked, hit, thrown against

the wall, hit with rifle butts, and that he had been unconscious at any stage.

"After that, Mr Ngqungwana and Mr Veldtman took us to an address in Guguletu," W O Nel said. When police knocked on the front door, Mr Douglas Myamya ran out the back door where police seized him and they all fell.

Mr Myamya received a wound on his forehead, W O Nel said. Mr Kuny put it to him that Mr Myamya had been "assaulted with fists, kicked, hit on the forehead with the butt of a pistol", karate-chopped, and threatened with death "with a tyre round your neck".

W O Nel denied all this.

He told the court he had been present at three other arrests, of Messrs Gladwin Mabangeza, Cyril Ntabeni and Norman Macanda, on September 11 when a trained terrorist known as Agrippa or Mzwandile took him to Khayelitsha and Langa.

"Agrippa" was not one of the accused. He had been held under Section 29 of the Internal Security Act, but was now being held under Section 31, the State witness section, he said.

The hearing continues today.

Mr Justice H C Nel presided with Messrs L P Francis and W R Vivier as assessors Mr W C Viljoen appeared for the State Mr Kuny, Mr J R Whitehead, Mr A M Omar and Mr S Desai, instructed by E Moosa and Associates and R Vassen and Co, appeared for the defence of the 15.

29/4/87

(251)

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POLICE 'WILL NOT HARASS COSATU'

COUNSEL representing the police yesterday made an undertaking that the police "would not unlawfully assault members of the Congress of South African Trade Unions pending the hearing of an urgent application in the Rand Supreme Court on May 19".

The undertaking was given by Mr B Bermen, representing the Minister of Law and Order, the Commissioner of Police and the Divisional Commissioner of the East Rand, following an urgent application by Cosatu for an interim order restricting the police from assaulting people on Cosatu's Germiston premises.

Cosatu had further requested that several articles that were seized from their premises on April 22, be returned and the police have agreed to do so by May 4.

By ALI MPHAKI

The articles include 7 video tapes, a Chambers dictionary, two publications of the Labour Bulletin, one envelope with sound cassettes, four VHS video tapes, a list of Press telephone numbers and telex numbers and two holders with telex discs.

Agreement

The agreement was read by Mr Justice J G Gordon and was made an order of court.

Counsel for the police said his clients had not

Court gives order

enough time to reply to Cosatu's affidavits and agreed to file an answer by May 8.

Cosatu is asking the court to interdict members of the police temporarily from disrupting meetings at the Germiston premises or unlawfully assaulting, intimidating or interfering with people on the premises.

Counsel for Cosatu last week said railway workers and members of Cosatu affiliate, South African Railways and Harbours Workers' Union (Sarhwi), needed to have meetings because a strike in which they were involved had reached a crucial stage. However, they were afraid that if they did meet, their meeting

would be broken up and they would be assaulted by the police.

The order of court read by the judge, also stipulated that the Divisional Commissioner of the East Rand would inform all the police guarding Cosatu premises about the undertaking.

The application will be heard on May 19.

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THE police are considering an appeal against the Durban Supreme Court's ruling invalidating government's notice prohibiting campaigns against the release of detainees.

Detainees ruling: SAP may appeal

BT Day
29/4/87

SIPHO NGCOBO

Leon Mellet, Private Secretary to Law and Order Minister Adriaan Vlok, said: "We have no comment to make except that we might lodge an appeal against the Durban Supreme Court ruling."

The court application which also challenged the emergency regulation empowering the Commissioner of Police to issue prohibition notices was made by the Release Mandela Campaign (RMC), the Detainees' Parents Support Committee (DPSC) and the Durban Detainees Support Committee (DDSC).

Mr Justice Leon's judgment invalidated the final clause in the definition of a "subversive statement" as contained in proclamation R224 under

the Public Safety Act of last year which empowered the Commissioner to widen the definition of "subversive statement".

Black Sash Transvaal chairperson Ethel Walt welcomed the decision as a "victory for those fighting against injustice. The Natal Supreme Court ruling is a vindication of our stand that we have a right to protest against injustice and that this is our moral duty."

She said she was confident that even if the matter went to appeal the Appeal Court would uphold the ruling.

See page 5

Cosatu gets SAP undertaking on the use of force

29/4/87 Day

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SUSAN RUSSELL

THE Divisional Commissioner of Police for the Witwatersrand gave an undertaking in the Rand Supreme Court yesterday that police under his command would not unlawfully assault, harass or intimidate the Congress of SA Trade Unions and its members at its Johannesburg headquarters.

The undertaking was given by the Commissioner without admitting any of the allegations made by Cosatu about police activities after they surrounded and searched Cosatu House in Johannesburg last Wednesday.

Police gave the undertaking after Cosatu brought an urgent application before Justice G Gordon against the Minister of Law and Order and the Commissioner for an order interdicting the police from assaulting union members at Cosatu House.

The union had also asked the court to order the police to return union property seized last week.

The application was postponed until May 19 after the undertaking was given.

The court was told police had given the undertaking without admitting any of the allegations against them.

Counsel said the police contended they had, at all times, acted lawfully and had continued to do so.

The court was told the Commissioner would communicate his undertaking to all policemen who did duty at Cosatu House.

The police also agreed to return items seized last week. These were seven video tapes, one dictionary, two copies of the Labour Bulletin, two containers of telex discs, a list of Press telephone and telex numbers, an envelope of cassette tapes and four VHS video tapes.

Cosatu general-secretary Jay Naidoo said in an affidavit that police activities at Cosatu House last Wednesday had extensively damaged the structure of the building as well as property belonging to the union and its affiliates.

He said it was apparent from other affidavits in support of the application that there was no need for this damage, which "amounted to sheer vandalism in many instances".

Naidoo said police had entered Cosatu House at about 5.30pm and began to remove railway workers from the hall where they had had a meeting.

After that, he said, the police moved through the remaining 11 floors of the building.

Naidoo said police had randomly and indiscriminately assaulted some members of Cosatu and its affiliates, ransacked many of the offices and removed documents and other articles.

"The loss of the documents taken by the SAP have had a paralysing effect on Cosatu and its affiliates."

"Many of the documents seized, such as cheque books, financial records, in the case of Sarhwu, and other general trade union documents and correspondence removed from Cosatu House are essential to the continuance of normal trade union activities."

Naidoo said the entire structure of labour relations in SA had been threatened by the police's actions.

"The damage caused was wanton and malicious," he said, "and leads me to believe that the members of the SAP concerned were out of control and that those in authority were either unable or unwilling to exercise the necessary control over those under their command."



Students cram Jameson Hall at UCT during a meeting at which it was decided to boycott lectures until tomorrow.

18 arrested as police move on campus again

Staff Reporters

EIGHTEEN people were arrested at the University of Cape Town when police moved on to the campus for the third time in less than a week.

At least three students were injured during a police swoop yesterday after an hour long peaceful demonstration on the grass verge next to De Waal Drive.

During the demonstration De Waal Drive was closed to traffic in both directions. The road was reopened shortly after the police action while police formed a barrier between the university and the road.

About 2 000 students started marching at 2 30pm from Jameson Hall, where earlier they had held a mass meeting.

Freedom songs

About 1 000 students settled on the grass at the Sports Centre waving placards and singing freedom songs.

No police were in sight at that stage, except for a police helicopter which monitored the march.

De Waal Drive was sealed off as student leaders, using loudhailers, warned that the demonstration should remain peaceful.

Traffic backed up for hundreds of metres before being diverted into Woolsack Road by traffic police.

Five minutes later a police van pulled up opposite the demonstrators.

The police were approached by Mr Jan van Eck, MP for Claremont, and UCT principal Dr Stuart Saunders. The van then parked on the grass verge.

Dr Saunders came back to the demonstrators and spoke to the president of the Students' Representative Council, Miss Carla Sutherland.

She told the crowd Dr Saunders had received a warning from the police.

"He told me they had informed him that if we moved on to De Waal Drive they would stop us," Miss Sutherland said today.

"And this time they were armed not with teargas but with rifles."

The students decided to stay where they were until peak hour traffic started flowing.

At 3 25pm police reinforcements arrived. Dr Saunders spoke to them.

Just before 4pm police took up positions next to the students. Dr Saunders told Miss Sutherland they wanted the demonstrators to disperse.

Charged from behind

Miss Sutherland tried to relay the message to the students but could not be heard because of their chanting and the noise of the police helicopter hovering nearby.

Dr Saunders gestured to the pilot to move away but before it did so police — who had driven up behind the students — charged.

Most of the demonstrators were caught by surprise and scattered.

Several arrests were made, especially of students carrying placards.

A second group of policemen which had moved behind the sports centre made arrests as the students fled.

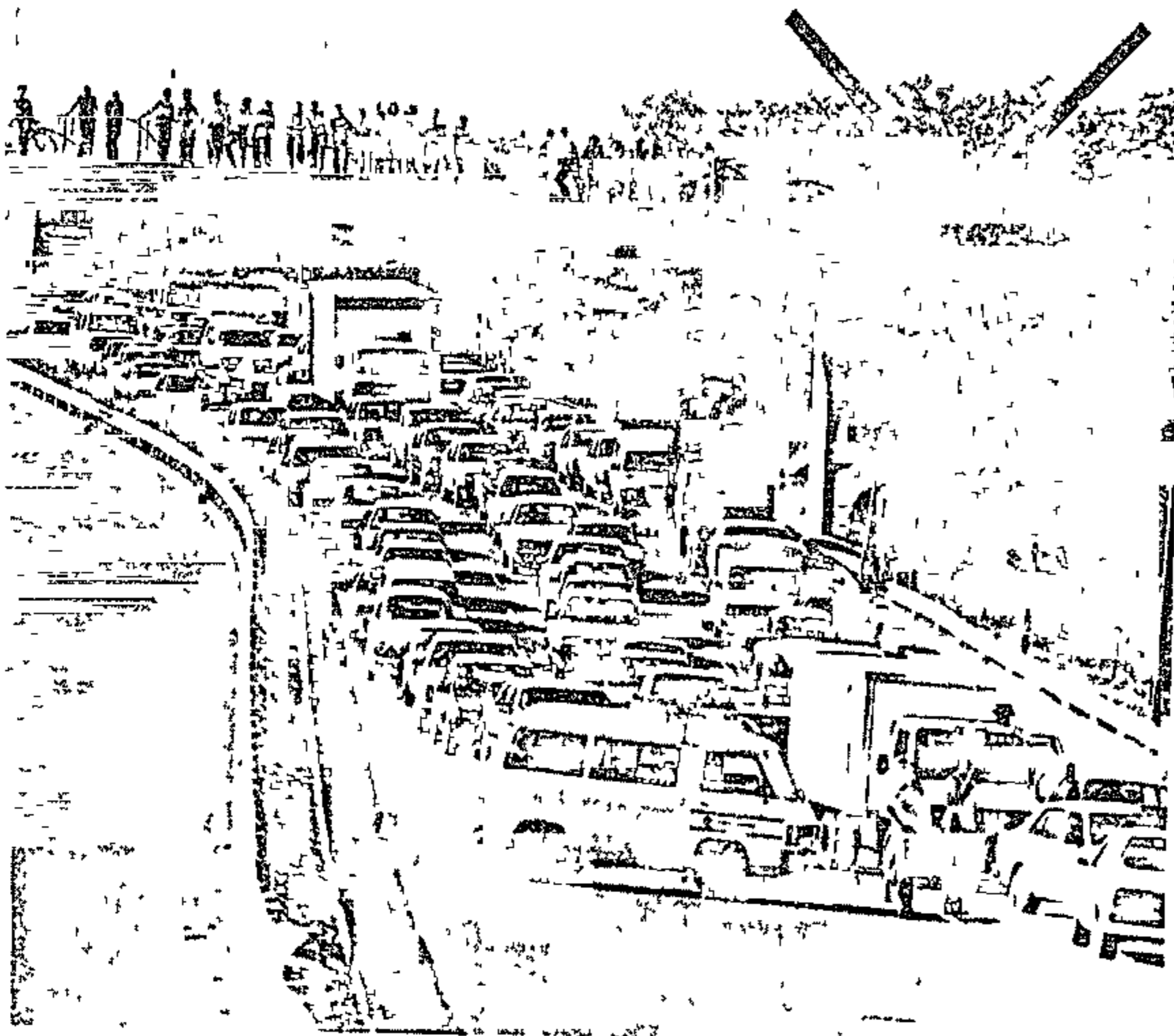
Those arrested were taken away in police vans. Reporters saw at least two students with bloodied noses and mouths.

Later a student with a gash on his forehead told reporters he had been hit by a sjambok as he was running away.

Police formed a line along De Waal Drive, which was then reopened to traffic.

By 4 30pm traffic was flowing smoothly along De Waal Drive.

Police said today 15 men and three women had been arrested on charges of participating in an illegal gathering.



Pictures DION TROMP The Argus

Cars bank up for hundreds of metres after traffic police closed De Waal Drive before yesterday's demonstration by UCT students.



A student injured in yesterday's charge by police on demonstrators on the grass verge next to De Waal Drive.

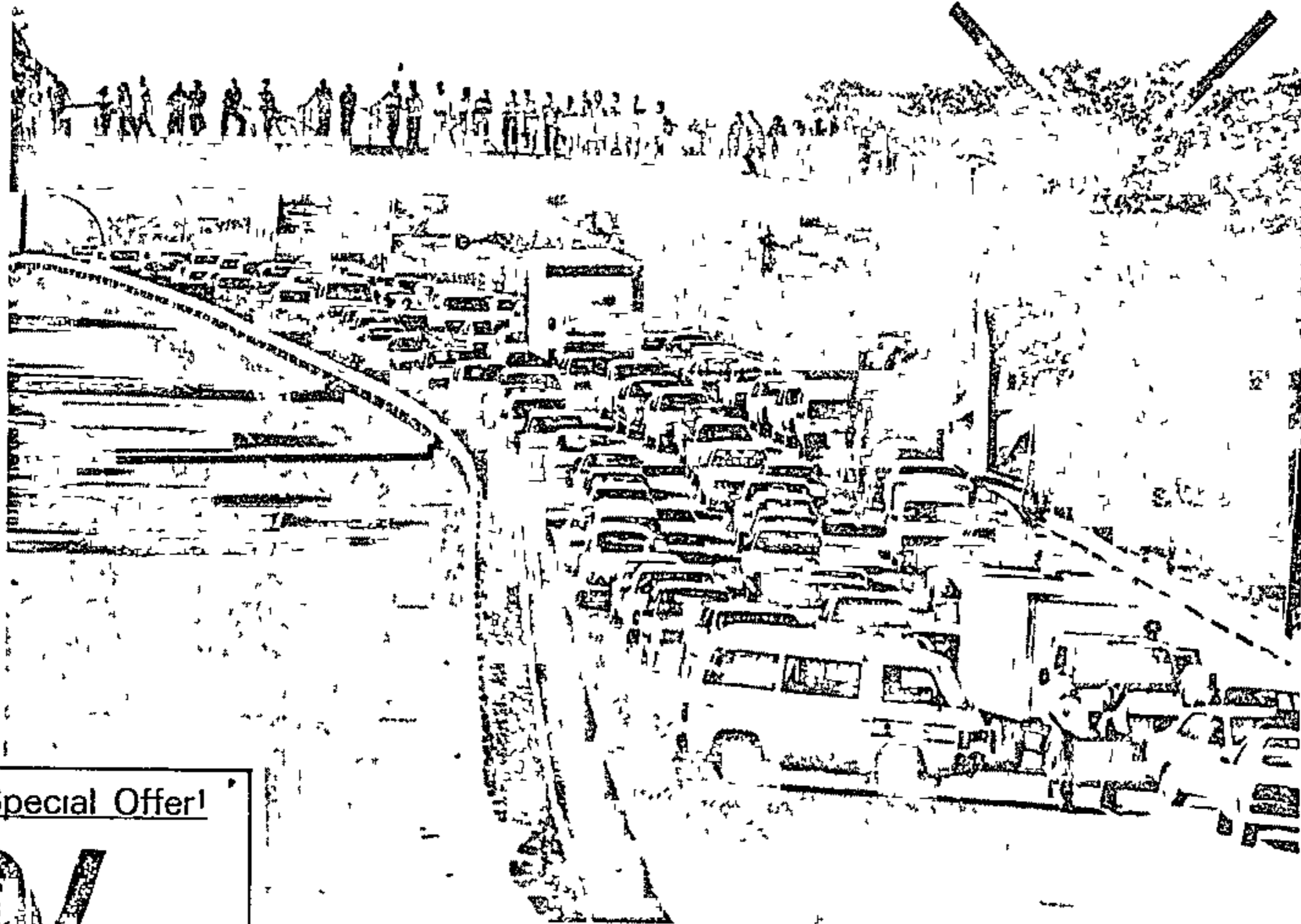


Dr Stuart Saunders, principal of UCT, gestures to a police helicopter to move away before yesterday's police charge.



Thousands of students cram Jameson Hall at UCT during a meeting at which it was decided to boycott lectures until tomorrow

18 arrested police move campus again



Cars bank up for hundreds of metres after traffic police closed De Waal Drive before yesterday's demonstration by UCT students.

Pictures: DION TROMP The Argus

Staff Reporters

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A student injured in yesterday's charge by police on demonstrators on the grass verge next to De Waal Drive



Dr Stuart Saunders, principal of UCT, helicopter to move away before yesterday's demonstration

Police undertake not to harass Cosatu

SAF Times 29/4/87 (751) (1/40A) 327

Own Correspondent

JOHANNESBURG. — The Divisional Commissioner of Police for the Witwatersrand gave an undertaking in the Rand Supreme Court yesterday that police would not unlawfully assault, harass or intimidate the Congress of South African Trade Unions (Cosatu) and its members at their Johannesburg headquarters.

The undertaking was given by the commissioner without admitting any of the allegations made by Cosatu.

Police gave the undertaking after Cosatu brought an urgent application before Mr Justice Gordon against the Minister of Law and Order and the commissioner for an order interdicting police from assaulting union members at Cosatu House. The application was postponed till May 19.

'Sheer vandalism'

Cosatu general secretary Mr Jay Naidoo said in an affidavit that police activities at Cosatu House last Wednesday had extensively damaged the structure of the building as well as property belonging to the union.

He said it was apparent from other

affidavits in support of the application that there was no need for this damage which "amounted to sheer vandalism in many instances".

Mr Naidoo said police had randomly and indiscriminately assaulted certain members of Cosatu and its affiliates, ransacked many of the offices and removed documents.

He said police had also placed "noxious substances in consumables such as coffee and powdered milk".

"The loss of the documents taken by the SAP has had a paralysing effect on Cosatu and its affiliates.

"The damage caused was wanton and malicious," he said, "and leads me to believe that the members of the SAP concerned were out of control and that those in authority were either unable or unwilling to exercise the necessary control over those under their command."

□ An application by Cosatu to hold a May Day rally at Currie's Fountain in Durban was yesterday refused by the Chief Magistrate of Durban, Mr J J Pienaar.

This was confirmed last night by Mr Thami Mohlomi, Natal regional secretary of Cosatu.

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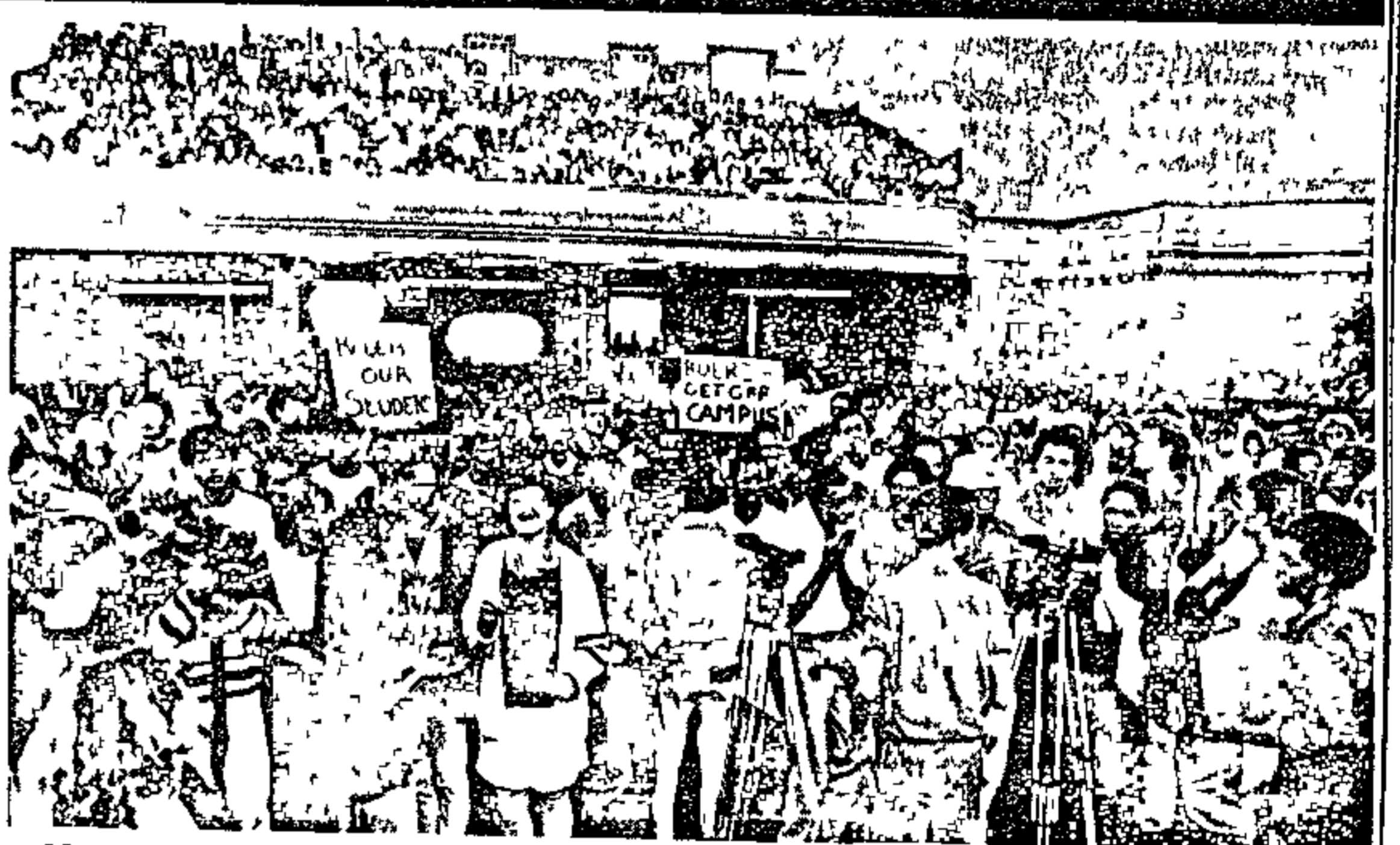
WEDNESDAY, APRIL 29, 1987

50c (45c plus)

Campus conflict and traffic chaos...



UCT CAMPUS The vice-chancellor of the University of Cape Town, Dr Stuart Saunders, comforts a student on the steps of Jameson Hall



MASS MEETING Part of the crowd of close to 3 000 students in Jameson Hall yesterday before marching to the edge of De Waal Drive for the peaceful demonstration

18 arrests at UCT

Cape Times 29/4/87

Staff Reporter

SEVERAL University of Cape Town students were injured and 18 more arrested yesterday in the third day of campus incidents.

More than a thousand students sitting along the edge of De Waal Drive, where they had been assembled with pickets for over two hours were charged from behind while the vice chancellor, Dr Stuart Saunders, was negotiating with senior police officers

And yesterday the Divisional Commissioner of Police in the Western Province Brigadier Ronnie van der Westhuizen announced that Rhodes Drive below UCT will be closed to traffic during peak hours until the situation on the campus returns to normal

'To avoid threats to lives'

Brig Van der Westhuizen appealed to the public to use alternative routes to and from the city where possible

"This step had been taken to avoid threats to lives and damage to property, and followed requests that police stay off the campus," he said

Students described how yesterday groups of people panicked and scattered as they were sjambokked and dragged into vans

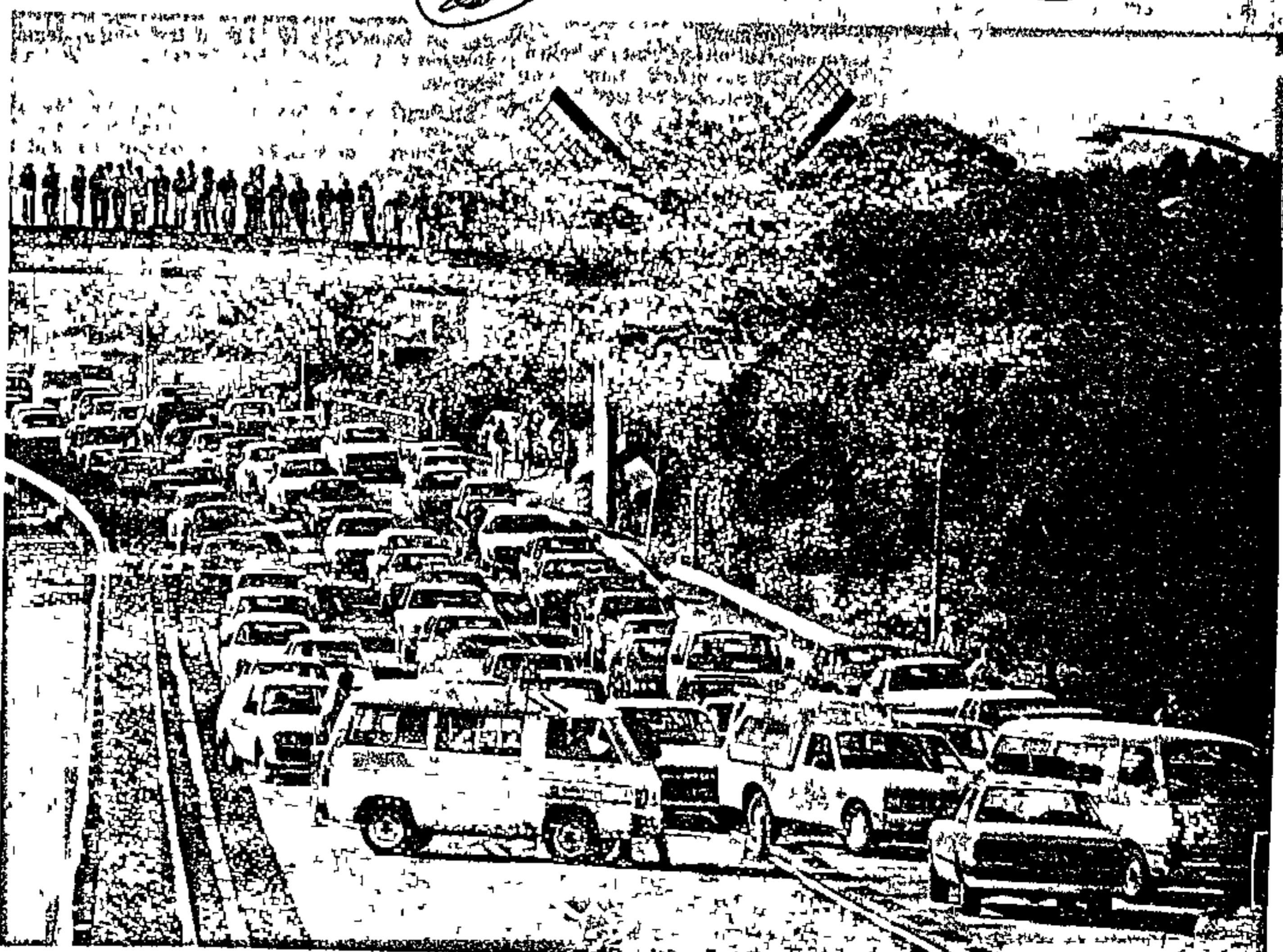
A second year architectural student, who received stitches after being hit on the forehead by a sjambok described how he joined the demonstration "because everything was peaceful. He said he did not hear any warning from the authorities

Other eyewitnesses said they saw two students with bloodied noses and mouths being dragged to vans after pandemonium broke out about 4pm

A statement by the Bureau for Information issued via Sapa, said that 18 students were arrested in clashes with police at the campus yesterday

The full statement read "Police confirmed that approximately 400 students at UCT this afternoon at 1635h participated in a demonstration with placards

"The crowd then sat down alongside the De Waal



BIRD'S EYE VIEW Traffic in the outgoing lane from the city crawls past the University of Cape Town at 4 38pm, three minutes after Rhodes Drive roadblocks were removed. Eleven police vehicles are on the circular grass patch at the traffic interchange between Woolsack and Rhodes Drive

To page 2

P.T.O

fact



Picture DOUG PITHEY, The Argus

University of Cape Town students talk to journalists as they arrive at the Wynberg Magistrate's Court today for the appearance of five fellow-students who were arrested on the campus on Monday

Court releases five UCT students on bail

Staff Reporter

FIVE University of Cape Town students arrested on the campus on Monday were granted bail of R50 each in Wynberg Magistrate's Court today.

They were Carol Green, 20, of Arnold Street, Observatory, Sally Andrew, 20, of Pear Lane, Constantia, Andrew Brown, 21, of Munroe Avenue, Claremont, Siobhain Mills, 21, of Main Road, Observatory, and Sa-leigh Adams, 19, of Santana Avenue, Diep River.

They were not formally charged and were not asked to plead.

The hearing was postponed to June 3 by the magistrate, Mr P Engelbrecht, who warned the students not to communicate with State witnesses

The investigating officer, Detective-Warrant Officer T Kleynhans, said he understood two other students who were arrested with the five had been released.

Before proceedings started the court orderly asked their attorney, Ms Andy Durbach, to caution a crowd of about 100 family and friends to be silent or the court would be cleared.

ALCOHOL

The students were told they were "not on campus now" and were warned to "behave themselves".

Proceedings were delayed for an hour while behind-the-scenes decisions were made as to whether or not the hearing would be placed before the Regional Court

In the meantime an embarrassed civil engineer stood trial in front of the packed public gallery for driving while under the influence of alcohol.

He pleaded guilty and told the court he was caught in a roadblock after drinking five beers while watching night cricket at Newlands at the end of March.

There was a strong police presence in the corridor outside the courtroom and three television crews waited on the pavement outside.

About 200 friends and relatives gathered outside the court to wait for the students.

They were released at the gates of the court complex and were greeted by cheers, hugs and tears from the crowd.

UCT head blasts action by police

Staff Reporter

UNIVERSITY of Cape Town principal and vice-chancellor Dr Stuart Saunders said today he was "astounded and very angry" when police charged students from behind while he was negotiating a peaceful end to yesterday's protest.

Had permission been granted for students to march back to Jameson Hall the protest might have ended peacefully, Dr Saunders said in an open letter to the university community.

He said "The protest was non-violent on the part of the students. I am pleased about that. And while I am pleased that the police kept off the campus and used minimum force, I was astounded and very angry when police came from behind when I was trying to negotiate with the students as I had arranged with a ranking police officer."

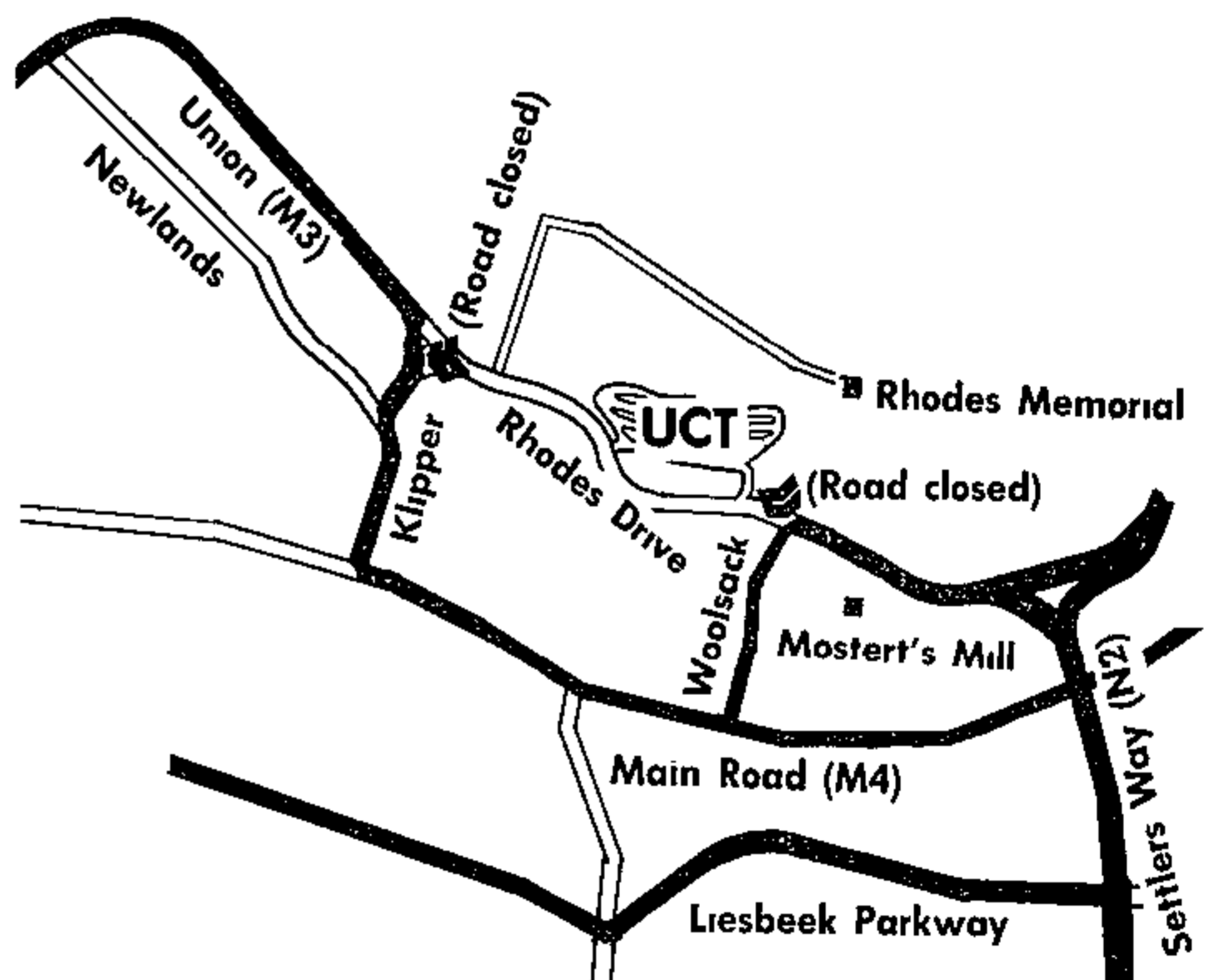
Dr Saunders once again appealed for calm and "the need to avoid violence of any kind."

Talks during the past two days between university administration officials and senior police officers, and later with student representatives, had been "directed at securing an end to the violence and preventing any further disruption of campus life."

No stones or missiles were thrown at the start of yesterday's student demonstration along De Waal Drive, he said.

"The students were well disciplined, sat on the grass most of the time and sang songs."

In the light of a decision by students to boycott lectures in favour of alternative programmes, Dr Saunders said all lectures, tests and classes would continue as usual for those who attended them.



Rhodes Drive to close

Staff Reporter

POLICE will close Rhodes Drive during traffic peak hours until the situation on the University of Cape Town campus "normalises".

Brigadier Ronnie van der Westhuizen, divisional commissioner of police, said the move was necessary to protect lives and property.

The decision followed requests to the police to stay off the campus.

The route was closed for the first time yesterday afternoon.

Klipper Road just before demonstration by students.

But it was reopened before peak hour after police acted against the demonstrators, during which 18 people were arrested.

A police spokesman said today the peak-hours closure would be between Mostert's Mill on the city side and Klipper Road on the Newlands side.

Among alternative routes are Main Road, Settlers Way and the M5 freeway and Constantia Nek and Kloof Nek.

CAPE TIMES 29/4/87 (54) (251) (25)

Saunders appeals for calm

DR Stuart Saunders, principal and vice-chancellor of the University of Cape Town, yesterday condemned violence on campus and appealed for calm on all sides. In an open message to the UCT community, he detailed the events of Friday and Monday when students clashed with police.

"Stones were thrown at cars on De Waal Drive and the police responded with teargas. The police entered the campus, were repeatedly stoned and repeatedly used teargas

"This occurred several times on the Plaza in front of Jameson Hall. I called upon the students to disperse and told them that the police had agreed to my request to leave the campus.

"As the police were leaving stones and bottles were thrown at them. They retaliated with teargas and this was repeated several times. The police entered the library and several other buildings and hit students with quirts and fired teargas into some buildings.

"Seven students were arrest-

ed and I understand are due to appear in court. Ten students were treated for birdshot wounds and one for a dog bite at the students health centre.

"I strongly deplore the use of firearms by the police and have condemned some other actions of the police to the divisional commissioner as well.

"I understand the crisis in the land is being felt on this campus. This university has always upheld the right of peaceful and appropriate protest. Violent protest and arson are intolerable.

"I condemn them and I know the vast majority of people on this campus condemn them also. Innocent people were put at great risk on the campus by these events.

"If there are disturbances on campus do not mill around outside. Do not be a curious on-looker.

"We must preserve our university. It has an important role to play in the years ahead and it must not be destroyed," Dr Saunders said — Sapa and Staff Reporter



MONITORING THE SITUATION . . . From left, the UCT vice-chancellor, Dr Stuart Saunders, the PFP MP for Claremont, Mr Jan van Eck, the PFP MP for Pinelands, Mr Jasper Walsh, and the PFP MP for Groote Schuur, Mr Jan van Gend, stand across the road from De Waal Drive and discuss yesterday's events at UCT.

Court told of SAP threats

CAPE TOWN — A 26-year-old Langa man, on trial for terrorism with 14 others in the Cape Town Supreme Court, said yesterday he was threatened with neck-lacing, shooting and stabbing if he did not co-operate with police.

Mr Thembikosi Theophilus Mzukwa was testifying in a trial-within-a-trial on the admissibility of a statement made to a magistrate the day after his arrest.

Mr Mzukwa is alleged to have planted a limpet mine at Langa police station and thrown handgrenades at the police station and at a Caspir in 1985.

He said yesterday that after being taken from his home on May 25 last year he took policemen to Langa Sports Stadium, where they found two limpet mines.

He said he had agreed to take the policemen to the stadium because "they were quite desperate and angry and the firearms were pointing at me."

Mr Mzukwa claims that while he was being taken to security police offices at 112 Loop Street the following day, a policeman called Nortje told him they would "necklace" him and dump his body at Crossroads if he "did

not co-operate or tried to be funny or play tricks"

Mr Mzukwa also said that when he got to Loop Street his hands were handcuffed behind his back to a chair and he was punched and slapped by a W/O Nel as Nortje questioned him

Mr Mzukwa said he had asked to see a lawyer but was told he could not until he had appeared in court. He said he did not know he was entitled to refuse to answer questions

He said he had denied being assaulted or threatened when speaking to a magistrate, Mr Richard Peckham, because he was afraid of what the police would do to him when he was taken back to Loop Street

The trial continues today.

● The SAP in Pretoria reports that last week a suspected terrorist was arrested at the Cape Town terror trial of Lizo Bright Nqungwanaka and 14 others. — Sapa

The accused, who have pleaded not guilty to terrorism are Mr Lizo Nqungwana, 24, Mr Thembikosi Mzukwa, 22, Mr Joseph Ngoma, 26, Mr Temba Tshibika, 38, Mr Sazi Veldtman, 32, Mr Mthetho Myanya, 35, Mr Joseph Mkhulhwa, 30, Mr Anderson Ncivata, 27, Mr Reed Macozoma, 28, Mr Quentin Michels, 24, Mr Cecil Esau, 32, Mr Neville van der Rheede, 26, Mr Gladwin Mabenzeza, 30, Mr Cyril Ntabeni, 30 and Mr Norman Macanda, 29

(57) (257)

CAPE TOWN — Several University of Cape Town students were injured and 18 more arrested yesterday in the third day of campus incidents.

Over a thousand students sitting along the edge of De Waal Drive, where they had been assembled with pickets for over two hours, were surprised when charged from behind, while the vice-chancellor, Dr Stuart Saunders, was negotiating with senior police officers

And yesterday the Divisional Commissioner of Police, Brig Ronnie van der Westhuizen, announced that Rhodes Drive, below the University of Cape Town, will be closed to traffic during peak hours until the situation on the University of Cape Town campus returned to normal

Brig Van der Westhuizen appealed to the pub-

UCT students injured in clash with police

lic to avoid the area where possible, and to use alternative routes to and from Cape Town.

"This step had been taken to avoid threats to lives and damage to property and followed requests that police stay off the campus," he said

Students described how yesterday groups of people panicked and scattered as they were sjambokked and dragged into vans

A second-year architectural student, who received stitches after being hit on the forehead by a sjambok, described how he joined the demonstration "because everything was peaceful". He said he did not

hear any warning from the authorities

A statement by the Bureau for Information, said that 18 students were arrested in clashes with police at the campus yesterday.

The full statement read "Police confirmed that approximately 400 students at UCT this afternoon at 3 35 pm participated in a demonstration with placards.

"The crowd then sat down alongside the De Waal Drive freeway. Police requests to disperse were ignored.

"Police used sjamboks to disperse the crowd. Eighteen people, all stu-

dents and all above 18 years of age, were arrested 10 white males, 2 black males, 3 coloured males and 3 white females. No damage or injuries were reported"

The Progressive Federal Party MP for Claremont, Mr Jan van Eck, described the "lack of co-ordination" on the part of police as "absurd"

"The policeman in charge, a Captain O'Dowd, was allowing the vice chancellor to negotiate for a peaceful withdrawal when the riot police moved in from behind," he said — Sapa

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Police siege at Cosatu

Cape Times 30/4/77 (251) 337

JOHANNESBURG. — Heavily armed police, blaming trade unionists for the gruesome murder of four railway strike-breakers, yesterday surrounded Cosatu House and used masked informers to point out 11 allegedly wanted black activists.

The raid came exactly a week after police shot and killed six members of the Congress of South African Trade Unions and hours after Cosatu called for a two-day protest to coincide with the whites-only general election on May 6.

More than 100 heavily-armed police surrounded Cosatu House in downtown Johannesburg, closing streets with yellow barriers and forcing black people on the streets to go indoors.

The policemen, many wearing riot helmets, carried rifles, shotguns, teargas launchers, batons and gas masks. A crowd of onlookers were dispersed by police with dogs.

Eleven people — aged from 12 to 49 years — were arrested in the raid.

Lieutenant Pierre Louw, police liaison officer for the Witwatersrand, said all the arrests were made in the building. He said a police search of the

building was still underway at 9:30pm and would continue for about "an hour or so".

Police said in a statement released during the raid that Cosatu House was being used to assault and torture railway workers who had refused to take part in a strike that ended last week.

They accused Cosatu of complicity in the killing on Tuesday of four unidentified blacks found stabbed, hacked and burned to death in a field at Kaserne, near Soweto.

"The South African Police now possess reliable evidence which indicates that these four men were forcibly removed to Cosatu House, where they were violently assaulted and thereafter taken to Kaserne, where they were butchered in the most barbaric fashion," police said.

Cosatu's general secretary, Mr Jay Naidoo said it was "very hard" to believe the police version that four men whose charred and stabbed bodies were found at Kaserne had been assaulted and tortured at Cosatu House.

Mr Naidoo said last night the union grouping would bring an urgent court application today to challenge the legal premises on which the police entered Cosatu House.

Cosatu lawyer Mr Peter Harris said police took four masked black men into the building, where about 50 transport workers were discussing the firing last week of 16,000 strikers.

"We made a deal with police that the women should be evacuated. The evacuation was going peacefully when police threw teargas down a stairwell. There was no provocation for this," he said.

A Cosatu official reached by UPI by telephone said "police went in there with four black men in knitted balaclava helmets. They are letting the men out of the meeting one by one, searching them and letting the four look at them."

A camera crew from the American CBS network, Chris Everson and Greg Shaw, were briefly detained at the Jeppe Police Station — suspected of contravening Section 3a of the emergency regulations and then released, CBS confirmed last night.

The General Manager of SATS, Dr Bart Grove, yesterday expressed his revulsion at the "needless and gruesome" necklace killing of four SATS workers near Kaserne — Own Correspondent, UPI and Sapa-Reuter

Evidence on UCT conflict

30/4/87
251
UCT'S Institute of Crimi-
nology has taken more
than 50 sworn state-
ments from people in-
jured in, and witnesses
to, this week's violence
on campus.

An Institute spokes-
man said the body of the
evidence related to Mon-
day's shootings and
Tuesday's sjambok
charge on students.

"It looks like at least
10 were injured in the
shooting. According to
the statements, it ap-
pears that a small group
of students, about 15 in
all, were standing near
the sports centre about
3pm on Monday when
two plainclothes people
stepped out from the
path between the rugby
fields and the highway,
pulled shotguns from un-
der their jackets and
opened fire.

"Most people ran away
towards the sports cen-
tre, where they were
shot at again. Some re-
ceived head wounds,
while others were hit in
the eye, throat, chest,
back, arms, legs and
groin.

"Some of those hit
weren't part of the group
watching the police and
which was subject to the
initial fire. It is unclear
whether any stones were
thrown at that time."

According to the state-
ments, no warning was
heard before police
opened fire.

"The statements also
covered a number of
other incidents, includ-
ing the sjambokking of
people in and just out-
side the library, and
people being chased
down corridors of uni-
versity buildings and
sjambokked.

"There was also a lec-
turer shot at point blank
range with a teargas can-
nister on Monday."

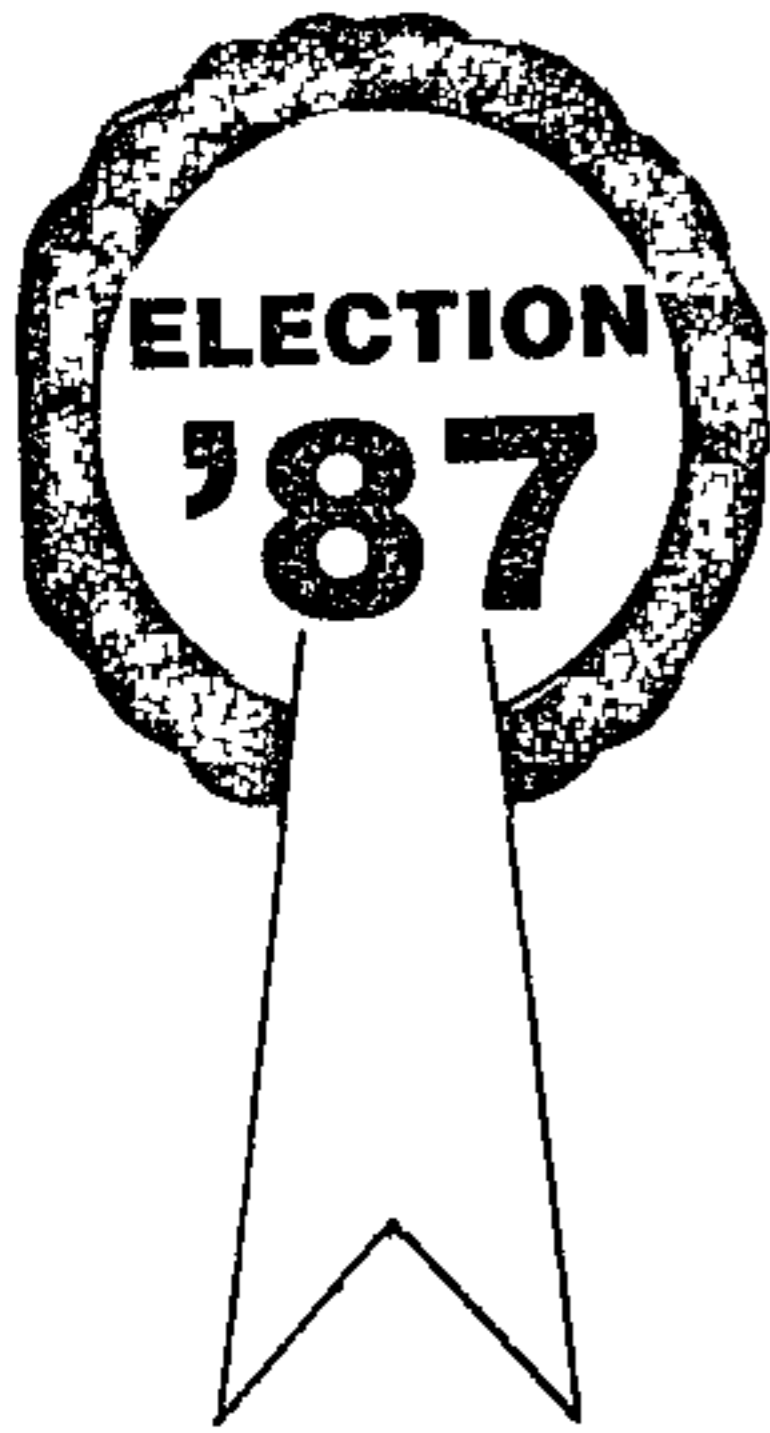
It would be decided at
a meeting later what le-
gal options to pursue.

□ Report, page 2

CAG Times 30/4/87

251

PFFP: More police needed



THE police force should be almost trebled in size so that it had at least 125 000 members if South Africa was to come anywhere near accepted norms, the PFFP's general secretary, Mr Robin Carlisle, said last night

The PFFP policy was to have "a bigger, better trained, better paid police force — and we need it now", he said at a meeting in Wynberg

Mr Carlisle said the Minister of Foreign Affairs, Mr Pik Botha, had referred to a black friend whose cars were stolen, whose business was lost, whose daughter was raped and whose son was necklacked

This incident underlined the

government's total inability to deal with crime and violence in South Africa

"Why can't this government protect the ordinary people of this country? The black people who are coerced and harassed? The old people who are murdered? The ordinary citizens who are unsafe on the streets?" he said "Time and again, the PFFP has pointed to apartheid as a major cause of crime and violence."

The Minister of Defence, General Magnus Malan, had noted that South Africa had one policeman for every 1 000 whites and one for every 5 000 blacks but had pointed out that the international norm was five policemen for

every 1 000 citizens.

"In any event, we need to increase the police force to at least 125 000 members if we are to come anywhere near accepted norms"

This would increase the police vote from one billion to three billion rand This could be financed by simply by getting rid of 17 ministers of education, three ministers of health, four presidents, four ministers of foreign affairs, five ministers of housing, and by getting rid of RSCs.

"By not implementing the RSCs, we can virtually double the size of the police force," Mr Carlisle said

(Report by B Streek, 122 St Georges St, CT)

Legislate further on the... and possibly leaders...

Academics
Internationally known

Peaceful 4th day for UCT protest

Staff Reporters

HUNDREDS of University of Cape Town students staged two demonstrations on the main and medical campuses yesterday, in the fourth day of protests against government and police actions. But there were no confrontations with police as in previous protests. In what students said was the first political action of its kind about 100 medical students staged a brief placard demonstration inside the Medical School's grounds at the fence alongside the N2 highway.

Last night, SABC-TV showed undated footage of police moving in on demonstrating students bearing placards. Some students were shown throwing stones.

Yesterday morning about 400 students marched to the administration buildings where they presented a list of demands to university authorities. Demands included that UCT authorities fight for the release of detained students everything possible be done to prevent police entering the campus, including proceeding with an interdict to that effect all lectures be cancelled for the duration of the three-day stay-away ending today and, no students participating in the stay-away be victimized.

No police presence

Professor James Leaitt, deputy vice-chancellor in charge of student affairs, promised a statement would be issued later. In an earlier statement yesterday Principal and vice-chancellor Dr Stuart Saunders repeated his call for calm and the need to avoid violence of any kind. The demonstration by medical students, staged at about 4pm in view of home-bound traffic on the N2, met with no police presence and passed peacefully.

'Come from behind'

Before the demonstration, dean of the faculty Professor George Dall warned students their actions could lead to teargas being fired. This could negatively affect patients in Groote Schuur Hospital and laboratory animals housed on the medical campus. He said "irresponsible action by students could affect their registration as medical practitioners."

Dr Saunders said yesterday he was "astonished and very angry" when police came from behind, while he was negotiating with students during the demonstration at the edge of De Waal Drive on Tuesday.

Before I could address the students (who were sitting on the grass) to try to get them to disperse other police came from behind and forcibly dispersed the students. He said that on Monday night he and his colleagues had talks with the SRC and on Tuesday morning, with Prof Leaitt, met with representatives of the SRC, the SA National Students Congress (SANSCO) and Nusas. "Earlier that morning we had discussions with senior police officers. Our efforts were directed at securing an end to the violence and preventing further disruption of campus life."

Road open

RHODES Drive in front of the University of Cape Town will not be closed unless the situation on campus deteriorates. A police spokesman said an announcement that the road would be closed during peak hours applied to Tuesday afternoon's situation.

UCT students 'injured'

Staff Reporter

BETWEEN 26 and 30 UCT students were treated by the university's medical staff for sjaambok and shotgun injuries during this week's violence on the campus.

According to Dr J D Norral, director of student health between eight and 10 students were treated for birdshot wounds on Monday after police opened fire on demonstrators.

"We had one serious case, a young man who had been hit in the left upper eyelid and was having a bad time. We sent him to

Groote Schuur Hospital

It is possible he could lose his eye but we have not seen him since we sent him to hospital so we do not know what happened," said Dr Norral.

The other serious case was a student who suffered a blow to the back during an epileptic-type fit during the disturbances.

"We also saw sjaambok injuries on Monday — I think about three or four in all."

On Tuesday we saw quite a number of sjaambok injuries. The only severe injury was a student with a bad cut to his forehead

which we stitched. We saw 15 sjaambok injuries in all."

Dr Norral said the medical team had seen several teargas cases last Friday and on Monday, but most of these were simply cases of irritated eyes which were bathed in water. No cases of asthma or related respiratory ailments were reported.

A Bureau for Information spokesman told Sapa from Pretoria on Monday that the police had no information on student injuries. "If there were injuries they must have been light as none was reported to the police and nobody was treated at hospital."



UCT medical students alongside De Waal Drive yesterday



HAPPY TO BE FREE. Ms Carol Green, left, and Ms Sally Andrew, second left, two of the women who appeared in court yesterday after their arrest on Monday, with friends Mr Sean Bassey, Ms Arona Dison and Mr Charles Kent. Picture ALAN TAYLOR

UCT 5 released, granted R50 bail

Court Reporter

FIVE University of Cape Town students who were arrested after confrontations with the police at the campus on Monday were granted R50 bail in the Wynberg Magistrate's Court yesterday.

The five were not asked to plead and no formal charges were put to them. They are Mr Andrew Brown, 21, of Monroe Avenue, Claremont; Ms Carol Green, 20, of Arnold Street Observatory; Mr Stobhan Mills, 22 of Lower Main Road Observatory; Ms Sally Andrew, 20 of Pearl Lane, Constantia, and Mr Saleigh Adams of Santana Avenue, Diep River.

The charge sheet indicates that they may be charged with public violence.

About eight policemen were present in the corridor and many more outside the building, where about 200 friends, relatives and fellow students gathered to greet the five.

Three foreign television camera crews were also outside the court. The hearing was adjourned to June 3.

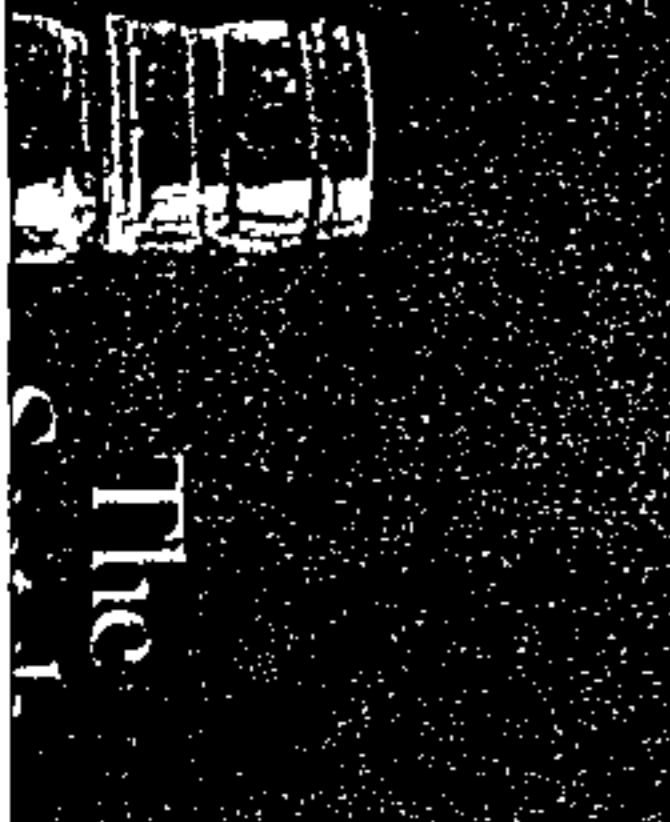
Mr P Engelbrecht was on the bench. Mr R Totemeyer prosecuted Mr A Adams appeared for Mr Adams. Ms Andy Durbach appeared for the other students.

Ban lifted

Staff Reporter

THE Acting Rector of the University of Stellenbosch, Professor Roux de Villiers, said last night he had lifted the "temporary" ban on the activities of the Black Students Association of Stellenbosch and the National Union of South African Students.

The activities of these two organizations were suspended after last Friday's incident in which students wrestled with a man — later identified as a policeman — who tried to arrest a trade unionist.



The

Magistrate slates police witnesses

By ANDREW DONALDSON

THREE Zwelethemba residents were acquitted of public violence in the Worcester Regional Court this week after the court found that the state's case against the accused "appeared to be fabricated" by members of the police

In his judgment on Tuesday, the magistrate, Mr A P Kotze, said that during the course of the trial he had noticed several policemen, all State witnesses, conferring with each other in the court passages and reading each other's statements, apparently to strengthen their evidence

He criticised their actions as being "certainly not in the interests of justice"

Contradictions

Even so, there were several "material contradictions" in their evidence, Mr Kotze said

The charges against Mr Holiday Louw, 49, Mr Lawrence Louw, and a 16-year-old youth arose from an incident in Thusa Avenue, Zwelethemba, on May 21 last year

It was alleged that between 30 and 90 people built a metal barrier in the street and attacked a generator, as well as throwing stones and petrol bombs

Police, responding, claimed they fired 10 SSG shots into the crowd. No one was found hit or injured.

In addition, the youth — who may not be named — was also charged with assault with intent to commit grievous bodily harm after he allegedly attacked a police officer, Lieutenant H le Roux, with a knife

All had pleaded not guilty to the charges

Referring to his criticism of the evidence by the police, Mr Kotze said this was not levelled at the prosecutor in the case, Mr W B Badenhorst.

He strongly doubted the involvement of all three accused in the incident and said he was left with the impression that Lieutenant Le Roux, a chief State witness, had attempted to "press his stamp" on other police witnesses, before they testified, to strengthen his (Lt Le Roux's) evidence

"Their evidence teems with contradictions and improbabilities"

Mr R W McLachlin, of Conradie and Partners, of Worcester, appeared for Holiday and Lawrence Louw, and Mr M A Albertus, instructed by Y Ebrahim and Company, appeared for the youth

PUBLIC SECTOR-GOVT. POLICE

1987

MAY — JUNE

Cape Times 1/5/82

Nactu to celebrate May Day with rally

Labour Reporter

THE newly-formed National Council of Trade Unions (Nactu) — formed from the amalgamation of the Council of Unions of South Africa (Cusa) and the Azanian Confederation of Trade Unions (Azactu) — will celebrate May Day at a rally at 2pm at St Francis Church hall in Langa.

Student and community organizations, as well as speakers from the Azanian People's Organization (Azapo) and the Azanian Students' Movement (Azasm), will join the rally.

Nactu, which has as its slogan "The future is in the hands of the workers", has as its affiliates in the Western Cape the African and Allied Workers' Union, the South African Chemical Workers' Union, the National Union of Wine Spirits and Allied Workers, the Transport and Allied Workers' Union, the Electrical and Allied Workers' Trades Union, the Food and Beverage Workers' Union, the Insurance and Assurance Workers' Union of South Africa, the Steel Engineering and Allied Workers' Union of South Africa and the Building, Construction and Allied Workers' Union.

M&H

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Cape Times 1/5/82

Assault: Award for women

Staff Reporter

THREE women who laid charges of assault following police action at a May Day rally in Bellville South last year have been awarded a total of R3 100 by the Minister of Law and Order in an out-of-court settlement.

Ms Geraldine Kennedy, 23, of Athlone, an organizer for the Paper, Wood and Allied Workers' Union, said she was awarded R1 000 yesterday, after the Minister of Law and Order, Mr Louis le Grange, agreed to settle.

She said Ms Gemma Paine, 32, of Observatory, an organizer for the National Union of Textile Workers, was awarded R1 000 and Ms Cynthia Bernickow, 38, of Athlone awarded R1 100.

Ms Kennedy said the three were injured when action took place at Bellville Civic Hall at the close of the Congress of South African Trade Unions (Cosatu) rally.

POLITICAL comment in this issue by A H Heard G O King G E Shaw A Johnson and B Streek Posters headlines and sub editing by D Moyle All of 122 St George's Street Cape Town

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EVIDENCE . . . ? The photograph which refugees fear confirms that the Office for Community Services has been negotiating with "witdoek" leaders. From left to right "witdoek" leader Mr Johnson Ngxobongwana (sitting), Mr Ricky Shelhauser of OCS, Colonel J L Rheede of the SADF and Warrant Officer Philip du Toit of the SAP.

By CLARE HARPER

CROSSROADS squatter leaders have handed "evidence" to the Cape Times which they said confirmed fears that the Office for Community Services was negotiating with "witdoek" leaders over the reoccupation of the land they formerly occupied.

A spokesman for the Surplus Peoples Project, Ms Josette Cole, on behalf of the squatters, handed over a photograph to the Cape Times

It shows "witdoek" leader Mr Johnson Ngxobongwana and his executives at a function with a representative of the Office for Community Services, Mr Ricky Shelhauser, Colonel J L Rheede of the South African Defence Force and Warrant Officer Philip du Toit of the South African Police at a function, wearing "tribal" garb.

251/252
Cape Times 1/5/87

Squatter land talk 'evidence'

Yesterday Col Rheede said the function took place three or four weeks ago. The newly selected Crossroads committee was informed of the rules and regulations by the Cape Provincial Administrations Office for Community Services in Goodwood.

Last week, the squatter leaders called on the Office for Community Services to negotiate with them over the land, which has since been cleared, "or they would move back regardless".

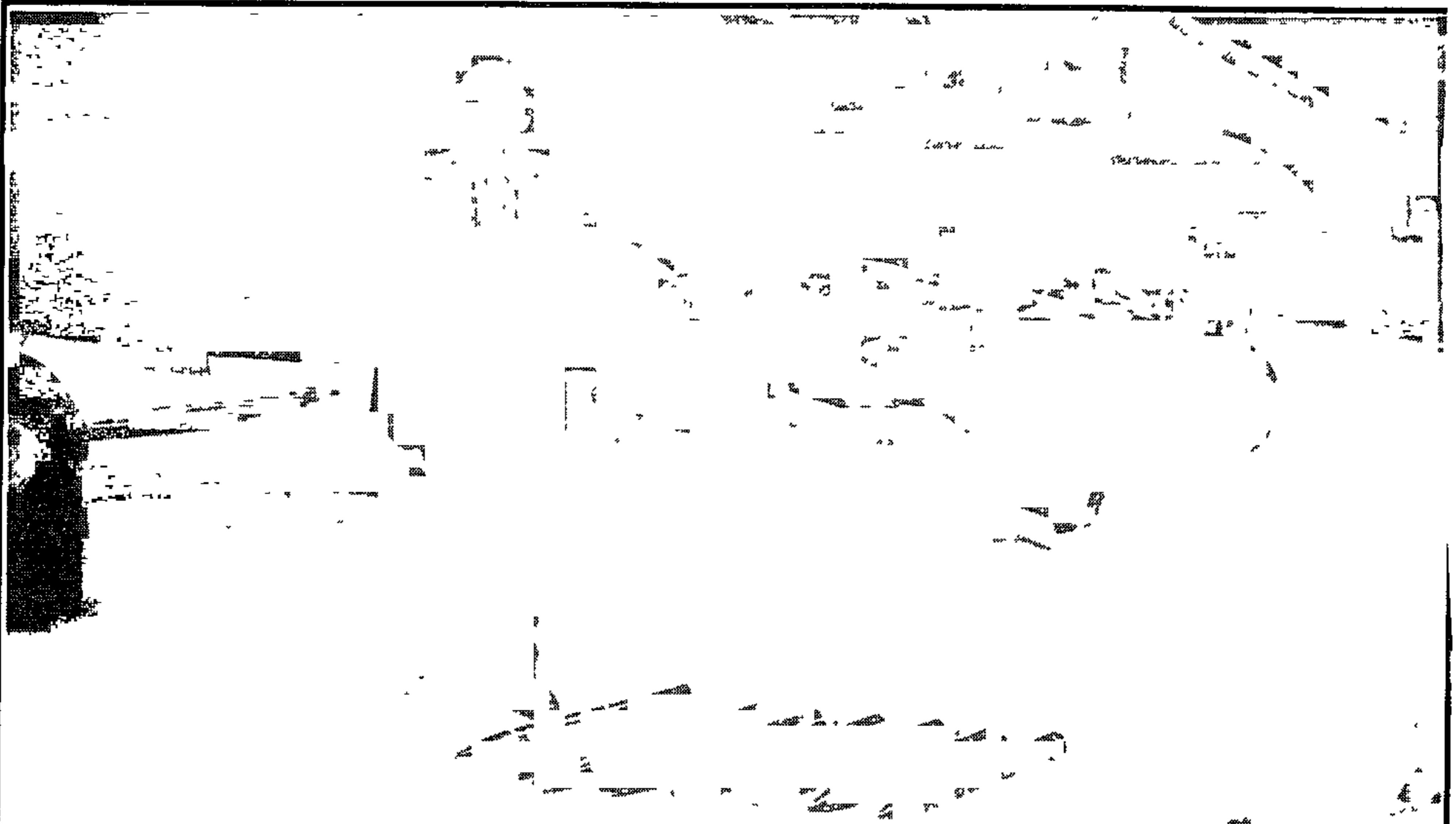
Ms Cole said the photograph "clearly, visibly represented the alleged alliance between Old

Crossroads leader, Mr Ngxobongwana, the Office for Community Services, the South African Defence Force and the police"

The SPP called on Community Services to say whether they intended including the squatters in negotiations.

Director of Community Service Mr Louis Koch said yesterday, in response to Cape Times inquiries last week about the squatters' position, that he would release a statement "some time" next week.

He was "unaware" of any function attended by Mr Ngxobongwana and Community Services



Commandant P G Marais with the prototype XTP-1 helicopter gunship at the Armscor press unveiling yesterday

SA can build military 'copters

By WILLEM STEENKAMP

AFTER less than two years of intensive research and development, South Africa is now capable of building its own military helicopters

This fact — of immense military importance to the Republic — was revealed to me yesterday by Commandant P G Marais, chairman of the Armaments Corporation, after Armscor had unveiled its latest flying testbed — an SA 330 Puma helicopter equipped with rocket parts and a traversing 20mm machine gun aimed by the movements of the gunner's helmet

The helicopter is known as the XTP-1 which stands for "experimental test platform" Contrary to initial press reports yesterday, the XTP-1 is not a helicopter gunship prototype and will definitely not go into production

It is merely the vehicle used for testing weapons and electronic equipment

Such modifications as appear on it are only there to enable it to carry weapons and fire them without endangering itself There are several of these experimental helicopters being used in the programme

Commandant Marais said production of high-stress local components ranging from gearboxes to rotor blades had made it possible to rebuild crashed helicopters which had been damaged almost to the point of destruction

Flying testbed unveiled

As a result, total production of helicopters was the next step

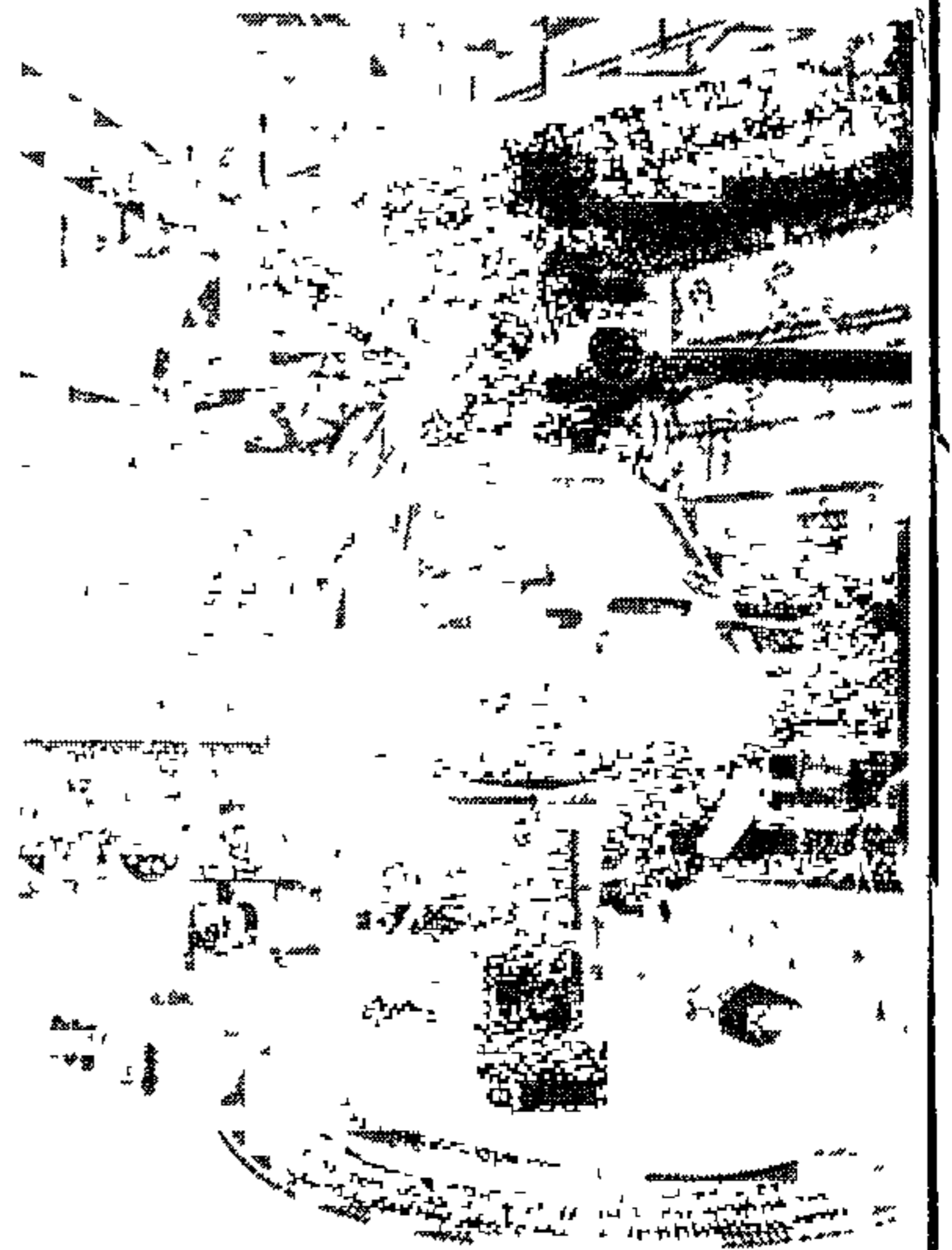
He said the development of the helicopter industry dated from the production of the two-seater Alpha experimental helicopter in 1986 This provided a basic layer of knowledge and skill which has constantly expanded since then

There was no intention of upgrading or further modifying the Alouette light helicopters on which the Alpha experimental helicopter was based "So the next step is an upgraded Puma," he said

Looking further ahead he said "if the time comes when we must supply the Air Force with a combat helicopter it will be a full-blooded combat helicopter and not just a souped-up version of something else"

Commandant Marais flatly denied that the timing of the press conference was an election stunt for the government He said the development programme worked to a very tight schedule which a delay of even 10 days could seriously affect

(Report by W Steenkamp 122 St George's Street Cape Town)



Armscor's XTP-1 at yesterday's unveiling. The Puma helicopter has been modified for use as testing platform for 68mm rocket pods and a belly-mounted 20mm gun

Police action on UCT campus 'total overkill'

TELELETTERS callers yesterday censured their comments on the events at UCT, although one had unkind — and kind — words for the traffic warden on the Grand Parade.

Miss Jeanie Masey, Rosebank "The police, by coming on to the campus, made people incredibly angry. Because of that anger the students possibly felt the need to retaliate. I don't condone the stone-throwing, but the action taken by the police was total overkill."

Edith Gibson, City "While I was watching the helicopter circling over Rondebosch, I wondered why they don't drop buckets of sea water on to the students as they do when they put out fires on the mountains."

Mr M F Essop, Salt River "Violence is the central ideology of the present fascist

ruling clique and hence the response of the students is only a natural one."

Miss Ann Coltham, Wynberg "The students have all my sympathy as they are more often than not provoked by the tactics used by the SAP."

Mr A Yates, Gardens "I think it is deplorable that these people have no regard for the innocent drivers going about their business."

Mr R Fisher, Claremont "Why must students demonstrate during study hours? They should do so in their own time so as not to disrupt the work of those who wish to get on with their studies for which they enrolled at the university in the first place."

Mr M Blatchford, Observatory "Whether the issues about which the students were protesting were important or not and

whether the students should have the right to protest is what is at stake here. It seems to me that the issues are important and the students and all others should be given the right to protest peacefully."

Mr Lionel Byrne, Paarl "With reference to the students, I believe carrying on like this is totally unwarranted. If they are going to be the future leaders of this country their behaviour as such, is not needed. As far as I am concerned the students involved should have their bursaries or subsidies taken away. The University of Cape Town is known for this pathetic behaviour. We are led to believe that they are the ones throwing stones at passing cars and acting like terrorists, because they could hurt innocent people."

Ms Felicity Wood, Rondebosch "I've heard stories and I've seen with my own



To comment on these or any other issues contact Teleletters Monday to Friday between 10am and 12 noon on 208-4722.

eyes people being savaged by police dogs, older people working in the UCT library being snatched over the head by riot police, students being thrown down flights of stairs by policemen. I've taken a student to Groote Schuur Hospital for a brain scan. How dare anyone accuse the UCT students of lack of self control?"

Ms H Thornton, Rondebosch "How dare the police excuse their use of live ammunition in preference to tear gas by saying 'it

might have affected the traffic" when they said the traffic had already been diverted? What possible justification do they have for Tuesday's violence and terrorism, when not one stone was thrown or legitimate warning was given?"

Mr C Dugmore, Rondebosch "Why does the Cape Times focus most of its attention on whether UCT students threw stones at police or not? Why not concentrate on the reasons for the protest, the shooting of six and dismissal of 16 000 SATS workers the SADF raids and blatant police brutality?"

Mr Graeme Bloch, Observatory "The students have an absolute right to demonstrate especially in the context of the SADF raids, the killing of workers and the whites-only elections. The issue is that

police should not be allowed on to the UCT campus as it is they who provoke the students."

Mrs Maurine Gleeson, Miltzenberg "Dr Saunders also interested in the rights of students who want to attend lectures but who have to stay at home because of lectures being cancelled? These students are not interested in conflict politics but in their studies. Will parents be reimbursed for lectures not delivered?"

Mr Owen Letcher, Woodstock "The traffic warden on the Grand Parade, Mr William Smith, is very kind and obliging but when a meter token expires he's no longer the kind William Smith. He then becomes a real Falconetti, but we on the Grand Parade are all very fond of 'Old Smitty'."

Opinions from UCT: Stone-throwers, cops 'share blame'

Cape Times
2/5/87



Sharief Abrahams

By CHRIS ERASMUS

THE opinions of staff and students on the recent violent events at the University of Cape Town are sharply divided, but most of those spoken to in an informal survey conducted on the campus this week felt that both stone-throwers and police shared the blame

Mr Melvin Goldberg, a lecturer in sociology, said he did not personally witness much of the events of last Friday, Monday and Tuesday, but he did see teargas being fired on the upper campus

"The police did seem to overreact, from what I could see. They seemed a bit nervy and perhaps should be under better control.

"One cannot support the stone-throwing — it's counter-productive. But I think the students showed a lot of discipline on Tuesday (when there was no stone-throwing)"

Miss Michelle Pomario, a first-year pharmacy student, also said she had missed most of the action, but thought the police "have been going a bit wild".

"On the other hand, the boycott of lectures is a bit pointless, as it only harms those students who miss them — though if everyone boycotted lectures, that might be different

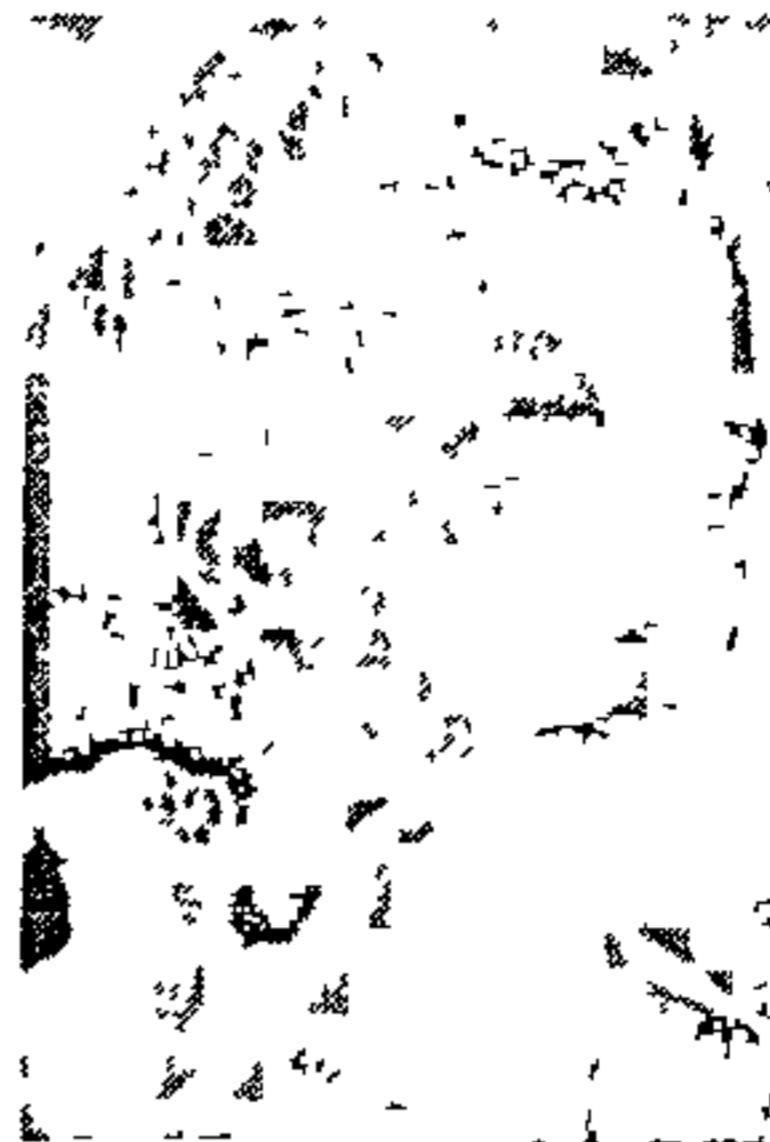
"Most of us are here for one reason — to learn. So it's a bit irritating when people come into lectures and interrupt us to ask us to join the boycott.

"From what I have seen and heard of the rioting, it seems that most of those bashed have been relatively innocent and I think that's wrong"

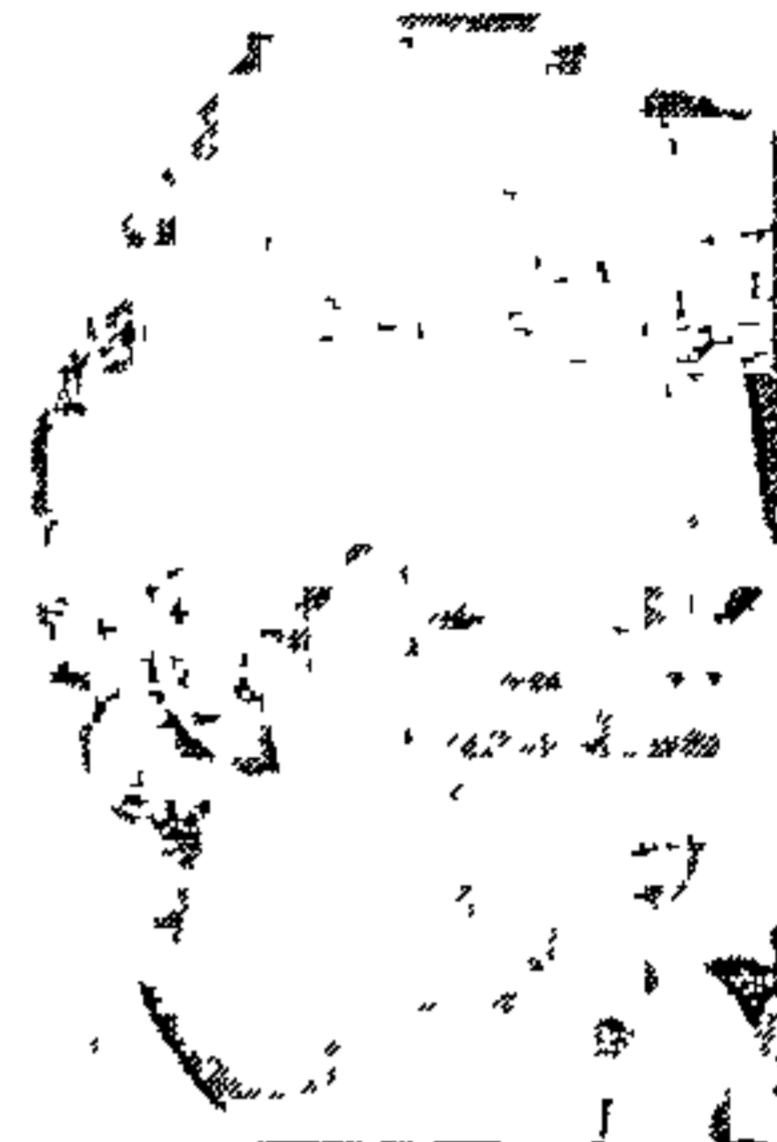
Mr Alex Schuilenburg,



Alex Schuilenburg



Kerryn Grogan



Michael Gunning



Perry Fagan



Melvin Goldberg



Michelle Pomario

an honours student in computer science, said he could not really pass any comment on the demonstrations as "I haven't got much time for any political involvement — there's just too much work to do"

Mr Michael Gunning, another post-graduate computer-science student, agreed with him, saying he had paid R2 000 for the privilege of studying this year "and I can't waste time throwing stones"

Ms Kerryn Grogan, a first-year architecture student, had stronger views, however "I think the students' protest activity has been justified for the most part, while the police action has been largely unjustified

I was here on Monday and I think the firing of teargas was unnecessary — it's just as ridiculous as people throwing stones on De Waal Drive"

Mr Sharief Abrahams, a first-year BA student, also thought the police action on the campus was unjustified

"I don't think it was right for the students to throw stones, but the police shouldn't have come up here in the first place and I don't see how they got permission to come on to campus"

Mr Perry Fagan, another first-year BA student, said students had a democratic right to protest against things they thought were wrong

"We have a moral right

to such protest and to air our views. This government claims to be democratic, so why does it not grant us our rights?"

"The invasion of our campus is just another proof that this government will try to clamp down on our views and opinions whenever they are seen to be an inconvenience

"We are supposed to be society's privileged since we have a chance to be educated at university — and that is true. But we have also realized that we cannot be satisfied with that alone — change has to come about throughout the whole of our society"

(Report by C. Erasmus 122 St George's Street Cape Town)

CAM TMS 2/5/07

Special constable jailed for attempted murder

Court Reporter *251*

A "KITSKONSTABEL" was this week jailed by Mitchells Plain Regional Court for five years for attempting to murder a fellow special constable and another man on New Year's Eve.

Special Constable Zwelinzima Kobese, 29, of Old Crossroads, was convicted of attempting to murder Special Constable Patrick Mdoda and Mr Alpheus Ntshiba on December 31 last year.

Kobese said he thought the two were burning tyres opposite his house. He had fired twice and wounded both men.

Constable Mdoda and Mr Ntshiba said people were making fires in the street as it was New Year's Eve and Kobese had "just fired at them without warning".

Constable Mdoda was not seriously injured, although he was hit in the chest, and Mr Ntshiba spent a week in hospital where buckshot was removed from different parts of his body.

Mr H J Venter was the magistrate. Mr P J Festus prosecuted. Kobese was not represented.

Cosatu affidavits tell a story of security force brutality

TEN days ago the Johannesburg public was rudely reminded of the extent to which truth has become the first casualty of conflict when armoured vehicles blocked Cosatu House and prevented people from witnessing a tense six-hour encounter between hundreds of members of the security forces and trade union members and officials.

Denied independent testimony as to what happened in and around the building, which houses the regional offices of 11 trade unions, the public has to judge the facts from widely diverging accounts of this operation — the first of two huge security force actions at Cosatu House.

The most detailed account to date consists of affidavits placed before the Rand Supreme Court this week when the Congress of South African Trade Unions (Cosatu) instituted action for an order restraining the police.

The response of the Minister of Law and Order and the Witwatersrand Divisional Commissioner of Police will be placed before the court on May 19, when the application resumes. They have already denied Cosatu's allegations and have said that police acted lawfully. These are some of the

On the assault of striking railway workers gathered in the building:

Mr Diggle Kock, an accountant for Cosatu, said he watched workers leave the hall in the late afternoon. "Police and soldiers had surrounded the entrance of the hall, leaving a small space for workers to emerge. Each worker walking out of the hall was slapped, punched, thrown against the wall and searched."

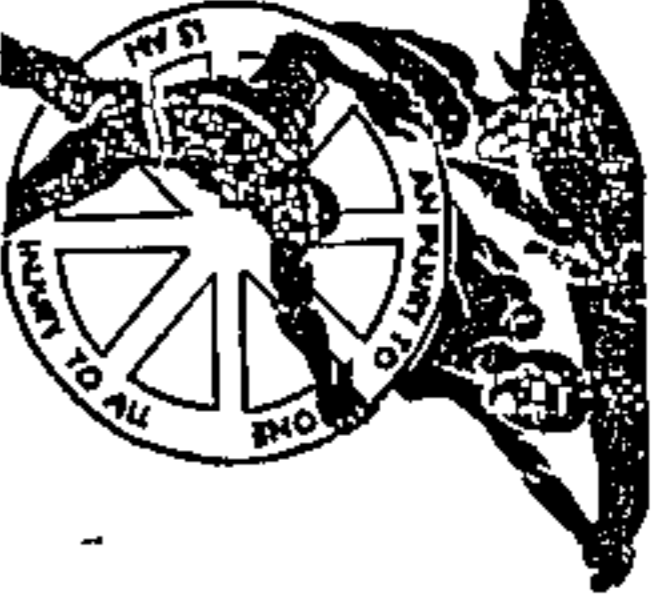
"They then walked out of the building with their hands above their heads. Workers were roughly searched once again and thrown into the back of the truck (parked outside the entrance)."

"I noticed one of the workers who emerged from the building was bleeding from the head. (Another affidavit suggests that workers injured earlier outside the building might have sought shelter there)."

"He was not thrown into the truck but was taken across the road to a group of policemen who then interrogated him. One of the policemen tripped him and while he was lying on his back, kicked him all over his body. The police then continued interrogating the bleeding worker. He was then put into a truck."

Two police operations at Cosatu headquarters have drawn comment that a head-on conflict between the State and the trade union movement is building.

Some of the factors which give rise to this view were detailed in court papers this week **JO-ANNE COLLINGE reports.**



On the assault on trade unionists:

Mr Desmond Matome Mahasha, general secretary of the Construction and Allied Workers' Union, submitted that police took him to the offices of the National Union of Mineworkers and told him to sign a receipt for the documents they had confiscated there.

"I objected to doing this and another plainclothes policeman started twisting my wrist so that it became extremely painful." After repeated twists of the arm, Mr Mahasha eventually signed a receipt, he said. Later, a policeman asked him his name, Mr Mahasha said "I told him it was Desmond. He then said Oh, Desmond Tutu"

and punched me with his fist on my left cheek bone. Immediately afterwards (another) policeman called me. As I got up to go to him a third policeman kicked me just below my right ribcage."

On the destruction and seizure of union property:

Mr Jeremy Daphne, negotiator for the Commercial, Catering and Allied Workers Union, stated "During the period that police were on the fourth floor they damaged extensive property, particularly doors and cupboards, and destroyed extensive union documentation, as well as personal items belonging to union officials and members."

"I did not observe the police effecting this damage but could hear the noise of objects being damaged while we were in the room."

Mr Daphne and most others who submitted evidence said armed police had made them stand facing the wall with their hands above their heads for the duration of the search of their premises.

Mr Daphne listed the damage on the fourth floor as "Five (locked) doors smashed in and totally damaged. Four (locked) cupboards smashed open. Ribbons used on electric typewriters pulled out of their cassettes. The union's most

expensive electronic typewriter was damaged by policemen who cut out pieces of metal and cord from inside it. Virtually all posters were ripped off the wall and notice boards were ripped down. A table, a desk chair and a bookshelf were deliberately smashed. The table was broken into two pieces which were lying on the floor."

He added "All files were emptied and the documents in them (dealing with negotiations with employers for the last six years) were either removed by the police, torn up or thrown out of the window."

"The contents of about 20 files were removed and thrown out of the office window. These documents landed in a large pool of water in the yard. Some were so saturated that when I (later) tried to remove them from the pool, they disintegrated."

Two affidavits refer to the sound of gunshot in the building or reports of shooting inside.

Cosatu general secretary Mr Jay Naidoo stated in his affidavit that the actions of the police had led him to believe that they were out of control, that those in command were unwilling or unable to exercise the necessary control over their men

Judgment halts police harassment

A DUNCAN Village woman has been granted an urgent interdict restraining municipal police from assaulting her son, an employee of the Black Sash in East London.

The order was granted in the Grahamstown Supreme Court after Olga Mackiben brought the application on behalf of her son, Anthony, 18.

After a hearing in chambers, Judge Kannemeyer ordered the Gomo Town Committee - formerly the Duncan Village Community Council - to take all the steps within its power "to prevent any member of the municipal police force in its service from assaulting, threatening, harassing or intimidating" Mackiben.

The final hearing is scheduled for May 21.

Mackiben, an interpreter employed at the Black Sash advice office, said in an affidavit before the court that he had been assaulted and threatened after inquiring at the municipal police offices about a portable radio police had removed from him.

On the evening of April 10, he had been stopped and searched by municipal police. A policeman had taken his radio with earphones, which had been attached to his belt. He went to report the matter to the SAP and was referred to the municipal police.

Mackiben's affidavit said a municipal policeman wearing sunglasses had struck him "with an open hand in the face, with an elbow in the stomach and with a fist in the mouth".

He had also been struck in the right eye with a fist. Two other policemen had been present throughout the assault and had neither helped nor hindered their colleague.

His radio was handed back to him, Mackiben said, amid threats from one of the policemen that "if he saw me in the street, he will do something to me, and might even shoot me".

Election excitement reaches fever pitch

Police ready for bid to disrupt polls

(25) 
SPM
4/5/87.

By David Braun, Political Correspondent

Election excitement was at fever pitch among all the political parties today as politicians started to wind down their campaigns.

The record three million voters eligible to cast their votes on Wednesday are being bombarded by an unprecedented multimillion-rand newspaper advertising blitz while tonight and tomorrow night party leaders are closing their campaigns with major public rallies.

The State President, Mr Botha, closes the National Party campaign with a rally in Johannesburg's City Hall, repeating the Government's tactics in its highly successful 1983 referendum campaign.

PFM leader Mr Colin Eglin closes his party's campaign at a rally in Cape Town tonight while Conservative Party leader Dr Andries Treurnicht speaks in his Waterberg constituency tomorrow night.

In Pretoria, Commissioner of Police Mr Johan Coetzee said today security forces would be out in full strength ready for any attempt to disrupt or discredit the elections.

He said there was great interest in the election both at home and abroad and that the turnout at the polls was expected to be high.

He said this was frustrating certain radical organisations and that plans had been made to divert attention from the election.

"The purpose is to try to make out the elections are irrelevant, he said. "It is known that the ANC . . . has instructed there be a co-ordinated anti-election campaign with political, diplomatic and military dimensions"

General Coetzee said the type of action planned by radicals included

- Busloads of black children being brought to polling stations ostensibly on "educational tours" but really to create confrontation with the police and voters for international propaganda purposes

- Walk-outs of classes at certain universities while school boycotts were also planned. Students would then be encouraged to go on protest marches specifically to precipitate confrontation

- Work stoppages and stay-aways through intimidation designed to focus attention away from the elections.

"We are aware of other specific actions which I would not like to mention.

"However, because we are aware of these actions, we have been able to be well prepared to handle any attempt to disrupt or discredit the elections by means of violence and other illegal actions," he said.

(Report by DM Braun, 216 Vermeulen Street, Pretoria.)

Editor guilty of 'untrue' article

Court Reporter

THE editor of an Oudtshoorn community newspaper was yesterday convicted in Mitchells Plain Regional Court of contravening the Police Act by publishing untrue statements concerning an incident in which two 11-year-old boys were shot dead by police.

Humphrey Joseph, 30, of New Extension, Bridgeton, Oudtshoorn, the editor of Saamstaan, was fined R100 (or 25 days) suspended for three years.

The court heard that Joseph had written an article, headlined "Children Cruelly Shot", based on the account of Mr Norman Mooi, who had been a co-accused in the matter but was discharged at the end of the State's case.

The story had incorrectly stat-

ed that three — instead of two — youths had been shot dead by police guarding a house in Bongolethu Township, Oudtshoorn.

Mr Mooi said he had seen two children approach the house empty-handed and they were shot by the police. He had seen a policeman emerge from the house with a container of petrol and later saw the container next to the body of one child.

Mr Mooi went to the newspaper office and told Joseph what he had seen.

The State did not dispute evidence that before the shooting the house of Warrant Officer Richard Mngoma, a security policeman, was petrol-bombed.

Constable Barend Cilliers said the police were moving W/O Mngoma's possessions when some children had stoned the house.

Two boys approached the front

door and one sprinkled petrol on the carpet and while the other was about to strike a match, the police shot him. The other boy was shot running away.

The police denied that they placed a container of petrol next to one of the bodies. They also denied swearing and boasting about their shooting abilities.

The magistrate, Mr J D Beyers, said there was no doubt that there were untruths about police action published in the story.

Joseph must have been aware that more people had witnessed the incident and that he could have received information from them, Mr Beyers said.

Mr Denzil Potgieter, for Joseph, said his client had no ulterior motives and had been working under pressure.

Mr S C O'Brien prosecuted Mr Potgieter was instructed by E Moosa and Associates.

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Editor guilty of 'untrue' article

Court Reporter

THE editor of an Oudtshoorn community newspaper was yesterday convicted in Mitchells Plain Regional Court of contravening the Police Act by publishing untrue statements concerning an incident in which two 11-year-old boys were shot dead by police

Humphrey Joseph, 30, of New Extension, Bridgeton, Oudtshoorn, the editor of Saamstaan, was fined R100 (or 25 days) suspended for three years

The court heard that Joseph had written an article, headlined "Children Cruelly Shot", based on the account of Mr Norman Mooi, who had been a co-accused in the matter but was discharged at the end of the State's case

The story had incorrectly stat-

ed that three — instead of two — youths had been shot dead by police guarding a house in Bongolethu Township, Oudtshoorn

Mr Mooi said he had seen two children approach the house empty-handed and they were shot by the police. He had seen a policeman emerge from the house with a container of petrol and later saw the container next to the body of one child

Mr Mooi went to the newspaper office and told Joseph what he had seen

The State did not dispute evidence that before the shooting the house of Warrant Officer Richard Mngoma, a security policeman, was petrol-bombed

Constable Barend Cilliers said the police were moving W/O Mngoma's possessions when some children had stoned the house

Two boys approached the front

door and one sprinkled petrol on the carpet and while the other was about to strike a match, the police shot him. The other boy was shot running away

The police denied that they placed a container of petrol next to one of the bodies. They also denied swearing and boasting about their shooting abilities

The magistrate, Mr J D Beyers, said there was no doubt that there were untruths about police action published in the story

Joseph must have been aware that more people had witnessed the incident and that he could have received information from them, Mr Beyers said

Mr Denzil Potgieter, for Joseph, said his client had no ulterior motives and had been working under pressure

Mr SC O'Brien prosecuted Mr Potgieter was instructed by E Moosa and Associates

Zanu axes Tekere for 'misconduct'



Mr Tekere

HARARE. — A former guerilla chieftain and longtime trusted aide of Prime Minister Mr Robert Mugabe has been fired for misconduct from his key post as ruling party chairman in one of Zimbabwe's eight provinces, newspapers reported yesterday.

Mr Edgar Tekere, 50, was the second veteran nationalist politician recently to be axed as a provincial chairman of Zanu (PF).

The party politiburo on December 20 dismissed Masvingo provincial chairman Mr Eddison Zvobgo for misconduct.

Zanu administrative secretary Mr Maurice Nyagumbo said the party had gone out of its way to help Mr Tekere "mend his ways", but now concluded he could not reform. — Sapa-AP

Cape Times 5/5/87

Cape Times 5/5/87

Cape Times, Tuesday, May 5, 1987

Policeman, youth plead not guilty

Own Correspondent

PORT ELIZABETH. — Five members of the SA Police and a 17-year-old youth pleaded not guilty in the Regional Court here yesterday to charges ranging from theft and assault with intent to do grievous bodily harm to culpable homicide.

Before Mr A W Meiring were Mr Raymond Mziwakhe Albia, 39; Mr Mokete Daniel Thagani, 23, Mr Sello Abraham Rantsieng, 29, Mr Andile Zazini, 22; Mr Sidwell Dumisani Mkhize, 22, and the 17-year-old youth.

They are charged with 20 counts of assault with intent to do grievous bodily harm, five counts of malicious damage to property, one count of theft, and culpable homicide for the killing of a Mr Fundile.

The State alleged that the offences were committed in Soweto and Zwide on the night of September 8, 1985

Mr Phillip Komani told the court he was sleeping at his home when he was awakened by men who entered the house. One of the men hit him on his head and neck. It was dark in the house and he could not recognize his attackers.

He heard shots outside, but because he was afraid, he did not go out to investigate. Later he went to the bed where Mr Fundile was lying and saw that he was dead.

Mr Major Vumile Magopeni of Maya Street, Zwide, said he was asleep at his home when he was awakened by a knock on his front door. A group of men entered the house. He recognized Mr Thagani and Mr Rantsieng, because they did guard duty at Mr Zazini's house.

Mr Thagani hit him with a pick-handle and Mr Rantsieng slapped him.

The case continues today.

Conflicting evidence on youth's death

There was no reason to shoot — advocate

Lowveld Bureau

WHITE RIVER — Conflicting evidence was heard at an inquest yesterday into the death of Mr Mandla Shabangu (19) in a shooting incident at the Kabokweni Magistrate's Court in kaNgwane on March 11 last year

During the incident police fired birdshot at a crowd of about 3 000 youths who allegedly forced their way into the court grounds. Two other people were injured

Mr Lawrence Tonkin, an advocate who was to have represented 15 youths charged with public violence, told the court a crowd of several hun-

dred congregated outside the grounds

They were angry, he said, and some had sticks. In his capacity as advocate for the accused youths, whose release they were demanding, he offered to speak to them to keep the peace

"I told them I was there to help their friends but they became angry and leaned heavily on the fence. It collapsed and they entered the grounds."

Standing on a bench and holding a stick and a bible handed to him by one of the crowd, he appealed to them to rather use the word of God than the stick and asked them not to give the police a reason to shoot

On the advice of a police captain, he selected six "leaders" from the crowd so that the problem could be discussed.

"Then I heard shots, and the youths scattered."

Frustrated and unhappy that the police should have resorted to shooting, he burst into tears.

Mr Tonkin admitted having been afraid of the youths but saw no reason for the shooting.

"Had there been proper communication this could have been avoided," he said.

On no occasion had he heard slogans being chanted, nobody had danced or sung, teargas had not been used and although the crowd was angry he did not consider it unmanageable

Kabokweni court orderly Sergeant William Dhludhlu said he and Mr Tonkin had walked to the gate as about 3 000 people marched to the building

Displaying a poster reading "Release Mandela" and chanting "Viva Tambo", they demanded the immediate release of their fellow comrades

Anticipating trouble, he locked the gate.

Said Sergeant Dhludhlu: "It was then that Mr Tonkin shouted 'I am not a policeman but a comrade like you. I am here to defend your friends'"

The crowd however retaliated and shouted, "That white man is talking s..." and pushed the fence over

Some followed the Kabokweni magistrate and sergeant to his office where they removed the South African flag and trampled it. Others pushed the magistrate around and threw fruit at him.

Mr Tonkin arrived and shouted "No comrades, please no" Shortly afterwards, shots were heard outside

Captain Johannes du Plessis said he noticed Mr Tonkin speaking to the crowd after the fence had collapsed. He was standing on a bench but with the noise the policeman could not hear what he was saying.

Captain du Plessis, who said he did not shoot, said he and his 13 men were surrounded when he heard the shots.

Mr Tonkin, in tears, came to him and said, "Sorry, I just couldn't control these people."

Detective Sergeant G J Joubert said he was surrounded by youths pointing sharpened wooden poles.

"I was in danger and fired a warning shot into the ground. They took no notice and I fired in the direction of their legs. I'm not sure if I hit anyone," he said.

The inquiry continues today.

Teargas, 150 arrests at Wits

CML TIMITS
5/5/87

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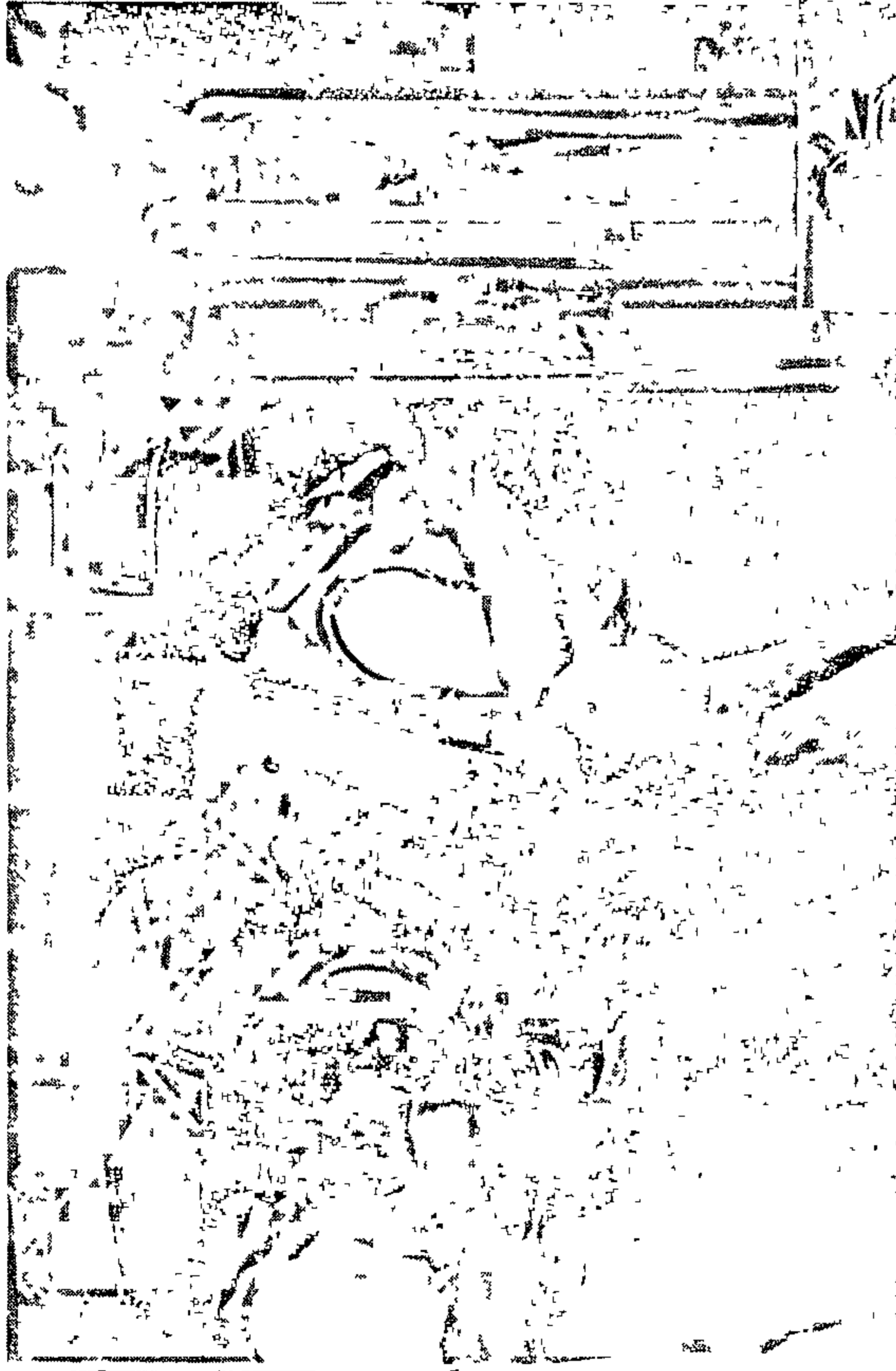
JOHANNESBURG — Riot police fired teargas, charged thousands of students with batons and whips, and arrested 150 people protesting against tomorrow's elections.

The charge by heavily-armed policemen took place at a campus protest attended by Mrs Winnie Mandela. It followed a statement by the Commissioner of Police, General Johan Coetzee, that "radicals" planned to disrupt the election.

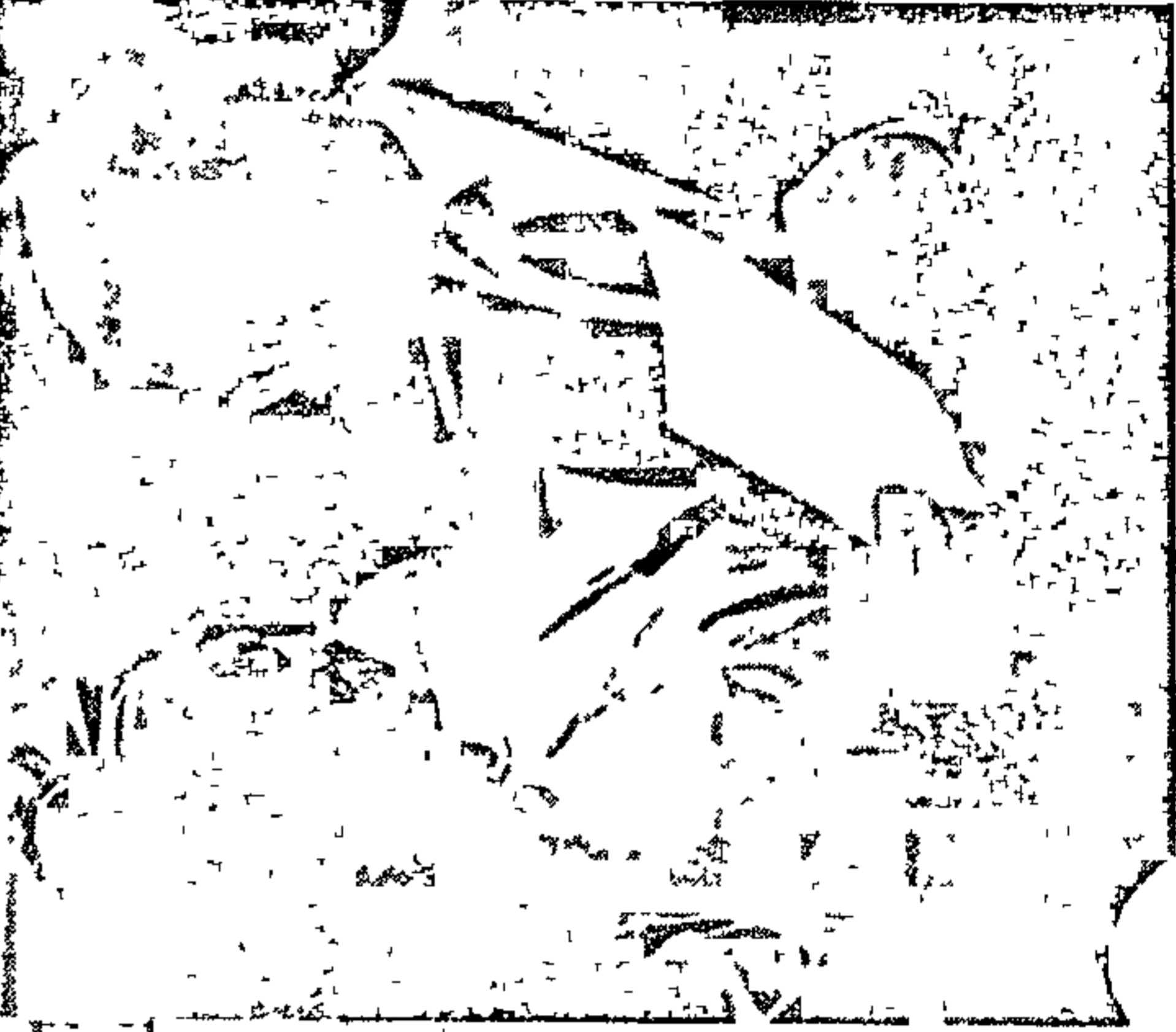
The students had gathered at the centre of the University of the Witwatersrand to hear a speech by Mrs Mandela. Instead, a last-minute magisterial order banning the gathering was read by student leader Mr James Seseko. But the students refused to disperse and the police took action to enforce a blanket ban on outdoor meetings.

Police said they arrested 120 students, but the Wits SRC said the

To page 3



ABOVE: Riot police taking preventive measures before enforcing a ban on Mrs Mandela's meeting at Wits University yesterday
RIGHT: Mrs Mandela on the Wits campus yesterday with the Deputy Vice-Chancellor, Mr Mervyn Shear.



Picture WENDY SCHWEGMANN of REUTERS

CML TIMITS 5/5/87
From page 1

Wits number could be as high as 150. The students were later released.

Police said they were stoned by demonstrators, but reporters and witnesses said they saw only one stone thrown.

About 13 American and British television cameramen and photographers were arrested. They were released about an hour later, an American network spokesman said.

A Natal Supreme Court ruling recently overturned sections of the media regulations concerning coverage of unrest-related incidents. Newsmen on the scene said they were operating "as normal."

But police last night issued a statement saying that, in view of the fact that an appeal had been lodged by the State, they were operating under the regulations as they had stood before they were overturned — Sapa-Reuter

Union tells of raid

~~HRWU~~
251
Sowetan
15/87

THE Hotel and Restaurant Workers' Union (HRWU) offices were partly damaged during a confrontation between the police and the workers in Pretoria at the weekend, it is claimed.

A spokesman for the organisation told the *Sowetan* yesterday that the incident took place on Saturday afternoon. This was at a meeting to discuss the dismissal of more than 70 New Union Hotel employees who allegedly observed May Day.

A number of policemen arrived about 2pm when people who were fired from work for failing to report on duty on Friday were presenting their case to trade union officials, the spokesman said.

The spokesman said the trade union's organiser, Ms Penny Modiegi and an executive member, Mr Robert Shakung, were arrested but released later that day.

A spokesman for the SA Police Public Relations Division refuted the allegations levelled against the police by HRWU. He however, confirmed that three people were arrested and later released.

CALLING A

CLASH AT WITS

251
 Soutem
 9/5/67



A STUDENT being dragged by one of the policemen who disrupted a meeting to protest against the whites-only elections
 PIC LEN KHUMALO

Students in protest over whites-only elections



MRS WINNIE Mandela she was to address meeting

SOWETAN Reporters and SAPA

AT LEAST 120 Wits University students were arrested yesterday after a meeting to protest against the whites-only elections was banned at the campus

The meeting which was to have been addressed by Mrs Winnie Mandela wife of the jailed leader of the African National Congress Nelson Mandela was banned 10 minutes before scheduled time

Police arrived in large numbers at the campus at 12:30pm and used a loud hailer to warn the more than 5000 students who had gathered at the library lawn to disperse

Teargas

The order banning the meeting was issued by the acting Chief Magistrate of Johannesburg Mr George Johannes Schoeman in terms of Section 46 (1) of the Internal Security Act of 1982

Teargas was also fired and several students were treated after suffocating from the fumes

Mrs Mandela speaking through an interpreter asked the students whether she should address them or not. The students roared 'Viva Mandela'

A police spokesman said the announcement banning the meeting had been broadcast on radio at 12:15pm and a notice was placed outside the hall where the meeting was due to have taken place

Police said at 1pm

To Page 3

KMART



BRENDA

12⁹⁹



SUPERFLY Vol. 4

12⁹⁹



* 123 JEPPE STREET, JOHANNESBURG
 * COR. KNOX AND JOUBERT STS., GERMISTON

5 18803

The first day . . .

TODAY is the first day of a two-day national protest called by the United Democratic Front and the Congress of South African Trade Unions against tomorrow's white elections

Yesterday, a low-flying helicopter bearing no markings was seen over Soweto. A lowhailer was employed to assure residents wanting to go to work that the army would protect them

"The soldiers are your friends," a booming voice said

Pamphlet

In another development, a pamphlet in support of the protest was distributed in the townships

The pamphlet called for certain actions which may not be reported in terms of the media regulations

The pamphlet went on to state that the people should exercise restraint and that the protest be carried out in a disciplined manner

The pamphlet also stated that health workers and journalists may go to work

but must wear their uniforms or show their Press cards

The Greater Soweto Chamber of Commerce and Industries yesterday resolved that shops and other businesses in Soweto be open today and tomorrow

The chamber said the opening of shops would depend on the conditions and procedures laid down by the organisers of the protest action

Yesterday, General Johan Coetzee, the Commissioner of Police, said the police were fully aware of the planned action by certain radical organisations and individuals to disrupt and to discredit tomorrow's elections for whites

He said security forces would be out in full strength and well-prepared to handle any attempt to disrupt or discredit the elections

"We are aware of other specific actions which I would not like to mention for obvious reasons," General Coetzee said

[Handwritten signature and scribbles]

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SAP action condemned by Wits

Education Reporter

The Wits University Senate has issued a strongly worded statement condemning police action on Monday on the campus.

Several newsmen and 121 students men were taken into custody in the conflict after a meeting to be addressed by Mrs Winnie Mandela was prohibited.

The statement begins "About 2 000 students had already assembled in a peaceful gathering when a notice was served prohibiting all meetings convened by the organisers.

"Despite pleas by university authorities to be allowed time to disperse students peacefully and without violence, the police surrounded and invaded the campus in a massive show of strength. By now considerably more than 2 000 students and staff had gathered and they were given only two minutes to disperse.

"So began an afternoon of escalating terror, including the indiscriminate use of teargas and mass arrests. Contrary to some media reports, the gathering had been neither violent nor unruly. What violence did occur followed police intervention.

"The Senate wishes to express its outrage at these and other events and its abhorrence of the laws that give rise to them. Such events, and those that have occurred recently on other campuses, including the use of live ammunition on one occasion, bring the country into an ever-greater state of disrepute, more importantly, they violate fundamental human rights held sacred in all countries wishing to call themselves civilised.

"In support of all South Africans wishing to see their countries governed in a fair and democratic manner, in which all have a say in the election of their representatives, in which freedom of association and free speech are restored, censorship and repression are removed and fundamental human rights are observed by all, the Senate wishes the university to be closed on Wednesday May 6."

The closure signified the university's protest against deeds endangering the safety of members.



The police were incorrect in declaring they could continue to enforce the emergency media regulations scrapped by the Natal Supreme Court pending the State's appeal, lawyers said today

The Supreme Court had stated the law for citizens to follow and this could only be altered if another court made a different decision, according to legal opinion

The Police Public Relations Division in Pretoria released a statement yesterday saying the police would continue to apply the regulations until the result of the appeal was known

"The SAP will, in every instance where the media regulations concerned are breached, take steps required by the law,"

Lawyers say police incorrect

the statement said

Eight newsmen were arrested while covering unrest on the University of Witwatersrand campus yesterday. They were released on warning pending an investigation

The Star's attorney, Mr Peter Reynolds, said today his firm's view was unchanged. "The judgment invalidates those portions of the media regulations dealt

with by the judgment

"That it was given in Natal and that there is a pending appeal does not alter this fact. It is the law until such time as the decision is altered"

He said he found the police attitude strange because, while they declared their intention of enforcing the regulations, The Star had received no warning for publishing reports on unrest or a "Help Free the Children" advert.

An advocate said his view was that a decision of the Supreme Court laid down the law and citizens were bound by it

● A morning newspaper today declared that a full-page advertisement relating to detentions placed by the Black Sash had been withdrawn on legal advice

Teargas fired into cripple's bedroom

Cape Times
6/5/87 Staff Reporters 251

A TEARGAS canister was yesterday fired through the front window of a house at KTC squatter camp where a 47-year-old crippled woman, Mrs Angelina Peta, was sitting on her bed

Mrs Peta said she had to crawl out of the house Later at KTC seven policemen, including a Warrant Officer B Barnard, patrolled on foot, armed with pistols and shotguns

W/O Barnard told PFP MP Mr Jan van Eck that police would not shoot at people unless their lives were endangered.

Stones were thrown at passing police Casspirs and SADF Buffels

Later at a house in New Crossroads where a Cape Times reporter and Mr Van Eck were speaking to residents, police arrived and told the reporter to leave the area.

Three armed policemen then entered the house and walked around the property Two SADF buffels were parked on a field about 20 metres away

In a telexed reply, a police spokesman in Pretoria said last night. "If any person should have reason to believe that any action by the police was illegal, affidavits can be submitted for investigation"

Earlier the Bureau for Information reported that police were stoned in Nyanga and that two petrol bombs were thrown at SAP vehicles and "people were dispersed with buckshot".

□ An "unidentified explosive device" blew a hole in the ground next to the railway line on the Cape Flats between Netreg and Heideveld at 1 50am yesterday and two petrol bombs were thrown at the Bonteheuwel home of a policewoman, causing minimal damage, the bureau reported

□ Mine blast kills one — Page 2

COLOURED players left out of tournament

AKW/S
6/5/82

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Crime Reporter

COLOURED police rugby teams in the Boland have been excluded from playing in a competition against their white colleagues

A proposal to allow them to play has been turned down because it would have made the competition "too cumbersome", according to the police directorate of public relations

The five non-white sports clubs will play in another competition, the directorate said

The police directorate of public relations was answering a series of questions sent them by The Argus more than three weeks ago, after the meeting at which the decision was taken on April 8

Discussion

The directorate was asked to confirm that a meeting was held at Boland police divisional headquarters in Paarl and that under discussion were two topics

- whether the six teams in the league would play one game or two against their opposition teams and

- whether policemen of colour would play in the teams or not

They were also asked to confirm that players of colour would not participate and that they would decide on their own teams, fixtures and matches

Perspective

The directorate confirmed the meeting and said that they were issuing a statement in order to place the matter in the right perspective

The directorate said the purpose of the meeting was to discuss a proposed rugby competition between a number of sports clubs in Boland police division.

"No official rugby league is involved since there are no police teams registered with the Boland rugby union. This was thus a domestic affair"

"There are six sports clubs for white members and five for non-European members in the Boland division

"These clubs are administered by the members themselves and each is responsible for its own finances"

Proposal

"Any of these clubs can approach the divisional sports club for financial assistance. Such assistance has been granted on a number of occasions when non-European members represented the division during inter-division rugby matches, police athletics championships, police boxing championships"

"Although a proposal was submitted during this meeting that the non-European clubs also be allowed to participate in this competition, it was decided not to do this, since the involvement of eleven teams, as opposed to six, would make the competition very cumbersome"

"It was also decided that two games would be played against each team, in order to reach a fair result. The inclusion of the extra teams would have made this very difficult and even impossible"

"In order to accommodate other teams, it was decided that another competition would be held and that the necessary assistance would be given for organising this"

"Sports clubs on divisional and district level are autonomous bodies, (some of which have long-standing traditions) each administering its own affairs"

"Police headquarters does not easily prescribe to these clubs. The fact that non-Europeans in this division have their own sports clubs is a matter of choice on the part of the members themselves."

"There is no intention to discriminate"

12 1987

South 7-12/5/87

'Greenflies on the rampage'

251

FEAR stalked Duncan Village near East London this week as the municipal guards known as the Greenflies, went on a rampage after the murder of one of them last Saturday.

A police liaison officer

for the Border, Lieutenant Dot van der Vyver, said Constable Thembile Williams was stabbed to death.

According to the Black Sash Advice Office, eight people approached their office in the first two days

of the week to complain of assaults

Mrs Olga Mackiben told how she was forced to watch her son, Thamsanqa, being beaten by the guards. Mrs Mackiben was last week granted an urgent interdict against

the municipal police restraining them from assaulting another son, Anthony, who is employed by the Black Sash.

She said the guards arrested Thamsanqa for being a suspect in the killing of the policeman. When he denied any knowledge of the incident he was allegedly assaulted

Thamsanqa was taken to the police station and told he had been arrested for being in possession of dagga

He appeared in court on Monday and was released on R50 bail.

In the evening of the same day the municipal guards came to his house and assaulted him again, his mother said

A Mdantsane man, Mbuyiselo Mabindiza, also claimed he was assaulted by the "Greenflies" while visiting his sister in Duncan Village

The commanding officer of the "Greenflies", Warrant Officer Willem Wolmarans, denied any knowledge of the assaults, but said he will investigate the matter.

Enews

Imam Solomon smeared

AN anonymous pamphlet smearing Imam Hassan Solomon, former UDF and Muslim Judicial Council executive member, was distributed at several mosques in the Peninsula last Friday.

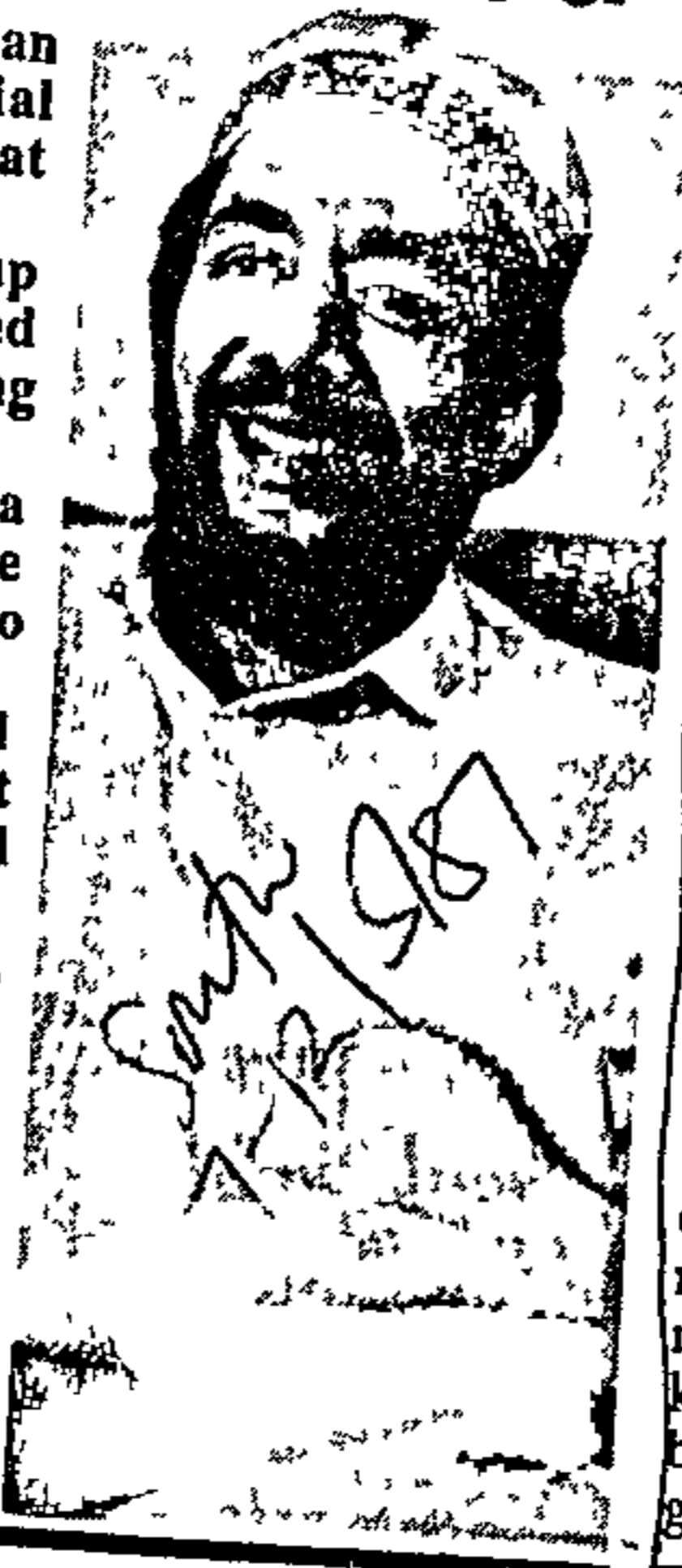
The pamphlet, issued by an unknown group called "The Disillusioned Muslim Front", attacked Solomon for leaving the country while being sought by police during the 1985 unrest.

The pamphlet was printed by a firm called Lida Press. The firm, however, is not listed in the Peninsula telephone directory and not known to other printing firms.

The pamphlet also attacked Moulana Faried Essack, who with Solomon, is a prominent member of Call of Islam. The pamphlet accused Solomon and Essack of being police informers.

Solomon, in a recent interview with SOUTH, said he was enrolled for studies at a university in Mecca, Saudi Arabia, and would be returning to South Africa. He said his commitment to the struggle for freedom in South Africa was "as strong as ever".

Sheikh Nazeem Mohamed, president of the MJC, said: "Imam Solomon has been, for the 25 years I've known him, a strong and vigorous campaigner for freedom and justice in this country."



(25) 8-14/87
W/Mail

'Greenflies' accused of vengeance rampage

By NCEDO NTAMNANI, East London
DUNCAN Village residents have accused the "greenflies" (municipal police) of going on a rampage of revenge after one of their number, Constable Thembile Williams, was murdered last Saturday

By Wednesday, 20 alleged assault victims sought help from the Black Sash advice office in East London. Most of them said they were beaten up on Monday night.

Police have confirmed charges have been laid against the municipal police by 22 people..

The municipal police fall under the control of the Gompo town committee, formerly the Duncan Village community council.

Three residents who went missing after being taken away by the "greenflies" were found two days later. One of them, Thamsanqa MacKiben, was found in Frere Hospital by his brother, Anthony.

His mother, Olga MacKiben described how she was forced to watch her son being beaten up by the "greenflies". She was recently granted an urgent interdict against the municipal police restraining them from assaulting another son, Anthony, an employee at the Black Sash advice office.

Mrs MacKiben said Thamsanqa had been arrested twice in two days: The first time on Sunday when he was returning home from a soccer match.

When Thamsanqa denied any knowledge of the murder he was assaulted and the "greenflies" asked him where he had hidden the gun taken from the murdered policeman.

She said Thamsanqa was taken to the police station, but was told he was arrested for being in possession of dagga.

The following day he appeared in court and was released on R50 bail. The municipal police returned that evening.

"They kicked the door open and asked for Thamsanqa," she said. "They told him that they were arresting him again. He was assaulted and they asked him about the gun."

She said they had beaten him inside and in front of her house and had poured water over his wounds.

"They also assaulted his girlfriend saying she knew where the gun was. They took her wallet containing R48.

"It was very painful to watch my son being beaten, bleeding and crying," she said.

"I did not know his whereabouts. He was taken away by these police guards. I didn't know whether he was alive or dead. I went to the police station but could not find him."

Describing his assault from his hospital bed, Thamsanqa said. "After assaulting me they dumped me here. I should think I have been injured for the rest of my life."

Another man, Mdantsane resident Mbuyiselo Mabindiza, said he was sitting in the diningroom about 7pm when the "greenflies" came.

He said he had just returned from visiting his sister in Duncan Village.

"They asked me about a certain Williams who they alleged was a 'comrade' who had just arrived in the area. I said I did not know him.

They then asked him about the dead policeman but he denied any knowledge of the murder.

"They did not want to listen to me. They assaulted me. I escaped by running to a bedroom and locking the door.

"The doctor examined me and told me that I had fractured one of my left ribs," he said.

The officer commanding, Warrant Officer Willem Wolmarans, denied any knowledge of the assaults by the police guards, but said he would be investigating the matter.

He said his records showed no arrests made by them on the day in question. — Elnews.

CMG Times 9/5/87 (25) 251

Pupils arrested at Athlone school

By CLARE HARPER

AT LEAST eight people were arrested at Cathkin High School, Athlone, yesterday during the fourth day of continuing unrest on the Cape Flats

Last night a spokesman for the Bureau for Information said police were adamant that only eight people had been arrested, contrary to claims by teachers that 12 people had been taken into custody following disturbances at the school. No names of the arrested were given by the authorities.

Police also totally denied allegations from teachers that sjamboks had been used against the pupils.

A youth was taken by friends to hospital where he received six stitches for a head wound following police action at the school.

The principal, Mr H P Joubert, said police entered the school grounds and sjambokked pupils yesterday morning after he closed the school when it appeared pupils would not attend classes.

Mr Joubert said that among the six boys and six girls believed arrested were Janine van der Ross, 17, Jennifer Pietersen, 17, Gwen Beyers, 18, Chantelle Hendriks, 17, Amelia Fagan, 17, Karen Barthus, 16, Sedick Hill, 18, Michael Bester, Eric Manyale, 18, Samuel Lee, 17, and Louis Ross, 21.

Teachers said passersby and at least one parent who arrived at the school to collect her children were "taken away".

A teacher, returning from the police station where the pupils were held, said he was told the boys would be detained under the emergency regulations.

The bureau spokesman said that according to police "What happened there is that the police asked the headmaster for the names of instigators attempting to prohibit attendance of classes by pupils."

"Eight people were arrested. There was no action with sjamboks at all. However, at 10 39 a group of children stormed a police vehicle and stoned it. A round of birdshot was fired into the air and the children fled."

"At 10 45 children stoned a private lorry and again a round of birdshot was fired into the air and the group dispersed. Police absolutely deny that they used sjamboks at any stage during the incident."

disclosed, and case records were sealed

CAP. Timp's 9/5/87 251
Minister to pay R15 000

JOHANNESBURG — The Minister of Law and Order was ordered by Mr Justice Van Zyl in the Pretoria Supreme Court to pay R15 000 to the father of a black schoolgirl who lost the use of her right eye during police action in Soshanguwe in 1985. Evidence before the court by Mr A Manganye, who claimed R20 000 from the minister, was that his daughter, Miss Helen Manganye, was "wrongfully and unlawfully assaulted by a member or members of the South African Police Force on June 5, 1985 at Wallmanthall High School, Soshanguwe".

ARGUS 11/5/87

WRITE TO: The Editor, The Argus,
PO Box 56, CAPE TOWN, 8000

Letters

'Police presence provoked students'

IT was with both interest and despair that I read the letters in response to "Violence" at UCT (The Argus, May 6)

From the tone of the letters, it seemed that the blame was placed entirely upon a "violent minority" of students. But have the writers of these letters stopped for one minute to consider the nature of the demonstrations?

Students at UCT began to physically express themselves politically in 1985 by

holding pickets on De Waal Drive.

This entailed the display of placards with written political messages to express their individual views on South Africa's present situation

In response to this, the South African Police made their presence felt by lining themselves opposite the students with their sjamboks in one hand and beating with the other.

The point is this. Admittedly some students did

throw stones, but had the police not turned up and made their presence felt, aggressively, would the demonstration have turned violent?

R. Pentecost stressed in his/her letter that "the purpose of a student is to study"

To use a rhetorical example, could you have told a student at an American university during the Vietnam war to concentrate only on his studies and not to demonstrate against US involvement in Vietnam when it

was the student who would have to go and fight in Vietnam? No

Then how can you tell politically aware students not to demonstrate against the injustices of the state when it is against them that these injustices are aimed? Here I refer specifically to the black students (though if certain white students feel solidarity with them, that is their freedom of choice).

The sole aim of student demonstrations, to the best of my knowledge, is to ex-

press their views to a basically ignorant society.

I strongly believe that these demonstrations would have remained entirely peaceful were it not for the

forceful police presence

It is state repression that is violent, not student expression

POLITICALLY AWARE
Pinelands

Father seeks probe into girl's death

Cape Times 11/5/87

251

Mr Koos Patel

Staff Reporter

THE father of a 16-year-old girl who was killed when she was put in the back of a police truck with 17 male prisoners desperately wants an inquiry into the circumstances surrounding his daughter's death — but doesn't know who to turn to

Mr Koos Patel of Bredasdorp yesterday spoke to the Cape Times after Stanley Hansen, 28, also of Bredasdorp, was given a double death sentence in the Circuit Court in Swellendam last week.

Hansen was found guilty of killing Miss Emily Patel on December 22 last year, and a former girlfriend of his, Miss Geraldine Sauls, earlier in December after she had jilted him

He told the court that he had vowed to kill the next woman he saw and when Miss Patel was put in the back of the truck with him and the other

prisoners, "I decided I was going to kill this woman"

After sentencing Hansen, Mr Justice G Friedman ordered that a copy of the judgment be sent to the head of the police for investigation

Miss Patel was put in the back of the police van after she had been sentenced to 20 days or R20 for disturbing the peace in a Bredasdorp squatters' camp

She could not pay the fine and was being transported 50km to Caledon where she was to have been put in prison

She was put into the truck with the male prisoners where Hansen forced her to strip naked before stabbing her 45 times with a scissors blade.

"The police should be held responsible for my girl's death," Mr Patel said

"I know this, but I don't know who to turn to"

Police allegations are 'absurd', says Cosatu

Sometun 11/5/87 (SE) (SE) (SE)

THE Congress of South African Trade Unions has rejected as "absurd and nonsense" claims made by police that railway workers may have been murdered inside Cosatu's Johannesburg headquarters.

Cosatu said the bombing of its headquarters last Wednesday night "shows that those who are eager to accuse us — wrongly so — of using violence, in reality condemn violence only selectively."

The organisation added that the allegations were made to discredit it and portraying it as a bent on violence and intimidation, thereby clearing "the air for State action against the body."

Utter nonsense

"To suggest that killings or even torture had taken place in the building without the knowledge of the officials is without doubt utter nonsense. If they are suggesting that

our leadership was aware of the alleged incidents, then we challenge them to prove this in court.

"It is clear that whoever planted last week's bomb intended to destroy the building completely," Cosatu said in a statement.

The organisation added that Cosatu House (their headquarters), has never been a closed and secretive building "unlike John Vorster Square."

Jimmy
Kruger
dies

251

Sowetan
11/5/87

FORMER Minister of Police, Justice and Prisons, Mr Jimmy Kruger, has died.

He died at his home in Irene, near Pretoria. Mr Kruger (69), had heart surgery a month ago. In 1977, he ordered the closure of the **World** and **Weekend World** newspapers.

Detained

During this period, scores of black political leaders were detained.

During the same year in September, he was at the centre of a storm when he said the death in detention of Black Consciousness leader, Mr Steve Biko, "leaves me cold".

11/6/87 12/5/87 (251) ~~11/6/87~~

Court told of teargas ordeal

Staff Reporter

TWO people who are suing the Minister of Law and Order for damages told Wynberg Civil Court they coughed and fell when police fired teargas at a Cosatu May Day rally at the Zolani Centre in Nyanga last year

Mrs Zora Mehlomakhulu is claiming R500 and Mr Rodrigo Nunes, co-ordinator of the Movement of Christian Workers, R200 over the ill-effects of teargas and for loss of human dignity.

Mrs Mehlomakhulu said yesterday she felt as if she was dying when she succumbed to teargas fumes inside the centre

She said: "About 5pm, after the rally, members of the audience were asked to leave in an orderly manner. Suddenly there was a blow which came through the front door

"People started screaming and rushed for the back door

"I am an asthma sufferer and my chest closed. People tried to drag me to the door but they were in a bad way and couldn't help much

"Then someone washed my face under a tap outside

"We moved off between the houses but a Casspir followed firing more teargas"

Mr Nunes said the teargas inside the hall was like a thick fog.

"I was coughing and disorientated. I was just trying to stay conscious.

He said he had symptoms similar to those of flu for more than a day after the rally.

Photographs taken by Cape Times journalist Tony Weaver, showing scattered chairs inside the centre after the audience had fled, were handed in as exhibits.

Mr Weaver said there were about 1 000 people in the hall and about 1 000 more in three distinct groups outside

The smallest group, about 200 youths, were dancing, or *tor-toing*, in the street outside

RELAXED

There were armed soldiers and policemen outside, as well as parked Buffels and Casspirs

He said: "There seemed to be a fairly relaxed atmosphere.

"Then, when one of the police vehicles moved, a single stone was thrown at it.

"Immediately the security forces took up a position, some standing and some kneeling

"An order for the crowd to disperse was given. About two minutes later police fired five or six teargas canisters at the youths in the street"

Then, he said, police fired the largest volume of teargas he had seen towards Zolani Centre

He said between 30 and 40 teargas canisters could have been fired in the next 20 minutes

"People were streaming out of the hall. Pandemonium reigned

The hearing was postponed to May 25.

Cape Times 12/15/87
251

'Passion' over mosque incident — four guilty

By SHAUNA WESTCOTT
Supreme Court Reporter

RELIGIOUS passion about the desecration of a mosque diminished the moral blameworthiness of four young Muslims found guilty of murder, the Supreme Court ruled yesterday

The four are two pairs of brothers — Nazir and Sayed Bhawoodien of Athlone, and Moegamat and Nazeem Abrahams of Bonteheuvel. A fifth accused, Mr Rushdien Abrahams of Mitchells Plain, escaped from a prison van last month and is still at large

The four originally pleaded not guilty to charges of murder, attempted murder and robbery but changed their pleas at the end of the State case

Nazir Bhawoodien admitted organizing a "mission of justice" whose aim was to obtain guns with which to defend mosques from violation after becoming "terribly upset" at a report in the Cape Times describing how police desecrated the Park Road mosque by entering it with their boots on

The other three admitted joining him in this mission which the defence described as "ill-conceived and bungled"

The victims of the mission were two security guards on duty outside the Lincoln Tavern in Belgravia Road, Athlone, on November 30, 1985 — the day the report appeared in the Cape Times

One of them, Mr Frank Joseph, died. Another, Mr Roslin MacDonald, was wounded, as were two of the accused who "shot each other in the heat of the moment and in all probability shot themselves", as the defence put it.

Finding that there were extenuating circumstances to the murder of Mr Joseph, Mr Justice M R de Kock said the accused proceeded on "this ill-advised mission of justice" with their passions inflamed by the newspaper report

They acted as a direct result of their strong religious feelings about the desecration of the mosque — and partly under the influence of others. These factors diminished their moral blameworthiness, "especially with regard to the fact that it was not a planned murder"

The four will be sentenced tomorrow

Mr W S O'Brien and Mr R Lewin were assessors. Mr A de V la Grange prosecuted. Mr D de la Hunt and Mr S Desai, instructed by E Moosa and Associates and Y Ebrahim and Co, appeared for the four

Minister sued for teargassing and 'humiliation'

CAPE TOWN — An official of the Christian Workers Movement told the Wynberg Civil Court yesterday he thought he was going to die after a peaceful May Day rally in Nyanga East had been "unnecessarily disrupted" by a cloud of teargas that caused chaos

Mr Rodrigo Nunes was giving evidence in the case in which he and Mrs Zora Mehlomakhulu are suing the Minister of Law and Order for R200 and R500 damages respectively for suffering the ill-effects of teargas and for "humiliation" caused at the meeting in the Zolani Centre Hall on May 1 last year.

At the meeting speeches were made and dancing and singing had taken place, Mr Nunes said. "There was no tension in the hall, which was jam-packed."

After an announcement that buses would take people to a meeting in Mitchells Plain, he heard what he thought were shots

"I then experienced a sudden thick smoke coming at me from the stage and the hall went very dark. I was disorientated and did not know what to do."

"People were pushing chairs over and screaming as they tried to get away. I had a burning sensation right into my lungs and was preoccupied with staying conscious. The teargas would not have been so bad had it come from outside."

Mr Tony Weaver, deputy news editor at *The Cape Times*, said he had been assigned to cover the rally.

He said he saw a stone being thrown at one of the casspirs present.

Soon after, the police gave an order to disperse, and then fired about 5 to 6 teargas canisters at youths in the street outside the hall. Then about 30 to 40 canisters were fired directly at the hall, he said.

The hearing was adjourned to May 25 — Sapa

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Police agree to hand back film

DURBAN. — Police have agreed to return nine unexposed rolls of film confiscated from Durban freelance photographer Mr Billy Paddock, who was arrested during two student protests in Durban last week, following an urgent application in the Supreme Court yesterday.

Mr Justice D. L. L. Shearer ordered that argument be heard next Thursday on whether other exposed rolls should be returned.

Counsel for Mr Paddock and the Minister of Law and Order further agreed that should a dispute arise on which of the 13 rolls are unexposed, the rolls in dispute will be subjected to chip tests in the SAP laboratory in Mr Paddock's presence — Sapa

CAC Tervis
14/1/82

16 years' jail for Muslim brothers

Staff Reporter

TWO pairs of Muslim brothers, the Bhawoodiens of Athlone and the Abrahamses of Bonteheuvel, were all sentenced yesterday to 16 years' imprisonment

Nazir and Said Bhawoodien, aged 29 and 22, and Moegamat and Nazeem Abrahams, aged 22 and 26, were found guilty in the Supreme Court on Monday of murder with extenuating circumstances, attempted murder and robbery

Originally there was another accused in the trial, Mr Rushdien Abrahams, 29, of Mitchells Plain, but he escaped from a prison truck on the way to court

Nazir Bhawoodien admitted organizing a "mission of justice" to get guns from security guards on November 30, 1985. They intended to use the guns to defend mosques from "desecration"

'Shoot-out'

As a result of the mission to get guns, a security guard who was on duty outside the Lincoln Tavern in Belgravia Road, Mr Frank Joseph, died in a shoot-out, and another guard, Mr Roslin MacDonald, was wounded

Mr Justice M R de Kock emphasized that the robbery had not been committed for personal gain, and that religious fervour had played some part

Each of the accused was sentenced to eight years' imprisonment for robbery, 12 years for murder, and nine for attempted murder

Two of the eight years and seven of the twelve would run concurrently, he ruled. Nazir Bhawoodien and the Abrahams brothers were also sentenced to 18 months' imprisonment for illegal possession of arms and ammunition, but this too will run concurrently with the other terms of imprisonment

The assessors were Mr W S O'Brien and Mr R Lewin. Mr A de V la Grange appeared for the State. Mr D Delahunt and Mr S Desai, instructed by E Moosa and Associates and Y Ebrahim and Co, appeared for the Bhawoodiens and Abra-

Police, Sats deny 'smear campaign'

By Mike Siluma ~~STP~~ 14/5/87

The police and the South African Transport Services (Sats) have denied "colluding" with the SABC in a smear campaign to pave the way for State action against the Congress of SA Trade Unions (Cosatu).

Reacting to Cosatu allegations that the three agencies were involved in a campaign to discredit the federation, the Commissioner of Police, General Johan Coetzee, said: "The SAP acts strictly within the framework of the law, does not wage campaigns of any nature against anyone and operates on available evidence."

Cosatu had also claimed that three people alleged by police to be suspected "trained terrorists" and arrested during the first Cosatu House police seige had subsequently been released without being charged.

A spokesman at police headquarters said today that police do not confirm the release of people. The Star was welcome to trace the three people and speak to them if it wished, he added.

The SABC's senior director, news, Mr Sakkie Burger, said today the corporation would only comment fully after studying the contents of a telex it received from Cosatu's lawyers.

Earlier Mr Burger said he would not say why SABC camera crews frequently focused on the graffiti outside Cosatu House.

"The logical thing is it's right at the entrance of the building and when you film the entrance of the building you get that shot" The graffiti, reading in part, "Enter for Torture", is painted next to the front door and on a side wall of the building.

A Sats spokesman denied there was a campaign against Cosatu from the Government's side.

"There are facts being investigated by the SAP that Cosatu has been involved in the intimidation and murder of our workers. We have witnesses who have been assaulted inside Cosatu House," the spokesman said.

The spokesman said Sats would never attempt to smash the labour movement as it had 10 "independent" unions within Sats. "We would be the last to smash any labour movement."

Replying to its alleged attempts at discrediting Cosatu by linking it to the ANC and SACP, the spokesman said there was evidence of Cosatu's support for the ANC "through their own pamphlets"

~~Cape Times 14/5/87~~
Principal speaks

Staff Reporter

THE headmaster of Cathkin High School, Athlone, yesterday issued a statement clarifying events at the school on Friday last week, which led to the arrest of eight pupils

The Cape Times quoted a spokesman from the Bureau for Information saying that "What happened there is that the police asked the headmaster for the names of instigators attempting to prohibit attendance of classes by pupils"

Mr HP Joubert said yesterday "I wish to make it clear I did not give any names to the police. The police visited my office and asked for names, which I refused to give"

Mr Joubert added that the last of the eight arrested pupils was released on Saturday, and that three boys had appeared in court on Monday and were released into the care of their parents

Former 'kitscops' tell of 'false' recruitment

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South
14-19/87

By VUYO BAVUMA

TWO men claim they were misled into joining the controversial "kits-konstabel" force after being offered jobs as security guards at Escom.

Mr Monde Siqoto, 28, of Guguletu, and Mr Sidney Vuso, 30, of Khayelitsha, said they were surprised when they were subsequently drafted into the force and told they would assist in "curbing unrest".

A police spokesman said, however, the men were former special constables who "could not make the grade".

Pressure

Siqoto, a father of one, resigned from the police force less than a week after completing the training course. He said his family pressurised him to quit.

In February this year he also escaped injury and possible death when a group of youths, believing he was still a "kits" cop attempted to "necklace" him. His sister and other relatives intervened to save him, he claimed.

Vuso, a father of two, left in the fourth week of the training course.

Mr Siqoto, who had been unemployed for four years, claimed he was recruited "under false pretences" at the Cape Provincial Administration offices in Nyanga in October last year.

"The officials registered our names and said we would be employed as security guards in remote areas guarding Escom property. We boarded vehicles of a security firm and went to a camp at Koeberg where police and army people were present



Mr Monde Siqoto
Picture: FANIE JASON

field for an hour and sometimes racist remarks were made by the instructors. This made me dislike the job."

He said after six weeks their group of 62 was placed at Nyanga police station.

Angry

"When I returned home with my rifle and baton, my family was very angry. They explained to me the risks of being a "kits" cop during these turbulent times in the country. They advised me to take back all the police's belongings," Siqoto said.

He was paid R140 during the training after deductions for food. He also received R43 for four

days he had served as "kits" cop before his resignation.

Vuso, who was unemployed for two years, had a similar story.

"After being recruited at the Nyanga offices of the CPA as a security guard, I was shocked to discover that it was, in fact, police work," he said.

'Second wife'

Vuso said he left the training camp after four weeks because he could not stand working with a gun.

"Our training instructor said the gun will be my 'second wife'. But the idea of using a gun against my people was too much for me. I was allowed to leave when I told them I could not continue with the course because my wife and children were sick," Vuso said.

The two men are now unemployed and are looking for jobs.

The Deputy Commissioner of Police (Riot Control) commented as follows: "The allegations are nothing but a pack of lies by embittered ex-special constables who could not make the grade."

Mr Sampie Steenkamp, liaison officer of the CPA Community Services, formerly the Administration Board, said "Community Services are not involved in the recruitment of special constables. The police merely used our facilities."

"This has stopped now that the police have their own facilities at Nyanga police station," he said.

Unrest

"We were told for the first time what our recruitment was all about. We were told that we would be armed to help curb unrest," Siqoto said.

The training consisted of drilling, target shooting and basic police theory.

"We were divided into groups of 24. We used to wake up at 4am, prepare our rooms and have breakfast. We did physical training from about seven to 10am. In the afternoon, we were taught basic police law."

Communists

Siqoto said they were told one of their duties was to curb unrest being perpetrated by "communists wanting to take over the country."

"We were also told to guard delivery vehicles entering the township and protect schools against arsonists," he said.

"In the third week we were taken to a shooting range where we were taught the use of arms," he said.

He claimed they were sometimes insulted during the training sessions.

"We were made to do press-ups, run around the

Cape Times 15/5/87
Ex-cop loses appeal *(251)*

BLOEMFONTEIN. — John Edmund Howard, who was a lance sergeant in the Durban West Anti-riot Unit, has been refused leave by the Appeal Court here to appeal against his eight-year sentence for culpable homicide and assault with intent to do grievous bodily harm during unrest at KwaDengesi February 9, 1986.

SAP denies anti-Cosatu campaign

DD 15/5/87

(S)

JOHANNESBURG — The South African Police (SAP) have denied allegations by Cosatu that the police have been involved in a campaign to discredit the labour federation

The Commissioner of the SAP, General Johann Coetzee, said "The SAP acts strictly within the framework of the law, does not wage campaigns of any nature against anyone and operates on available evidence"

South African Transport Services (Sats) also denied allegations made by Cosatu that Sats was involved in the campaign

Cosatu had said in a statement that a campaign aimed at smashing the labour movement was being conducted by the government and co-ordinated by the SABC, Sats and the SAP

A spokesman for the labour federation charged "There is a concerted propaganda smear campaign against Cosatu which the government wishes to use to smash the democratic trade union movement"

"There is no campaign against Cosatu from the government side," a Sats spokesman said.

"There are allegations being investigated by the SAP that Cosatu has been involved in the intimidation and murder of our workers. We have witnesses who have allegedly been assaulted inside Cosatu House," the spokesman said

The spokesman said Sats would never attempt to smash the labour movement as it had 10 "independent" trade unions within Sats

"We would be the last to smash any labour movement."

The senior director of news for SABC-TV, Mr Sakkie Burger, said a general response to allegations by Cosatu against the SABC was still being reviewed

Asked why SABC camera crews frequently focused on the graffiti outside Cosatu House, Mr Burger said "I can't tell why but the logical thing is it's right at the entrance of the building and when you film the entrance of the building you get that shot"

The graffiti is painted next to the front door and on a side wall of the building

Mr Burger said he did not know whether any on-the-air rebuttal was being sought by Cosatu to statements made by the Minister of Transport, Mr Eli Louw, about the union federation being linked to the ANC

"That is part of the whole issue being investigated," he said — Sapa-AP



DATE TIME 15/8/82

Group cops not new police

JOHANNESBURG — A police unit to investigate contraventions of the Group Areas Act had been in existence for years and was not part of an alleged "crackdown" on offenders, a police spokesman said yesterday.

He said the number of members of the unit had in fact diminished since its formation in the 1970s and its activities had been confined to investigating complaints received from the public.

The police had a duty to investigate all reports and complaints, he said.

"Speculation about the unit being used for a crackdown on Group Areas Act offenders is nonsense," he said.

Referring to reports that a building in Johannesburg was to be sold because it contravened Section 41 of the Group Areas Act, he said he had not yet been able to establish the correct facts regarding the incident but would be in a position to comment "at a later stage". — Sapa

Latter-day Daniel

'Police bid' to crush Cosatu

CAPC TRIPS
15/5/87

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THE biggest labour federation in South Africa, the Congress of South African Trade Unions (Cosatu), has accused the police of mounting a nationwide campaign against union activists.

A Cosatu spokesman, Mr Frank Meintjies, said police this week detained 40 union officials without charge, ran six shop stewards out of a rural town and burned union publications.

He said unidentified attackers vandalized equipment in a South Coast union office and torched another nearby.

This follows a statement by the chief executive of the Shell oil company, Mr John Wilson, who said: "There is a transparent attempt to crush an increasingly powerful government opponent. We must come to our senses before it is too late."

Six shot dead

In the past month, police have shot and killed six Cosatu members on strike and repeatedly searched the federation's headquarters in Johannesburg, seizing documents and publications.

The building was hit by two bombs on May 7 in an attack that shattered foundations and an elevator shaft.

Cosatu lawyer Mr Peter Harris charged earlier this week that a union organizer was taken into the bombed-out basement of the building by police who chained him to a metal railing and assaulted him.

"We are still gathering news of arrests and attacks on our members and their offices around the country," Mr Meintjies said.

"There is a clear pattern of action across the country that indicates the powerful forces rallied against us."

Mr Meintjies said Cosatu, which represents about 600 000 workers in mining, industry, commerce and agriculture, was being targeted in a right-wing government crackdown.

"It is all part of the repression surrounding last week's white election. President P W Botha said he got a mandate to crush the democratic movements, but we reject that white vote."

"We say we have a mandate from our members to fight for a living wage and

for recognition of our union rights," he said.

Mr Meintjies said police detained more than 40 members of Cosatu's South African Railways and Harbours Workers' Union (SARHWU) in Bloemfontein on Monday and were still holding them without charge.

In Kroonstad, near Johannesburg, police held six shop stewards for questioning, forced them to burn union publications and then transported them to an out-of-town highway and told them not to return.

Offices vandalized

He said offices in East London were vandalized by unidentified attackers who smashed a word-processor, torched an office and destroyed publications.

He said there had been similar police and independent action against Cosatu in Welkom, Kimberley and other smaller towns.

"Some of the measures against us are lawful in terms of last year's state of emergency, others are totally outside the law. We are in touch with our lawyers to fight wherever we can," he said.

'Don't harass people'

The South African Police public relations division replied yesterday: "The police deny that they act against people simply because of their affiliation to a specific body or organization, but because there is good reason to suspect that a crime has or is about to be committed."

"We deny that we harass people. When the SAP do take action, we are quite prepared to account for our deeds. When, for example, the six Cosatu members were killed, this office confirmed the incident and explained the circumstances which had given rise to the shootings."

"As regards the other allegations, we again repeat what we have stated many times in the past that any person who is of the opinion that he has a legitimate complaint against the SAP is welcome to lodge his/her complaint (in the form of a written affidavit) with the SAP through any one of the existing recognized channels and the complaint will be thoroughly investigated." — Staff Reporter and UPI

CAPL Times 15/15/87

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Police take over unrest reporting

By ANDRE KOOPMAN

THE Bureau for Information today stops being the government's mouthpiece for unrest news under the state of emergency

And the Interdepartmental Press Liaison Centre — created to channel media inquiries concerning possible transgression of press-gag measures under the emergency regulations — will be scrapped today since it was "largely superfluous", the Bureau for Information announced last night

From today the responsibility for the daily unrest report and for inquiries concerning unrest would revert to the South African Police Public Relations Division

Unrest-related incidents had "declined significantly over the past six months" and "virtually all these incidents fall within the sphere of SAP responsibilities", the bureau said

"In practice it was found that the media prefer to follow the advice of

their own legal advisers with regard to this matter, or to request clearance directly from the department concerned, which rendered the IPLC largely superfluous

"In recent weeks an average of only two reports per day were referred to the IPLC

"The long-term analysis of unrest-related statistics will, however, remain the responsibility of the Bureau for Information," the bureau said

PFP spokesman Mr Peter Soal welcomed scrapping of the IPLC

He said the two agencies were responsible for filtering information and "hampering free flow of information" The bureau should be scrapped altogether as it acted as the National Party's "propaganda machine"

Ms Pat Sidley, national chairman of the South African Society of Journalists, said developments concerning the two "censorship agencies" were bound in some way "yet to be revealed" to be an attempt to further restrict flow of information

Teargas: Two sue Minister

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CP Press
17/5/87

CP Correspondent

TWO Cape Town people who were part of a crowd of people teargassed at a May Day meeting last year are suing the Minister of Law and Order for damages for the ill-effects of teargas and loss of human dignity.

They told the Wynberg Civil Court this week that they coughed and fell when police fired teargas at a Cosatu May Day rally at the Zolani Centre in Nyanga last year.

Zora Mehlomakhulu is claiming R500 and Rodrigo Nunes, co-ordinator of a movement for Christian workers, R200 for the ill-effects of teargas and loss of human dignity.

Mehlomakhulu told the court she thought she was dying when she was overcome by teargas fumes inside the centre.

She said "At about 5pm members of the audience were asked to leave in an orderly manner. Suddenly there was a blow which came through the front door.

"People started screaming and rushed for the back door.

"I am an asthma sufferer and my chest closed.

"People tried to drag me to the door, but they were in a bad way and couldn't help much.

"Then someone washed my face under a tap outside.

"We moved off between the houses, but a Casspir followed, firing more teargas."

Mehlomakhulu, who acted as an interpreter at the rally, said her forehead was swollen afterwards.

Nunes said the teargas inside the hall was like a thick fog.

"I was coughing and disorientated. I was just trying to stay conscious," he said.

He said that he had symptoms similar to those of flu for more than a day after the rally.

Cape Times journalist Tony Weaver told the court there were about 1 000 people in the hall and about 1 000 more in three distinct groups outside.

The smallest group - about 200 youths - was dancing, or to-toung, in the street outside, he said.

He said there were armed soldiers and policemen outside, as well as parked Buffels and Casspirs.

There seemed to be a fairly relaxed atmosphere. Then, when one of the police vehicles moved, a single stone was thrown at it. Immediately the security forces took positions, some standing and some kneeling.

"An order for the crowd to disperse was given. About two minutes later police fired five or six teargas canisters at the youths in the street," said Weaver. Then police fired what was the largest volume of teargas he had seen in the direction of the Zolani Centre.

He said between 30 and 40 teargas canisters could have been fired in the next 20 minutes.



Police raids 'were not pleasant'

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some time
28/1/88

THE former chairman of Azanian People's Organisation in the Vaal denied an allegation that he conspired with the African National Congress, the South African Communist Party and the United Democratic Front to over-

By MANDLA NDLAZI in Delmas

throw the State

Mr Oupa John Hlomuka was giving evidence in his defence. He is one of the 19 men appearing before Mr Justice K van Dykhorst and an assessor

on high treason charges, alternatively terrorism, subversion and murder

The State alleges that they committed the offence during the outbreak of unrest in the townships on the Vaal in September 1984. They have all pleaded not guilty.

Led by Advocate George Bizos, SC, Mr Hlomuka said he was chairman of Azapo in the Vaal before his arrest. He denied on Friday that he conspired with the ANC, SACP and the UDF to incite residents to riot and revolt against councillors and the payment of the rent increases in the Vaal Triangle townships.

Mr Hlomuka also denied that he conspired with the Vaal Civic Association (VCA) and the Congress of South African Students (Cosas) to incite the residents against the councillors not to pay the rent increases.

He said in his opinion it was not illegal to tell people not to vote for councillors. He had never attended a meeting.

Mr Hlomuka said he became aware of the rent

increases when he was given a notice stating this in August 1984. He also read in newspaper reports about the council's intention to increase the rents, he said.

Mr Hlomuka said he himself told residents at a meeting that the increased rents should not be paid and that councillors' shops and garages should be boycotted.

Mr Hlomuka (33) earlier told the court that he was born in Evaton and grew up in Boipatong. He

recalled the days of the Sharpeville events in 1960 when he heard the sound of machine guns.

He also recalled the house to house night raids by police who were searching for people who did not have their names in the house permits and for those who were not employed.

Mr Hlomuka said the incidents were not "pleasant" and he formed an attitude and realised that black people were not justly treated under the law.

(Proceeding)

Cape Times

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Light evening meals, on the patio or indoors.

DEPTWA RD. NEWLANDS 644192

'Good guys' appeal jail terms

Supreme Court Reporter

"A HIGHLY distressing picture" and "a disastrous situation" were phrases used by a Supreme Court judge yesterday to describe events culminating in the holding of a "people's court" where two women were lashed 60 times with a sjambok.

Mr Justice L Rose-Innes was sitting with Mr Justice D M Williamson in an appeal brought by five people sentenced to jail terms for assault after admitting participating in the "people's court".

The five were among a group of 32 people originally charged with assault in the Wynberg Regional Court in September last year. Charges were withdrawn against all but six of the accused when the trial began.

The six admitted taking part in the "people's court" held in the Nyanga Art Centre in

November 1985. The outcome was that two sisters, Mrs Nompumelelo Sogiba and Mrs Nompundulo Ngununguni, were forced to lie on a table while they were each lashed 60 times.

The "court" was convened by people described as "the good guys" by Mr W I Downer for the State, an attitude apparently shared by Mr D O de la Hunt for the appellants, who was at pains to contrast this "court" with those convened by people allied with "the revolutionary communist onslaught".

According to the record, "the good guys" started out — with the blessing of Gugulethu police station commander Major Alwyn Burger — as a vigilante group called the Nyanga Youth Brigade. Their aim was to patrol the Nyanga area to prevent robberies and act against "the criminal element".

Believing they also had permission to extend their activities into the judicial sphere,

they began to hold court and were approached in this instance by Ms Thobeka Hanoyi, who claimed she was being harassed and threatened by the families of the two women who were subsequently whipped.

Ms Hanoyi told magistrate Mr M Marais that she took this step because complaints to the police had yielded no fruit.

Both she and another witness said the two women were not whipped as a punishment for harassment but for being contemptuous of the "court" by swearing continuously.

Mr Marais sentenced Ms Hanoyi to a fine of R500 or nine months in jail with a further one-year jail term suspended.

The other five accused, who brought yesterday's appeal, were given sentences described as "shocking" and "vicious" by Mr De la Hunt.

Mzwake Ndidimba, a 29-year-old actor who acted as the chairman of the "court", was

sentenced to five years with three suspended. Xola Jack, the 21-year-old "clerk of the court", was sentenced to five years with 3½ suspended.

Both these appellants were granted leave to amend their appeal to include conviction yesterday. Their appeal will be heard at a date arranged by the Attorney-General after referral to Mr Marais, who is to be "afforded an opportunity to elaborate on his reasons" for convicting them.

The other three — 28-year-old musician Simon Pasiya, 26-year-old epileptic Lawrence Sidayiya and 23-year-old hotel worker Ndimphe Kweza — were sentenced to five years, with half suspended.

Mr De la Hunt pointed out that all were first offenders and that they were charged with assault, not sedition.

Judgment was reserved. The five are on bail of R1 000 each. Mr De la Hunt was instructed by E Moosa and Associates.

Family allege policemen beat them

By Adele Baleta

The police say

A Soweto family allege they were beaten by 10 men at their home last week. Police have rejected claims by the family that their assailants said they were plainclothes policemen. Police say "it is unfair the SAP should be publicly subjected to such serious allegations against which it cannot defend itself until it has had the opportunity to investigate and evaluate the true facts."

A spokesman for the police public relations directorate said on Saturday "We reject the allegation that innocent, law-abiding citizens are being assaulted or abducted at random by members of the SAP
"We stress again that allegations of this nature should be embodied in affidavits and handed to the SAP for investigation
"The SAP cannot initiate an investigation solely on the strength of allegations made to a newspaper
"A copy of your telex is being forwarded to the Divisional Commissioner of Police, Soweto, for his attention"

The family says . . .

Ten men stormed a Diepkloof home in Soweto on Thursday night, brutally beat its inhabitants, including two children, then proceeded to cook a meal

Members of the family said the men told them they were plainclothes policemen.

Mrs Ellen Molo (33) and her brother-in-law Mr Joseph Mokoena (57) have been missing since they were taken by the men Mrs Molo's children — aged three and 11 — were left behind

Their father, Mr Joseph Molo — a contract plumber — has been away on business and does not know his wife is missing and that he has a ransacked house to come back to

Dora Molo (11) said "The door was open and the men came in. They didn't ask us anything. They went up to my uncle and started beating him"

"A white man grabbed hold of me. He pulled my hair and slapped me. He told me to 'talk', but I did not know what he wanted because I

became dizzy after he hit me," she said
"My mother and uncle were taken away from the men"

Dora and her younger sister Nkemeso (11) were treated by the president of the Soweto Civic Association, Dr Nihato Mollana, at his surgery on Friday.

Dr Mollana said Nkemeso had been slapped across the abdomen "The older child's white face is swollen, both her eyes are red and puffed and her back is severely bruised," Dr Mollana said

Mr Mokoena's sister, Mrs Esther Molo, said she arrived at the house after being alerted by neighbours

"When I arrived, two men were guarding the house with rifles. They told me they were policemen. There were six whites and four black
"They went inside, beat everyone up, took away my clothing, a film projector, typewriter, plumb line, tools and cigarettes," she said



Dora Molo (11) shows the bruises on her back after she and her sister Nkemeso Molo (3) were beaten last week by a group of 10 men. They say their Diepkloof home was ransacked by the men. Picture by Ken Osterbroek.

Shots fired at Eastern Transvaal school

By Sol Makgabutlane, Education Reporter

DET says

There was a shooting incident at Memeza Secondary School, in Mgwenya township, Waterval Boven, in the Eastern Transvaal, last week. Pupils have given The Star one version of the incident, while the Department of Education and Training, in Pretoria, and police have provided another.

Pupils say

Pupils say that on Friday May 8 a pupil, Sergeant Lukhele, was questioned by his white headmaster in connection with a missing tea flask, which had disappeared from the headmaster's office.

The principal handed Lukhele over to the police for further questioning.

Std 9 and 10 pupils were unhappy about this and decided to stay away from classes.

Pupils told The Star the headmaster ordered all pupils, on Monday May 11, to vacate the school premises.

As the pupils were going out of their classrooms, the headmaster opened fire on them, they claimed.

One boy, Chris Mazibuko (18), a Std 7 pupil, was said to have been hit in the forehead by a bullet.

As pupils tried to flee, the headmaster kept on firing, they claimed.

Three pupils, Phindile Nkosi (16), who is in Std 6, Sam Mdluli and a pupil known only as Ernest were injured.

These three were treated in hospital and discharged, while Mazibuko spent at least a day at Themba Hospital, in White River, receiving treatment.

Pupils are now demanding that the headmaster be dismissed. They say he walks around the school carrying a firearm.

Mr Peter Mundell, a spokesman for the Department of Education and Training, said there was a stone-throwing incident on Monday May 11 at Memeza Secondary School. Std 9 and 10 pupils refused to attend classes.

They then became unruly and attacked two private motor vehicles with stones, causing considerable damage.

The headmaster of the school (Mr Mundell said he did not have the man's name) repeatedly warned the children to disperse.

When the stone-throwing became severe, the headmaster returned with a shotgun and fired three warning shots into the air.

The children then left the school grounds. The following morning 150 pupils were threatened by Std 9 and 10 pupils and told they would be "marked" if they attended school.

The assistant director for that

area (Mr Mundell did not give the man's name) sent letters to all parents asking for their co-operation. The local school committee had decided that all Std 9 and 10 pupils would have to re-apply for registration at the school, with their parents.

A number of parents and their children had already applied.

Mr Mundell declined to say if his department allowed headmasters to keep firearms with them at black schools.

Police say

Police said "We confirm that there was a shooting incident as mentioned in your telex inquiry."

"However, the headmaster allegedly fired four shots into the air after he was threatened and stones were thrown when a group of Standard 9 and 10 pupils became unruly. According to our records, nobody was injured in the incident."

Search linked to recent blasts — SAP

Huge police raid on Hillbrow flats

8/5/ae was
154

Hundreds of policemen conducted door-to-door searches in the early hours of today in a massive raid at the predominantly black-occupied Highpoint complex in Hillbrow, Johannesburg, and on other premises.

Police said the raids on premises in Johannesburg and one in Soweto related to investigations into recent explosions and into alleged offences at Cosatu House and/or by Cosatu members.

A number of people had been taken in for questioning but it was not known if they were being detained. However, fears have been expressed that the Hillbrow raid could be connected to a Group Areas Act clampdown.

A spokesman for the owners of the building, Anglo American Property Services, said residents were apparently asked who they worked for and who signed their leases. The company said it was given no advance warning of the raid.

The swoop in the heart of Johannesburg's racially-mixed flatland left residents angry and mystified. Some said they feared the raid

could be related to the Government's new hardline approach to contraventions of the Group Areas Act, others said police told them they were looking for a criminal.

Residents interviewed on their way to work all said they had their flats searched. They said they were woken by police between 3 am and 4 15 am.

Nearly all of the residents interviewed said they were asked the identity and relationship of all persons living in the flat, which was afterwards searched to verify the answer.

Highpoint residents said that during the raid, searchers did not say what they were looking for, but some residents who questioned police were told the objective of the raid was to "locate a dangerous criminal suspect".

Some said they were told the raid was a routine one. One irate black man dressed in a business suit said police asked about the source of certain books and records, wanted to know why he had them in his possession.

Mostly polite

"They even looked under sofas," he said.

Most agreed the officers who questioned them were polite, but two tenants described the police as "very rude".

"They hammered on doors with their open palms and if you didn't open for them, they used their own keys," said the man in the business suit. "My door was on the chain and they used torches to look inside. When they saw me, I was ordered to take off the chain."

Another man said he refused to open his door until he was shown a court order. He was told a white woman accompanying the two black police officers had them in her possession, but if he did not open his door it would be broken in.

The Director of Constitutional Development and Planning, Mr J W Fourie, said he was not aware of the police action. He declined to comment further.

Wide protest at Highpoint and Wits searches

Police raids motive remains a mystery

Star 21/5/87 (251)

The motive for police raids at Hillbrow's Highpoint complex and University of the Witwatersrand residences in Braamfontein and Soweto in the early hours of yesterday is still not clear.

Police said yesterday the raids were connected to recent explosions and alleged offences at Cosatu House and to offences committed by trade unionists. A number of people were held for questioning.

However, organisations linked to or affected by the raids have connected them variously to a Group Areas Act clampdown, a "war on students" and part of a smear campaign aimed at the Congress of South African Trade Unions (Cosatu).

Cosatu called the raids "a further episode in the continuing smear campaign" against it and said the police statement was made without substantiation or proof.

"Not so long ago the public was told the Cosatu siege was to flush out 'terrorists', three of whom had actually been caught in the building. Later, Cosatu lawyers were informed that no terrorists had been positively identified."

Cosatu said the smear campaign was "a sophisticated plan to turn public opinion against Cosatu and to prepare the ground for further clamps on the organisation and its leaders."

"It is very convenient for police to name Cosatu or alleged incidents related to Cosatu for this huge raid."

"It is a clever way to deflect the anger of residents who had to endure a rude awakening without proper explanation."

Cosatu endorsed many Highpoint residents' belief that the raid was related to enforcement of the Group Areas Act.

The general secretary of the Council of Churches, Dr Beyers Naude, said the raid on Highpoint "and the veiled threats uttered by the State President in his opening speech in Parliament" made a mockery of Government assurances that the Group Areas Act would not be forcefully implemented.

Dr Naude said blacks, coloured people and Asians had nowhere to live. "Actions like this only aggravate the already polarised feelings of the community and create greater aggressiveness and anger," he said.

Dr Naude said Highpoint, owned by Anglo American Properties Ltd, was raided at about 4 am and every flat was visited. An SACC staff member living there was "accosted", he said, and her flat, documents and personal belongings were searched when she said she was employed by the SACC.

One of about 20 policemen making the search apparently said "This is the one."

Dr Naude said the woman was questioned about "Free the Children" stickers she displayed and was told to hand over all SACC and Kagiso Trust documents in her possession. She had none.

Checking numbers

The acting Vice-Chancellor of Wits University, Professor R W Charlton, said last night at least 13 students were held during raids on university residences in Soweto and Braamfontein and called on police to charge or release them.

He said the university was checking on how many students were in custody.

"Members of staff and students at Wits have been in detention without trial for more than 11 months and the university has continually called for them to be released or charged," he said.

"The university once again expresses its strongest protest at the latest detentions of members of its community and deplores the regulations which allow the police to detain individuals in this manner."

Professor Charlton said yesterday that police smashed two doors at Glyn Thomas House and harassed the warden.

"On his way from Soweto to the university this morning the warden of Glyn Thomas House, one of the venues raided earlier, was harassed by the police and forced to leave his car. He was made to get into a police car on the freeway but was later released."

Four students known to have been detained had since been released, Professor Charlton added.

Earlier the Black Students' Society said it knew of 14 students detained in the raids. Spokesman Mr Azhar Bam said the raids were "nothing less than an open declaration of war on our student body."

"This comes exactly two weeks after P W Botha received a mandate from the white electorate to continue with his reign of terror on our people. The detentions come barely hours after P W Botha accepted the mandate and promised to implement it."

He added "In the face of brutal repression we call on all our students nationally to close ranks and unite against the tyranny of this illegitimate government."

Mr Bham said those arrested in raids on Wits University residences included Mr Pascal Moloi, Mr Terry Tselane, Mr Mogo-motsi Modike, Miss Susan Nkomo, and Mr Gerald Nongauza — Staff Reporter, Sapa.

Police will probe assault claim

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2/15/87

By Mike Siluma

A Johannesburg truck driver, Mr Dick Tswidi, claims he and a colleague were severely assaulted by police and dumped in the veld at City Deep, not far from where police recently found the bodies of four "necklaced" railway workers.

The body of Mr Tswidi's colleague, Mr David Boale, was subsequently found in the Johannesburg mortuary.

When asked for comment on Mr Tswidi's allegations, the South African Police said they would not condone any unlawful acts by police and they wished to investigate Mr Tswidi's allegations thoroughly. They urged Mr Tswidi to furnish his information to them in the form of an affidavit.

Subsequent to the statement, Mr Tswidi has laid charges with police at John Vorster Square. Lawyers for Mr Tswidi and Mr Boale's family said yesterday that they were considering civil claims against the police.

Mr Tswidi says:

In an affidavit in The Star's possession, Mr Tswidi alleged that, on the evening of April 29, he and his assistant, Mr Boale, were walking home after work in City Deep, where he had parked his truck overnight, when they came upon three policemen, two white and one black, next to a police vehicle.

One of the white policemen, who was armed, asked the two men if they were railway employees and whether they were strikers. The men denied they were strikers, whereupon they were told to face the police vehicle and put their hands above their heads.

They were searched and the contents of their pockets inspected, said Mr Tswidi.

After inspecting the men's documents, one of the policemen agreed they were not railway workers. But they were then allegedly accused of being strikers who were trying to burn railway carriages.

Mr Tswidi alleges in his affidavit that he was then handcuffed to Mr

again questioned and, when they answered, accused of lying.

Mr Tswidi also alleges that he and Mr Boale were

- Beaten on their heads and hands with a wooden baton, hit with the butt of a gun and threatened with shooting

- Assaulted even after they had fallen to the ground, still handcuffed

- Driven to Kaserne police station where an attempt was made to wash off their blood

- Threatened with a dog to get them back into the police vehicle

According to Mr Tswidi, they were later driven around in the Kaserne area for some time. Then, starting with Mr Boale, they were each thrown out of the van at different points near Kaserne.

Next morning, Mr Tswidi was taken to Hillbrow Hospital in an ambulance after he had been found by people whose identity is not known.

Mr Tswidi, who had deep lacerations on his head, extensive bruises all over his body and a broken finger spent eight

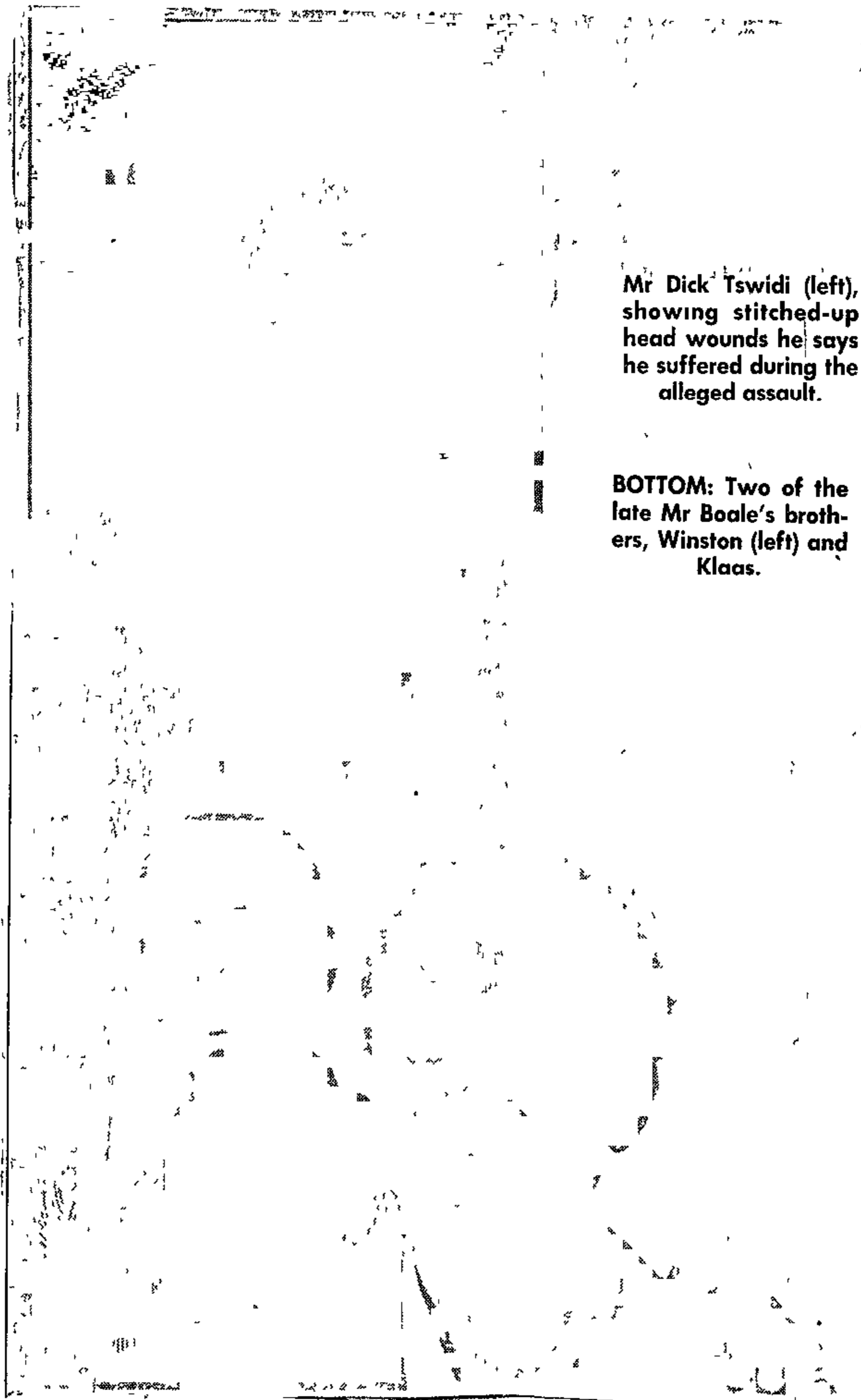
Police say:

Tswidi has made very serious allegations but it would seem that the affidavit was handed to you and not to the South African Police.

It is essential that such affidavits are made to the police as soon as possible after the alleged occurrence so that a speedy and thorough investigation can be made. After all, one of the duties imposed upon the police by law is the investigation of any offence or alleged offence (section 5(c) of the Police Act, Act 7 of 1958).

Mr Tswidi is advised to furnish his information, in an affidavit, to the police immediately as he appears to be a vital witness in what (according to his affidavit referred to by you) appears to be the murder of, or, some other offence resulting in, the death of Mr Boale.

The police will not condone any unlawful actions by its members and wish to investigate Mr Tswidi's allegations thoroughly. A copy of your telex is being forwarded to the divisional commissioner concerned for his infor-



Mr Dick Tswidi (left), showing stitched-up head wounds he says he suffered during the alleged assault.

BOTTOM: Two of the late Mr Boale's brothers, Winston (left) and Klaas.

Assault: Minister of Police to pay R4 500

CAPE TOWN — The Minister of Law and Order has agreed to pay a former Vredenburg policeman, who claimed he was assaulted by his senior officer, R4 500 damages and costs in an out-of-court settlement.

Mr George Taylor claimed he was assaulted for not showing up for duty. His jaw was fractured in two places.

He told the court the station commander, Lieutenant Johan Loubser, hit him with his fists. Lieutenant Loubser denied assaulting Mr Taylor — Sapa

(25) 5711 21518

Court goes to hospital

AN inspection in loco will be held at the Main Reef Hospital today where a quadriplegic who is suing the Minister of Defence, Mr Magnus Malan, for R134 000 is hospitalised.

The quadriplegic is Mr Wilfred Bongani Dladla, whose taxi was involved in an accident with a military vehicle in Vosloorus in 1984. He was paralysed from the neck down as a result of the accident.

An occupational therapist, Mrs Margaret Thompson, who testified before a Rand Supreme Court

judge yesterday, said Mr Dladla would need among other things, a specially modified car, two wheelchairs, and two reliable, intelligent, strong male attendants, who will turn him at regular intervals in his bed.

The court heard that the attendants would need R250 each every month for food and accommodation. The figure was obtained from the Black Domestic Workers Association. Mrs Thompson said Mr Dladla would need high protein food.

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Capl. Trunks 22/8/85
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Boy shot minister has to pay R3 000

Staff Reporter

A WYNBERG magistrate yesterday ordered the Minister of Law and Order to pay damages of R3 000 to the father of a boy shot by police while he was on the way to play the video game PacMan.

The child was seven years old at the time. He still has a birdshot pellet lodged near his heart and has suffered severe post-traumatic stress, according to doctors.

Evidence was that he and a friend were on their way to the Uluntu Centre in Guguletu about 6pm on February 19, 1985, when he was wounded.

Magistrate Mr W B Monk said three police witnesses — sergeants Janse van Rensburg and Tredoux and Constable Huisamen — “contradicted each other in many ways”.

‘Discrepancies in evidence’

He said the two sergeants clearly did not have good independent memories of the “incident”. Their description of events did not square with the description logged by the official recorder of their unrest-control unit.

The log describes the “incident” like this: “Action at NY108 against about 1 000 blacks (youths) who placed structures in the road and threw stones at vehicles”.

Mr Monk said that because of discrepancies in police evidence, “there are not enough objective facts for a finding that police acted in an emergency situation”.

The boy's father originally claimed R5 000 from the minister.

Mr L J Krige, instructed by the Legal Resources Centre, appeared for the boy's father. Mr D van Reenen, instructed by the State Attorney, appeared for the minister.

Members claim kidnapping, brainwashing

Police protection

for Indian MPs

Political Staff

Cape Town

The crisis in Indian politics in Parliament was moving to a climax today with Mr Amichand Rajbansi's National People's Party staring defeat in the face.

The crisis, which could see a political party defeated in a vote of no confidence for the first time since Union, could spark an election.

Members are changing sides daily amid claims of the kidnapping of an MP, brainwashing and intimidation.

Police spokesmen confirmed today the police have been called in to give MPs extra protection after allegations they were being threatened to take sides in the battle for the control of the House of Delegates.

Mr Amichand Rajbansi, his NPP staring defeat in the face.

If a vote of no confidence is approved, President Botha is likely to intervene either to appoint a new administration under the Opposition Solidarity party or call a general election for Indians.

MP Mr Narantuk Jumuna claimed yesterday he was being blackmailed into remaining loyal to the beleaguered National People's Party because of a killing he committed in Ireland 24 years ago.

In an exclusive interview at a hideout in a Cape Town hotel, Mr Jumuna accused NPP leader Mr Amichand Rajbansi of using the gruesome killing to put pressure on him.

A clearly upset Mr Jumuna, who had been in tears yesterday in the House of Delegates and had reacted angrily to insinuations made by Mr Rajbansi, rejected claims that he had been kidnapped or brainwashed by Solidarity.

He said he had told Parliament yesterday Mr Rajbansi had nearly driven him to suicide because of his use "of the tragedy in my life".

Referring to his conviction on a charge of manslaughter for killing his Irish girlfriend and chopping up her body, Mr Jumuna said "He hit me in my weakest spot".

Served three years

Mr Jumuna, who was studying medicine in Dublin at the time, served three years of a seven-year sentence in an Irish prison for the killing.

Earlier, Mr Rajbansi had issued a Press statement claiming Mr Jumuna had disappeared and saying "it is clear that Mr Jumuna is being brainwashed by some people who are determined at any cost to occupy ministerial positions".

The key to today's outcome in the vote on the no-confidence debate is the position of the four-member Progressive Reform Party.

Secretary of the Party, Mr Mamoo Rajab MP, said today it was likely to support Solidarity but members were awaiting a commitment that there would be a commission of inquiry into the wave of claims of corruption and misuse of power, particularly in education and housing.

Solidarity Chief Whip Mr Y Moolla said today the party had always been committed to a full investigation.

He rejected claims by Mr Rajbansi that Solidarity had kidnapped anyone "only to be released five minutes before Parliamentary sessions".

Suzman condemns police action at UCT

Parliamentary Staff *Argus 20/5/75*
SOUTH AFRICANS could expect "more oppressive measures, more rigid censorship and more ruthless suppression of dissension" following the election results, said Mrs Helen Suzman (PFP Houghton).

"From now on the emphasis of Government policy will be on security," she said yesterday in the debate on the motion of censure in the House of Assembly

"Any hope of relaxation of the fundamentals of apartheid can be abandoned"

More oppressive measures, rigid censorship and suppression of dissension would be the order of the day, she said

She warned that regulations declared invalid by the courts would be revalidated during this session of Parliament "When the Government loses in the law courts, it changes the law"

While she did not condone students who sought confrontation, Mrs Suzman condemned the actions of the police on the UCT campus

She had seen a video of the campus clashes — "no doubt the one which is the cause of the imminent deportation of the excellent ITV journalist Mr Peter Sharpe" — which all South Africans should see to make them realise "precisely what is going on in this country"

"The vindictive way in which the police waded into those youngsters with their quirts and teargas and birdshot made me feel physically ill," she said

A journalist's on trial. But it's the police under scrutiny

W/Mail 22-28/5/87
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By GAYE DAVIS

DEPUTY news editor of the *Cape Times* Tony Weaver, who appeared in the Cape Town Regional Court this week accused of publishing untrue information, may be joined in the dock by the people who brought the charges against him

If the allegations of three witnesses — that some of the men who died in a bloody Guguletu gun-battle with police last year were shot in cold blood — then the police “have actually committed murder”, said state prosecutor Selwyn Schrock.

The state alleges that Weaver contravened Section 27 (B) of the Police Act by falsely stating in a BBC interview that some of the men were shot in cold blood and that police planted Russian-made weapons on their bodies.

The weapons were planted, Weaver reported, so police could claim the men were African National Congress guerrillas.

Weaver has pleaded not guilty. He earlier had three similar charges against him, relating to *Cape Times* reports on the same incident, withdrawn.

In terms of the Act, the onus is on him to prove he had “reasonable grounds” to believe the statements.

Schrock made his comment while examining Weaver's colleague, Chris Bateman, a Zulu speaker who understands Xhosa and whose interviews with three men who claimed seeing the shootings formed part of Weaver's BBC interview.

Bateman described arriving at the scene soon after the incident and interviewing three residents of a hostel overlooking the scene at an intersection.

One witness said he saw police shoot a man in the head as he lay on the ground. Another said he had seen police shoot a man whose hands were raised in the air. A third witness said he saw police grab a man, take a pistol from his belt and knee him in the stomach before knocking him to the ground. Police in the distance had then shouted “Shoot him” after which three shots were fired at the man.

“The allegations made by these men are most serious,” Schrock said. “In fact, if they are to be believed, the police have actually committed murder.” Bateman agreed.

He also accepted Schrock's contention that there were sections of the black population “extremely ill-disposed towards the police”, who would “want to reflect the police in a bad light”.

Earlier, the court heard policemen describe how they set up an ambush after receiving information that a police transport vehicle, which crossed the intersection between 7 and 7.30 each morning, was to be attacked by people in a stolen mini-bus.

Major Dolf Odendaal told how a hand-grenade was thrown at a patrol van, drawing police fire in retaliation. After the shooting he saw one black man who had been fatally wounded, and another lying on the road on top of an AK47 and three magazines. A third lay nearby with a hand-grenade and yet another with a revolver.

He denied the incident was set up and that weapons had been planted.

In their evidence, police officers described firing at armed men. One hurled a hand-grenade at a patrol van, another “reached for his belt” as if to draw a weapon, a third ran across the intersection firing an AK47, was felled and then “made a movement with his hands”. Another man was running with an AK47. A fifth man shot at a police officer pursuing him, leading the policeman to fear for his life and fire two shots, one which “blew the man's face off”.

Weaver has told the court that when a BBC reporter telephoned him on the day of the shooting he gave the police version of the incident as Bateman's contradictory witnesses' reports had yet to be checked.

However, he related this information in an update interview the next day as the *Cape Times* had deemed it fit to publish.

Shots fired at police — Zinzi

MUDINI MAIVHA

Soweto council policemen who were cutting the electricity supply to houses in Orlando West yesterday were fired on near the home of jailed ANC leader Nelson Mandela, it was reported. But police deny the shooting took place.

Mr Mandela's daughter, Zinzi, who was at home when the policemen cut the electricity supply, said many shots were fired.

Lieutenant R W Olivier, a spokesman at the police Directorate of Public Relations in Pretoria, said investigations proved the shooting had not taken place and there would be no investigation unless a charge was laid.

Miss Mandela said the policemen arrived at her home "then we heard a number of shots being fired from the direction of a nearby hillock and school".

Mrs Winnie Mandela, Mrs Albertina Sisulu, Mrs Ellen Kuzwayo and Dr Nthato Motlana were last week threatened with eviction from their Soweto homes if they continued not paying rent.

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25-20/6/87
South

Two youths 'shot in back'

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By CHRIS GUTUZA

TWO youths claim they were shot in the back by police while walking to a house in KTC.

Martin Rodolo, 15, and Wiseman Vusumzi, 17, claim they were shot while walking from the Nyanga taxi rank to towards KTC. A third youth, Michael Apollis, was not injured.

"They just came at us from behind and opened fire."

Rodolo, a standard five pupil at Vukukhanye Higher Primary School, said from his hospital bed he had been blinded in his right eye by pellets. Pellet wounds were also visible on his back, neck and the back of his head.

His friend, Futshane was also shot with pellets. It penetrated his buttocks, testicles, upper left leg and his arms. Futshane is unemployed.

Rodolo said he and Futshane fell to the ground after being hit and that the third youth was surrounded by the police.

Apollis was left behind at the police station while the other two youths were taken to a Pinelands hospital early the next morning. Futshane was taken into police custody after being treated the same day. Rodolo is still in hospital.

The Police Public Relations Division said three people were shot at during an incident of public violence near the KTC bus terminus and that two were wounded by birdshot.

Charges of public against Futshane and Apollis were withdrawn in the Athlone Magistrates Court. But the SAP Public Relations Division said the three will be recharged.

R50 000 claim by RC priest

THE detained secretary-general of the South African Catholic Bishops' Conference, Father Smangaliso Mkhathshwa, is to claim R50 000 from the SABC and a Johannesburg morning newspaper

His legal representative, Brian Currin, confirmed that summons has been served on the SABC, claiming R30 000 and R20 000 from *The Citizen*

The claim arises from alleged wrongful broadcasts and publications with intent to defame Mkhathshwa

Mkhathshwa's claims follow radio and television news broadcasts and a report in *The Citizen* in May last year, dealing with his arrest on a charge of unlawful possession of arms and ammunition

Mkhathshwa issued summons against Meyer Johnson, editor of *The Citizen*, and *The Citizen* for an alleged wrongful report with the intent to defame him. The article concerned his arrest in connection with a charge of illegal possession of arms and ammunition

Mkhathshwa, 47, of the Soshanguve parish, was detained on June 14 last year, immediately after the start of the state of emergency. He is being held in Pretoria Central Prison

Five Supreme Court applications have been made in an attempt to secure his release, but all have been unsuccessful - Sapa

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Kitskonstables Kill Durban pupil

By SIBU MNGADI
INHILAKANIPHO High School pupil Bheki Phakathi, 19, became the first

Natal victim of the kitskonstables when he was fatally gunned down and 12 others wounded during a memorial

service at Kwamashu's JLDube High School last week.

The shooting, described as unprovoked by eyewitnesses, sparked off a class boycott at four local senior schools where pupils were due to start their half-yearly examinations. They demanded protection from education authorities against being allegedly terrorised by kitskonstables.

According to eyewitnesses, kitskonstables in blue overalls stormed prominent Clermont businessman and UDF supporter Zazi Khuzwayo's memorial service at the school

and told mourners it was "not a memorial service, but shit".

At the end of the service, pupils thronged out of the hall singing and chanting freedom songs. But they were confronted by kitskonstables who warned them to stop singing.

"There was an exchange of words between the two groups, but before we knew what was happening they opened fire.

"All hell broke loose as everyone ran for cover," said the eyewitness.

Three pupils were shot inside the school premises, it is alleged.

One was later transferred to Wentworth Hospital.

Their condition was described as "stable".

National Medical and Dental Association general secretary Dr Rob Dyer told City Press that his organisation received desperate calls for help from the scene of the shooting

An unrest report issued by the Police Directorate for Public Relations in Pretoria said: "One person was killed and another injured after shotguns were used to disperse a mob which had stoned a police patrol in Kwamashu"

The deceased's brother, Sithembiso, arrived at the scene of the shooting crying after being informed by a friend. He found his brother Bheki lying dead and surrounded by kitskonstables.

Kwazulu's Department of Education and Culture inspector MD Ngidi said that he had been instructed not to speak to the Press.

Three of the pupils injured were discharged from King Edward VII Hospital this week, while a fourth, Thami Lushaba, was recovering from a head wound at Wentworth Hospital.

251
CFR
24/5/87

Inquiry into alleged jail assaults

11645 26/5/77

The Argus Correspondent

PRETORIA. — The Commissioner of Police in Kwandebele has launched an inquiry into allegations of assault and on the conditions of jails made by three employees of the Star who were detained there.

Brigadier H C Lerm said today he was "shocked" to hear of the allegations which were presented in sworn affidavits at the weekend by an attorney representing the newspaper.

"We are investigating at top level. If they are true then they are gruesome. I immediately appointed a board of inquiry," he said.

Police silent on newsmen's assault allegations

No information could be obtained by The Star this morning on what official action was being taken after allegations of police assaults on detainees at the Kwaggafontein Police Station in kwaNdebele last week

Two Sunday Star newsmen and a driver for the newspaper last week witnessed a number of people, including young boys and girls, being brutally and repeatedly beaten by policemen manning the police station

The three were detained early on Wednesday while attempting to report on the commuting problems faced by kwaN-

debele workers and were held for three days

They afterwards signed affidavits which were handed to the office of the Commissioner of Police for kwaNdebele

for investigation. At the time, a spokesman for the commissioner promised an investigation and that action would be taken if the charges proved truthful

Mr Jon Qwelane, a se-

nior reporter, Mr Herbert Mabuza, a photographer, and driver Mr Sam Mathe were held with 31 other detainees in the police station

In their affidavits they said they saw seven de-

tainees being beaten with pick handles, boys and girls being forced to do push-ups and whipped with sjamboks and at least 10 detainees being punched, kicked, slapped and elbowed

(251) Star 26/5/87

Police van killing: New probe

CAP 7/10/75
251

By BARRY STREEK
Political Staff

A NEW investigation into the killing of Miss Emily Patel, 16, in the back of a police van has been ordered as a result of remarks made by the presiding judge of her murderer's trial, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday

Miss Patel was murdered while being transported with sentenced male prisoners in a police van from Bredasdorp to Caledon in December last year

Her killer, Stanley Hansen, was sentenced to death after being convicted of murder in a Supreme Court trial.

Mr Vlok, who was replying to a question which was tabled in Parliament by Mr Tian van der Merwe (PF, Green Point), said he sincerely regret-

ted the tragic death of Miss Patel.

"To prevent a recurrence of events of this nature and the joint transportation of male and female prisoners, strict instructions were issued since then"

He said after Miss Patel was detained on a charge of "riotous behaviour", her sister, who had been arrested for drunkenness and released on December 19 last year, was instructed by the police on the same date to inform her parents that a fine could be paid for her release

As a result of the presiding judge's remarks "further investigation is being launched" and "further steps will be considered after completion of the investigation"

Mr Vlok said two warrant officers, with 23 and 24 years' service, were responsible for the decision to transport Miss Patel with male sentenced prisoners

(29) ~~SECRET~~ 17/12/87 27/5/87

Burnt Alex woman was 'police sellout'

A "comrade" was beaten and burnt to death after she was exposed as a "sellout" working for the police, the Rand Supreme Court heard yesterday.

The evidence was given by an Alexandra resident, whose identity may not be revealed, in the trial of seven men and a youth, all from Alexandra, who have pleaded not guilty to treason and alternative charges of subversion and sedition.

The trial relates to a period of unrest in Alexandra between January and July last year.

Acted as courier

The witness said she knew Miss Theresa Maseko and thought she had joined the "comrades" at some stage in 1986.

Miss Maseko had acted as a courier for the United Democratic Front and the Alexandra

Youth Committee and had made speeches at a funeral in February in which she referred to the "comrades".

Later that month the witness saw Miss Maseko had a swollen face but refused to comment on it. Miss Maseko stopped work at that time.

Rumours circulated the township that Miss Maseko was an "mpiempie", or sellout, and that she was connected to a policeman.

On April 12 a crowd of about 150 gathered outside Miss Maseko's home and called for her to come outside. Members of the crowd entered the house and took Miss Maseko outside.

She was taken away in a bakkie.

The witness said she did not see her alive again and evidence heard on Monday revealed Miss Maseko died after being burnt and hacked about the head.

The hearing continues.

SA's top policeman to retire

Call Times 28/5/77

(257)



General De Witt



General Coetsee

By CHRIS STEYN

THE Commissioner of Police, General Johann Coetsee, will retire at the end of July, the Minister of Law and Order, Mr Adriaan Vlok, announced yesterday.

General Coetsee, 59, is to take up service in another State department.

The senior Deputy Commissioner of Police, Lieutenant-General H G de Witt, has been appointed as Gen Coetsee's successor from July 31.

Mr Vlok did not give details of General Coetsee's new appointment, but said that "an announcement will be made in due time by a (ministerial) colleague".

General Coetsee, who was born in Molteno, started his career in the Mounted Police at the age of 16.

He was later transferred to the CID, and became a noted stenographer with an ability to do shorthand at between 200 and 240 words a minute.

He joined the security police in 1954 and became known as a top-flight interrogator and a spymaster during the 29 years he worked there.

During that period he was responsible for several blows to the African National Congress and the South African Communist Party, including the running of undercover spies Gerard Ludi and Major Craig Williamson.

And Braam Fisher once said of him: "After the revolution, he will be my garden boy."

But Fisher, the brilliant Johannesburg advocate turned underground leader of the SACP, was ultimately unmasked by General Coetsee who infiltrated Secret Agent Q018 Gerard Ludi into the Communist Party.

General Coetsee will also be remembered for the bravery he showed when he walked unarmed into the bank during the Silverton siege in Pretoria. While inside, he dropped a miniature transmitter to monitor conversation among the terrorists.

Mr Vlok said General Coetsee had completed 41 years of faithful and worthy service, and deserved his well-earned retirement.

"The SAP loses in General Coetsee a person of unusual ability who has served the force and South Africa with distinction."

"His ability to handle the most complex situation with insight commands respect from friend and foe alike," he said.

Mr Vlok said he had given permission for the new district headquarters of the police in Newlands Johannesburg — in the area where General Coetsee served for most of his police career — to be named after him.

General Coetzee given 'extremely sensitive' job

By **STEPHEN WROTTESELEY**
Staff Reporter

GENERAL Johann Coetzee, retiring Commissioner of Police and former spymaster, has been nominated for a committee that will investigate the stability and progress of the Eastern Cape

Insiders said today General Coetzee, whose retirement was announced yesterday by the Minister of Law and Order, Mr Adriaan Vlok, wanted to go into relative seclusion, farming in the Molteno district of the Eastern Cape

However, it was decided that because of his "insight and background experience" he would be asked to take up the post. It was an "extremely sensitive" job

A spokesman for the Department of Foreign Affairs said in a statement "General Coetzee is nominated as South Africa's representative on the committee — consisting of the Ciskei, Transkei and South Africa — which will look into all aspects pertaining to the stability of, and progress in, the Eastern Cape"

He said a broader statement would be issued later.

Police spokesmen declined to comment on General Coetzee's future as it would be wrong to comment on the affairs of another department. However, one source said "I can assure you it won't be a ju-

nior job. It will be a key post"

A Law and Order Ministry spokesman said General Coetzee was unavailable today.

Speculation is that he will set up the key position and then leave to run his farms.

General Coetzee, 59, is to be replaced by Lieutenant-General Hennie de Witt, Deputy Commissioner of Police

He is due to retire at the end of next year and while he could be asked to stay on, it is understood a replacement for him is being sought

General Coetzee, who will have the new police district headquarters in Newlands, Johannesburg, named after him, will retire at the end of July after 43 years' service.

Known best for his activities as spymaster and interrogator with the security branch, General Coetzee was responsible for several setbacks to the African National Congress and the Communist Party.

CONTROLLED AGENTS

He controlled secret agent Gerard Ludi, who infiltrated the SACP and exposed Braam Fisher.

Later, he controlled Major Craig Williamson — one of South Africa's best-known spies

Insiders today said that when Major Williamson was uncovered overseas, General Coetzee personally "plucked him to safety"

It cannot be disclosed how General Coetzee travelled in Europe, but sources said the event was "incredible" considering that he, then head of the security branch, was one of the "most wanted persons" in certain circles

General Coetzee

Lieutenant-General Hennie de Witt

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Families left in cold as police smash huts

By Abel Mabelane,
East Rand Bureau

Five families were left in the cold last Thursday when police from Erasmia demolished their mud huts on the farm Rietspruit, near Laudium in Pretoria

One of the people involved had, according to her daughter, worked on the farm for 50 years.

The station commander at Erasmia police station, who refused to identify himself, today said police pulled down the huts on the instructions of the Peri-Urban Areas Board. He referred The Star to a Captain Kellerman, who could not be reached for comment.

Mrs Berlina Ngwane, whose elderly mother was among those whose huts were demolished, said police visited the families on Tuesday of last week and said they would return on Thursday.

"My mother and other people on the farm were completely surprised when police, during their second visit on Thursday, ordered them to take out their furniture and other belongings and started to demolish their homes, leaving them in the open," Mrs Ngwane said.

DISGRACEFUL, SAYS FARMER

She added that her mother had, until retiring recently, worked for the owner of the farm for 50 years.

The farmer, Mr Fannie Jacobs, said a board official, a Mr Steenkamp, had told him the structures had been demolished because the people were squatters. He said it was a disgrace that the homes had been demolished without anyone consulting him and without the people being given alternative accommodation.

Mr D P Kirstein, an Transvaal Provincial Administration spokesman who deals with squatting and Group Areas, said he did not know anything about the demolition but added that his department had instructions not to allow people to squat everywhere.

Only people employed on farms were allowed to live on them, he said. Before any demolitions could be done the people living on the farm, as well as the farmer, were usually given notice.

28/5/27
**Coetzee to
step down
from SAP**

B/Dag 251
Own Correspondent

THE COMMISSIONER of Police, General Johann Coetzee, would retire at the end of July, Law and Order Minister Adriaan Vlok said yesterday.

Coetzee, 59, would take up service in another state department, Vlok said.

The senior deputy Commissioner of Police, Lieutenant-General H G de Witt, has been appointed as Coetzee's successor from July 31.

Vlok did not give details of Coetzee's new appointment, but said an announcement in this connection would be made in due course.

Coetzee, born in Molteno, started his career in the Mounted Police at the age of 16. He was later transferred to the CID, and became a noted stenographer.

He joined the Security Police in 1954 and became known as a top-flight interrogator and a spymaster during the 29 years he worked there.

He was responsible for several blows to the ANC and the Communist Party.

Bram Fischer once said of him: "After the revolution, he will be my garden boy." But Fischer, the brilliant advocate turned underground leader of the Communist Party, was ultimately unmasked by Coetzee.

Coetzee will be remembered for the bravery he showed when he walked unarmed into the bank during the Silverton siege in Pretoria.

Vlok said Coetzee had completed 41 years of faithful and worthy service, and deserved his retirement.

"The SAP loses in General Coetzee a person of unusual ability who has served the force and South Africa with distinction. His ability to handle the most complex situation with insight commands respect from friend and foe alike."

Vlok has given permission for the new district headquarters of the police in Newlands, Johannesburg to be named after him.

CAE Times 29/5/87

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Policeman responsible for miner's death

JOHANNESBURG — Germiston's chief magistrate has ruled that a police constable was responsible for the death of a miner on May Day last year.

At the inquest into the death of Mr Richard Mqukela, the magistrate, Mr John Gildenhuys, dismissed Constable I F Holder's contention that he acted in self-defence.

The court heard that Constable Holder and Constable J C Stander went to an area where a group was stoning vehicles. Constable Holder approached some men, including Mr Mqukela, on a railway bridge.

He told them he would use force if necessary to restore order. He had identified Mr Mqukela as an instigator.

Constable Holder fetched a shotgun from his vehicle and a shot was fired, fatally wounding Mr Mqukela in the head. Two other miners were wounded.

Constable Stander said it had not been necessary to shoot.

The docket is to be submitted to the Attorney-General — Sapa

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AKGUS 29/5/17

Two special constables hurt in gunfire at KTC

Crime Reporter

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2005

TWO special constables were wounded when a security force patrol was fired on near the KTC squatter camp in Nyanga

The patrol shot back but it is not known if the attacker was hit, police said

The foot patrol was attacked about 6pm yesterday. It is thought a rifle was used.

One constable was hit in the knee and the other in the foot.

Other incidents listed in the police unrest report

- A house was damaged by fire at Bongoletu, Oudtshoorn.
- At Umlazi, near Durban, a vehicle was damaged in a petrol-bomb attack
- A man was injured when a bus was stoned near Maritzburg
- At Taylor's Halt a man was injured when a house was stoned
- At Daveyton, near Benoni, a private vehicle was set alight

SAP says 'kill' claims by ANC are propaganda

By Mike Cohen

The SAP has dismissed as "nonsense" an ANC claim that its military wing has killed 22 members of the security forces over the past few weeks.

The ANC has claimed responsibility for the death of four policemen in the car bomb attack at the Johannesburg Magistrate's Court last week.

In a statement released in Lusaka, the ANC claimed it had killed 22 soldiers and policemen in attacks launched by Umkhonto we Sizwe.

A spokesman for police headquarters in Pretoria demed the claims, saying only one policeman was killed at Ventersdorp and the four in Johannesburg.

"The SAP has made known all casualties in any cases of violence. It is thus transparently obvious that the figures mentioned by the ANC are far from correct and nothing more than a propaganda ploy," he said.

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ATTERIDGEVILLE township residents rounded up in raids were taken to Saulsville Arena and allegedly assaulted by council police

Peter Mogalane, who was picked up during a raid on a beer promotion party at the weekend in the Pretoria township, said he was taken alone in a van to the arena

There he encountered others he believed to have been rounded up in separate raids.

They were ordered by council police to march around the arena while being assaulted and insulted, he said

The police are alleged to have assaulted guests when they raided the beer promotion party, breaking a woman's arm.

A number of guests have instituted civil proceedings against the Minister of Police

According to affidavits from guests, South African Police and Atteridgeville Town Council police arrived in six vans at midnight at the Seloho Street home where Windhoek Lager was being promoted by a Gilbey's representative

Guests said they were ordered to walk in pairs to the waiting vehicles, and in the process were kicked, punched with fists and beaten with rifle butts

They said they were driven to the Saulsville Hostel charge office for processing, then to the Atteridgeville police station, where they were locked up in three cells.

Mogalane said he was taken alone in a van to the Saulsville Arena. He said when he was thrown into a pool of water he injured his elbow which had been fractured by "soldiers" last year

Meanwhile, at the police station, money for the payment of R30 admission-of-guilt fines (for "illegal drinking") were refused, according to the affidavits, because the receipt book was full.

Three policemen stationed at the entrance of the police station confirmed this refusal to WM on Saturday night.

According to affidavits, people were invited to the promotional party, during which guests were quizzed and prizes awarded.

Florence Ratselane had just won a prize when police arrived. She was also ordered to march to the waiting vans

A bruising night in the arena

Revellers tell of parties that ended in swoops, marches round an arena and beatings

BY THAMI MKHWANAZI

She was permitted on request to urinate, she said, but while she was so engaged behind one of the vans, another policeman ordered her to leave immediately, telling her she was wasting their time

As she stood up, one policeman "unleashed a vicious kick" against her left arm, she said, and when she fell she had to use the same arm to balance herself. She was picked up and pushed into a van

Several people have said they were assaulted during or before this incident, kicked, punched and hit with "rifle butts", resulting in "visible and internal injuries".

In her affidavit, Ratselane said police refused on Saturday night to accept money for the payment of an admission-of-guilt fine from her cousin, saying the receipt book was full

"I complained about my arm and one policeman told me I was drunk," said Ratselane. "I had to spend another night in the cells," she added.

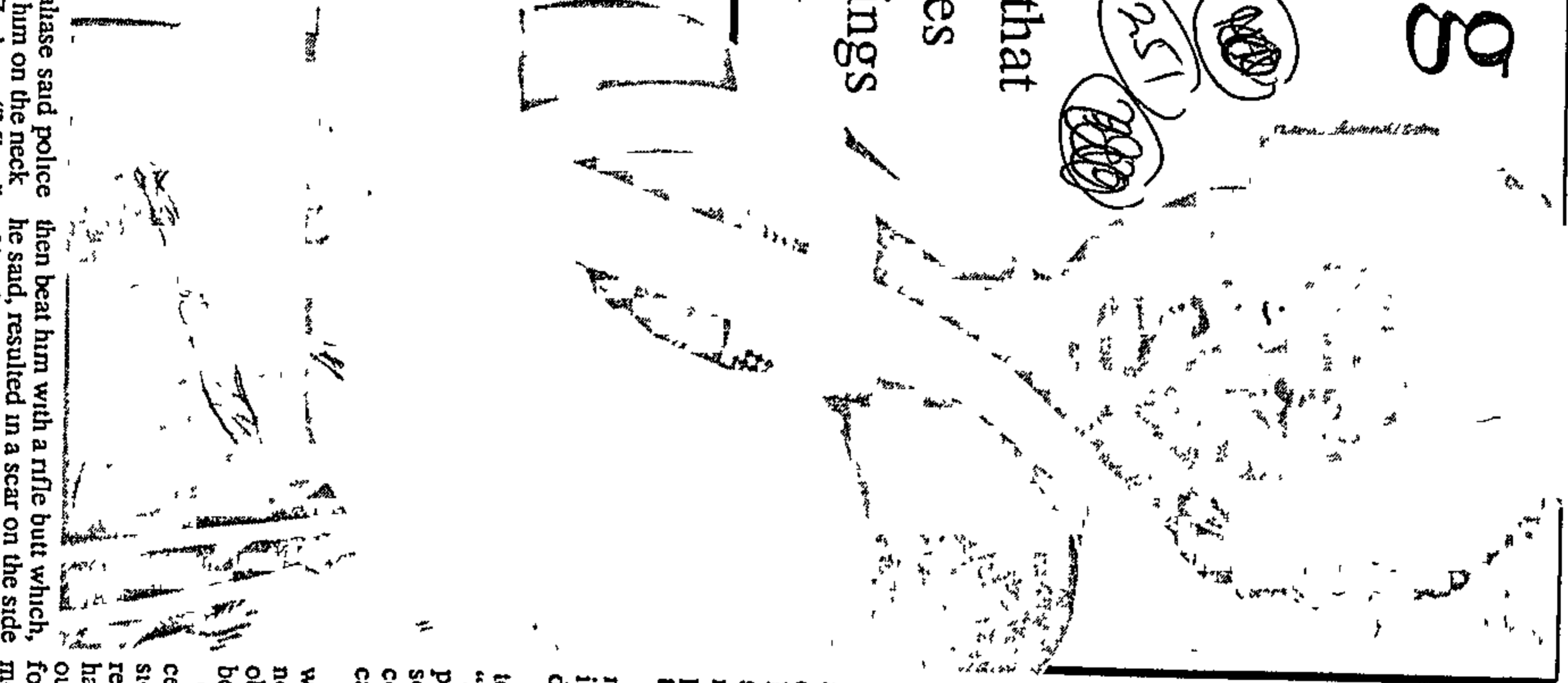
She was released on Sunday morning when police accepted R30 from her parents — for which they issued a receipt. She was subsequently taken to Kalafong Hospital, where her arm was found to be fractured.

Florence Ratselane shows off her fractured arm
Picture ANNA ZIEMINSKI, Atrapix

Petrus Chiggo Mahase said police punched and kicked him on the neck

A Saulsville man, Zacharia "Mbuti" Ratsela, said police pulled him when he asked why he was being arrested.

"When I asked them to arrange for the safety of my car, they said I could consult my lawyers," he said. They



next day "because my car was stranded".

On refusing to allow people to pay the fine, Johannes Sello Moeketsi argues in his affidavit that the police did allow others to go, by letting them "brbe their way through"

He said he was kicked on the spine, butted with rifles and his face had been trampled upon

He said one of the people present at the police station asked a policeman why the others were released. The policeman answered in Sotho, saying, "Ba na le leswar" (they have said)

● A spokesman for the SAP, Lieutenant RW Olivier, said he had no knowledge of the allegations. He added that all the people offended by the conduct of the police may lay charges with the local police for investigation. Should they receive no co-operation from these, they may then refer such charges to police headquarters

He also said those who have made affidavits for the purpose of civil proceedings may submit these to Private Bag X94, Pretoria. These would be sent to the station commander in Atteridgeville who would, in turn, appoint senior policemen to investigate the allegations

Olivier further said prosecutions may follow if there was sufficient evidence or the charges would be withdrawn

Asked whether it was illegal to attend a liquor promotion party, he said "No". He pointed out that there was a probability of a "disturbance of some sort" or that neighbours could have complained about excessive noise caused by the party

Asked why the police could not first warn the organisers of the party about noise, he said the police were not obliged to do so once a complaint had been lodged

On the alleged police refusal to accept money for payment of admission-of-guilt fines because of lack of receipt books, Olivier said it could have been possible the police had run out of receipt books and therefore found it impossible to accept the money

He acknowledged the police had accepted admission-of-guilt fines with the express notion that the guests at the promotion party had committed an offence. But he said "I cannot exactly say what their crime was"

Exit the General

But don't think Coetzee's let go his power

GENERAL Johann Coetzee's unexpected decision to abandon the massive powers he has as Commissioner of Police, giving no explanation and handing over to a virtually unknown "administrative man", has raised a number of crucial questions

As the man at the centre of the State of Emergency, Coetzee has held one of the most powerful positions in the country. He has been personally responsible for some of the most severe Emergency restrictions

He was head of the joint security forces during a period when the power and influence of the security forces reached unprecedented levels. This was done through the creation of the National Security Management System, headed by the State Security Council, in which Coetzee is a key member, and the powers of decree given to him under Emergency regulations.

Virtually the only hold on his power in recent months has been the annulment of a number of his most contentious decrees by the Supreme Court.

Coetzee has now announced his "retirement" at a crucial time — on the eye of the first anniversary of the June 12 Emergency and June 16 and June 26 commemorations.

He has been commissioner for only four years, although he has spent all 41 years of his career in the police and previously headed the Security Police. There is no suggestion that this is a routine retirement due to age or health. Indeed, he is handing over to a man who is roughly the same age as he.

Speculation around his resignation has centred on what role he will now play, why he has chosen this time to leave, and what role his successor will play.

It seems certain that he is to join the

WEEKLY MAIL REPORTER

Department of Foreign Affairs, probably as a major trouble-shooter. He will start with the tricky question of the conflict between the Transkei and Ciskei homelands, according to government sources.

Coetzee gained some experience in a similar area when he played an important role in the negotiations that led to the Nkomati Accord with Mozambique.

Other speculation has been that he is going to be involved in the crucial area of sanctions-busting or that he will be playing a key role in renewed efforts to clamp down on the press, an area in which Coetzee has shown some interest.

One thing is clear: Coetzee is not likely to disappear into oblivion. Even though his move is a *prima facie* demotion, it is likely that his new position is temporary and that a more important role has been earmarked for him.

There is equal interest in the man who will take his place. The man who will now run the Emergency, exercise powers of decree and play a crucial role in the State Security Council is Lieutenant-General Hendrik Gideon de Witt, who yesterday described himself as a "desk man" and an "administrative man".

In an interview yesterday, he joked that the only newspaper he believes is the government gazette. "There used to be only two newspapers to believe — the government gazette and the police gazette. Now they've done away with the police gazette there's only one," he said.

But the incoming Commissioner of Police, who will take over from Coetzee on August 1, is looking for-

●To PAGE 2

Exit the General ... for a while

●From PAGE 1
ward to meeting the press despite the fact that personally he doesn't "have much to say"

"I'm not a low profile person, but for many years I've been an administrative man. So outside people wouldn't know me. But I can assure you the police force does."

The commissioner's job "is a difficult one now", he says. "It's quite a hot seat. But one can never do that alone. We've got a good team."

His birthday is ironically also a hot-spot, falling on December 16. Officially the Day of the Vow, to anti-apartheid groupings it is commemorated as Heroes Day.

He was born in the Upington district 59 years ago and joined the police force in 1946, the year after he matriculated. Most of his work has involved administering the police force. "I don't hunt criminals," he says.

For seventeen-and-a-half years he was stationed at the quarter-master general's office in Pretoria, which was followed by two-and-a-half years as divisional commissioner for Port Natal. He went on to command the counter-insurgency unit and headed the Inspectorate Division in Pretoria. For the last two-and-a-half years he has been chief deputy commissioner.

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Lockup-death girl's parents to sue police

THE father of Emily Patel, a 16-year-old girl who was murdered when she was forced to travel in a police van with hardened criminals, plans to sue to the Commissioner of Police for R18 000.

Koos Patel's lawyers have written to the commissioner saying he will sue for loss of support and funeral expenses.

Before her arrest, Emily supplemented her father's income by doing domestic work for an aunt, for which she earned R60 a month.

"It is alleged that Emily's death was caused through the negligent acts or omissions of one or more members of the South African Police force under whose charge or custody she was at the time of the occurrences which led to her death," the letter says.

Emily was loaded into the police van bound for Caledon because she didn't have the R20 she needed to pay an admission of guilt fine for disturbing the peace in the Bredasdorp

GAYE DAVIS, Cape Town

squatter camp where she lived. So she was loaded into a police van with other prisoners to be ferried 50km to the nearest prison at Caledon.

One of the prisoners in the vehicle was 28-year-old Stanley Hansen, due to face trial for the murder of his girlfriend, who had jilted him. When he saw Emily, he had already decided to kill the next woman he saw.

"I decided I was going to kill her," he later told a court. Evidence was that he forced the slightly built girl to strip naked before stabbing her 45 times with a scissors blade.

Hansen was given a double death sentence in the circuit court at Swellendam for the murder of his girlfriend and Emily Patel. But as Jan van Eck (PFP, Claremont) pointed out: "The really guilty parties are the police, who put this young girl in a police vehicle full of hardened criminals."

(251)

W/Mail

29/5 - 4/1/87

Policemen culpable, rules court

THE death of 11-year-old Durban schoolgirl, who had 140 to 150 gunshot wounds on her body, was caused by the "culpable acts" of two policemen, an inquest magistrate has ruled.

Sergeant MJ Engelbrecht and Constable GG Groundland now face a police departmental inquiry and, depending on the outcome, possible criminal prosecution.

Prudence Mngadi died near Bantu-

By CARMEL RICKARD

vukani Primary School, Lamontville, on April 8 last year.

The policemen both used No 5 bird-shot in their shotguns. The magistrate said he could not make a finding on which of the two fired the fatal shot.

Police went to the school when stone-throwing interrupted classes and a number of shots were fired.

W/Maul 2915 - 4/6/87

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CAPL Times 30/5/87

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Police, newsmen to be charged with bribery

PRETORIA. — Three employees of the Afrikaans newspaper Beeld and four police constables will appear next week before a Regional magistrate here on at least 70 charges of bribery.

A police spokesman confirmed that the newspapermen — all of them attached to Beeld's Pretoria office — and policemen had been questioned and summonsed to appear in Pretoria Regional Court on Wednesday.

It is alleged the newspaper issued cheques in favour of the policemen for "information passed on and services rendered" to certain of its reporters.

The journalists and constables are to face at least 14 charges of bribery each.

It is reliably understood that an option to pay admission-of-guilt fines was turned down. — Sapa

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TWO policemen found by a Durban magistrate to have been negligent when they opened fire on a group of schoolchildren - killing an 11-year-old girl - are to face a police departmental inquiry

The findings of the inquiry will be sent to the Attorney-General for his decision

In his verdict after the inquest into the death of Prudence Mtshali, of Bantuvukani School, Magistrate K Templeton found she had died of shotgun wounds to the head and neck on April 8 last year

He found that Sergeant M J Engelbrecht and Constable G G Groundland were negligent in firing at the crowd of schoolchildren, though it was not possible to establish who had fired the shot that fatally injured the schoolgirl

Giving his verdict, Templeton said classes at the Lamontville school had begun normally on April 8, but were then disrupted by stone-throwing. A police patrol, led by Engelbrecht, had then arrived

The children panicked and a pandemonium had broken out

In this evidence, Groundland said that a group of children began throwing stones at him.

He fired shots at them, then followed them out of the school grounds and fired more shots when they continued throwing stones

He was joined by Engel-

Negligent policemen in inquiry

brecht, who fired one shot. The stone-throwing had then ceased

Templeton found that both policemen had disobeyed standing orders that minimum force was to be used

No force was to have been used in a first confrontation. If this were unsuccessful teargas should be used before resorting to the use of shotguns

Groundland had ignored his instructions. He was entitled to use his discretion, but acted unreasonably, the magistrate found

He had not exercised sound discretion in not waiting for Engelbrecht and the back-up units close by.

His subsequent movement to single-handedly follow the scholars through the school fence and down an embankment might have been courageous, but it was foolish in the circumstances

His action in descending the embankment was unreasonable, Templeton added

Templeton went on to say that the stones were falling short of the policemen, and their lives were not in danger

Engelbrecht should have known that firing a shot was unnecessary, and he did not act as one would have expected of a prudent leader

Templeton said he accepted that the death was

not brought about by a deliberate act

Neither policeman was aware of the presence of the schoolgirl much closer than the group of stone-throwers

Both policemen testified they were not aware of having hit anyone

The magistrate found that her death was brought about by a culpable act. Evidence was that, after the policeman left, the girl was found injured among reeds

The policemen were called back and took her to the administration centre. She was taken to hospital by ambulance and died

from about 150 shotgun pellet wounds in the head, chest and neck - Sapa

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3/1/87 C/P/100

SAP 'will fight back at urban terror'

ONE TIME 2/6/87

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From PATRICK BULGER

PRETORIA. — The future commissioner of the SA Police drew deeply on his cigarette and voiced his views on urban terror.

"The SAP has had a lot of success. We haven't lost our will to fight back. The SAP will fight them. We'll hunt the bastards, because you may be the next target, who knows?"

Lieutenant-General Hendrik de Witt is not a man who says one thing when he means another. It's straight talk, or no talk.

In the next few months Gen De Witt will be doing a lot of straight talking. As commissioner he will assume the



Lieutenant General Hendrik de Witt ... "Make no mistake, the other fellows aren't playing by the rules. They haven't got rules."

awesome powers his predecessor, General Johann Coetzee, gained for the SAP during the insurrection of the past two years.

"It's not an enviable task. It's quite a responsibility. When I joined the force we only fought crime. Now it's become more complicated with this situation."

"This situation" is something Gen

De Witt feels the SAP has come to terms with.

"Since 1984 the force has been put under pressure. But thanks to the declaration of the state of emergency and with the help of other security forces, especially the SA Defence Force, the position from an unrest point of view, not a political point of view, has become normalized to the extent that we can now look at our priority which is the prevention and detection of crime."

"At one stage in certain parts of the country, crime work had to come second as a result of the unrest situation. It made it most difficult for us."

"The declaration of the state of emergency gave us additional powers to normalize the situation."

Gen De Witt says one of his priorities will be to improve the image of the SAP.

"The image has been tarnished by the combating of unrest. There were certain members of the community that saw the police as oppressors."

This was especially the case with black policemen.

"At one stage they went through a helluva time but they remained loyal to the force they served. That to me is something fantastic. It's not very easy, I suppose, from their point of view to remain loyal when you are seen as an oppressor. It is not the majority that see them like that. Radicalists are in the minority in this country," he says.

Not surprisingly, Gen De Witt vehemently rejects claims that SA is a police state.

'They haven't got rules'

"I know it's being said all the time, but with 1,6 policeman per 1 000 of the population, whereas in the Eastern countries you have up to 10 policemen per 1 000, we could hardly call ourselves a police state."

But, "for a difficult situation like we are in at the moment, we do need additional powers. Make no mistake, the other fellows aren't playing by the rules. They haven't got rules."

Gen De Witt says the SAP is "looking at methods to curb unrest situations with a minimum of force and maximum effectiveness. We don't like shooting people."

invites, if not, why not, if so, what results have been reported?

†The MINISTER OF NATIONAL EDUCATION (for the Minister of Constitutional Development and Planning)

- (1) (a) No, a Regional Development Advisory Committee for the Port Elizabeth-Uitenhage area has not been appointed. However, a Regional Development Advisory Committee for Development Region D which comprises the whole Eastern Cape does exist. This Committee gathered four times during 1986.
- (b) Falls away
- (2) No (a) and (b) Fall away
- (3) Falls away

Criminal case

*11 Mr T LANGLEY asked the Minister of Justice +

- (1) Whether he will furnish information on a certain criminal case, particulars of which have been furnished to the Minister's Department for the purposes of his reply, if not, why not, if so,
- (2) whether the hearing in this criminal case took place *in camera*, if so, (a) on whose decision (b) why and (c) who were the accused in the criminal case?

The MINISTER OF LAW AND ORDER (for the Minister of Justice)

- (1) and (2) I arranged for enquiries to be made and according to information received it appears that the court in terms of section 153 of the Criminal Procedure Act, 1977 (Act 51 of 1977) directed that the proceedings in this case be held *in camera*. I may add that the name of the accused, the offence and sentence were made known by the media.

KwaNdebele: referendum

*12 Mr P G SOAL asked the Minister of Constitutional Development and Planning

HoA *Handwritten signature and initials*

- (1) Whether a referendum will be held in KwaNdebele to determine the attitude of residents of this national state towards independence, if not, (a) why not and (b) who is responsible for this decision, if so when,
- (2) (a) what is the status of the South African Commissioner-General to KwaNdebele and (b) in respect of what date is this information furnished?

†The MINISTER OF NATIONAL EDUCATION (for the Minister of Constitutional Development and Planning)

- (1) (a) and (b) The Cabinet of KwaNdebele requested the RSA Government for independence. The further handling of the matter will be dealt with through negotiations between the two governments.
- (2) (a) and (b) Mr P J K Kriel has been appointed Commissioner-General for the South Ndebele National Unit as from 1 June 1987 and will enjoy the status as determined by the Promotion of Black Self-government Act, 1959 (Act 46 of 1959).

Langa High School

*13 Mr K M ANDREW asked the Minister of Education and Development Aid

- (1) Whether any (a) pupils and (b) teachers from Langa High School have been involved in sports events outside the Western Cape area in 1987, if so, (i) in what events, (ii) who organised the events and (iii) where were they held,
- (2) whether any Government Departments were involved in contributing directly or indirectly to the financing of any such sports events, if not, why not, if so, (a) which Government Departments, (b) what was the total amount of money involved and (c) what aspects were financed,
- (3) whether there are any shortages of (a) classrooms, (b) teachers, (c) desks, (d) other specified equipment or requisites at Langa High School, if

so (i) what is the nature of the shortages in each case, (ii) why have they not been eliminated and (iii) what action has been taken in this regard?

The DEPUTY MINISTER OF EDUCATION (for the Minister of Education and Development Aid)

- (1) (a) Yes
- (b) Yes
- (i) Annual National Athletic Meeting for secondary schools,
- (ii) Sports Council of the Department of Education and Training,
- (iii) Durban
- (2) Yes
- (a) Department of Education and Training.
- (b) It must be noted, that there was a sponsorship of R25 000 for this sports meeting.

Langa Team—Total
expense R11 700,00
Contribution from central

Sponsorship Departmental contribution R 3 057,21
R 8 642,79

TOTAL R11 700,00

- (c) Subsistence and Transport expenses for one teacher and 60 pupils

- (3) Sufficient provision was made for the normal intake of pupils at this school. In respect of the unforeseen actual higher number of pupils for 1987 shortages did however occur.

As was publically announced, this matter is being investigated urgently by a departmental committee.

In the meantime 10 new classrooms have been erected by the Urban Foundation and furnished by the Department. Also, nine additional

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Handwritten initials

teaching posts have already been created at the school.
All shortages are receiving urgent attention.

Mr K M ANDREW Mr Speaker, arising out of the hon the Deputy Minister's reply, may I ask him when he talks of the provision for the normal intake at that school, whether that makes allowance for the fact that standard six classes were transferred from primary schools to the high schools at the beginning of this year?

The DEPUTY MINISTER Mr Speaker, this whole matter is at the moment the subject of an investigation and, when we have all the particulars available, I am willing to discuss this with the hon member.

Mr K M ANDREW Mr Speaker, further arising out of the hon the Deputy Minister's reply, when he said that the ten classrooms provided by the Urban Foundation had been furnished, did he mean that desks had been provided for these classes?
The DEPUTY MINISTER Mr Speaker, the information at my disposal at the moment is that these classrooms have all been fully furnished.

Gardens/Tamboerskloof/Oranjezicht:

*14 Mr K M ANDREW asked the Minister of Law and Order

Whether the South African Police (a) took any special measures in 1986 and (b) have been taking any such measures in 1987 to combat crime in the Gardens/Tamboerskloof/Oranjezicht area, if not, why not, if so, (i) what measures and (ii) with what result?

†The MINISTER OF LAW AND ORDER (a) and (b) Yes

- (i) Special vehicle- and foot patrols were instituted since 1 September 1986 during which the services of members of the Reserve Police Force were also utilised
- (ii) During the period 1 January 1986 until 30 April 1986, 2 001

Handwritten notes: 2/16/87 crime figures 251

cases in respect of serious crime were reported. For the corresponding period during 1987, 1 327 cases in respect of serious crime were reported, which represents a decrease of 33.6%

Langa High School. books

*15 Mr K M ANDREW asked the Minister of Education and Development Aid

Whether any Standard 10 pupils at the Langa High School were not in possession of their own copies of the (a) mathematics text-book and (b) English setwork books at any stage during the current school year, if so (i) at what stage, (ii) why, (iii) what percentage of these pupils was involved and (iv) what action has been taken in this regard?

The DEPUTY MINISTER OF EDUCATION

- (a) Yes
(b) Yes

(i) From date of enrolment

(ii) Unforeseen increase in the number of pupils

(iii) Mathematics 13.7%,
English 13.7%

(iv) This matter is being investigated by a departmental committee and relates also to the exposition given in the reply to Question No 13

Mr K M ANDREW Mr Speaker, arising out of the hon the Deputy Minister's reply, may I ask him just to confirm what he said, viz that he is suggesting that 87% of the matric pupils at Langa High School had mathematics and English setwork books—that 87% had them

The DEPUTY MINISTER Yes, Sir, that was what I said. That is the information at my disposal at the moment

Seal Island

*16 Mr R R HULLEY asked the Minister of Environment Affairs

(1) Whether his Department initiated the

experiment whereby Cape fur seals were shooed away from Seal Island during October-November 1986, if so, why, if not, on what authority was the experiment approved and conducted.

(2) whether his Department monitored the effects of this experiment, if not, why not if so what were the effects,

(3) whether his Department has carried out any research into the scientific merits of this experiment, if so, what was the nature of the scientific evidence in support of this experiment,

(4) whether his Department keeps statistics on the size of the Cape fur seal colony on Seal Island if not, why not, if so what was the size of this colony in 1971 and 1986 respectively?

The MINISTER OF ENVIRONMENT AFFAIRS

(1) Yes My predecessor initiated the experiment in consultation with members of the fishing industry. The experiment was done as part of the late Minister's stated policy to reduce seal numbers

(2) Yes The experiment was monitored by means of questionnaire forms completed by industry personnel on the island and by six aerial surveys conducted by the Sea Fisheries Research Institute from 17 December 1986 to 11 February 1987

The effects were that the number of pups born on the island was about 5 000 compared to the usual 10 000-12 000. Also large sections of the island were cleared of seals. While some dead pups are washed ashore each year as a normal occurrence, some 4 500 dead pups were washed ashore during the experiment. There is no scientific evidence to determine how many pups were washed ashore as a direct result of the experiment

(3) No The monitoring programme was however designed to reveal the merits or otherwise of the experiment

(4) Yes Statistics on the size of the colony are kept. Total population in 1971 was about 58 000 seals, and in 1986 about 20 000 seals

Crude oil

*17 Mr R R HULLEY asked the Minister of Economic Affairs and Technology

(1) What was the average rand cost per barrel of crude oil imported into the Republic in 1986,

(2) what was the rand cost per barrel of such oil imported into the Republic as at the latest specified date for which figures are available?

The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY

(1) R33.41 landed cost (weighted average)

(2) R35.85 landed cost for cargo in May 1987

*18 Mr R M BURROWS—National Education [Reply standing over]

Winnie Mandela

*19 Dr F HARTZENBERG asked the Minister of Constitutional Development and Planning

(1) Whether a certain person, whose name has been furnished to the Minister's Department for the purposes of his reply, is in arrears with the house rent, service and other charges owing by her to institutions under his control, if so, (a) what total amount is so owing by her, (b) in respect of what date is this information furnished and (c) what is the name of the person concerned

(2) whether any steps are being taken or are contemplated to collect the amounts in arrears, if not, why not, if so, what steps?

The MINISTER OF NATIONAL EDUCATION (for the Minister of Constitutional Development and Planning).

(1) Yes

(a) R773.09
(b) 30 April 1987
(c) Winnie Mandela

(2) Yes A notice to pay within 7 days has been issued on 12 May 1987. Electricity supply has been discontinued on 22 May 1987

Klaas de Jonge

*20 Mr T LANGLEY asked the Minister of Foreign Affairs

(1) Whether, with reference to his reply to Question No 36 on 17 February 1987, the negotiations between his Department and the Dutch Government about Mr Klaas de Jonge has been concluded if not, (a) why not and (b) what is the present position, if so, with what result,

(2) whether he will make a statement on the matter?

The MINISTER OF FOREIGN AFFAIRS

(1) No

(a) and (b) Discussions between the two Governments are continuing. This matter involves the scrutiny of complicated principles of international law and delicate political implications which inevitably take time

(2) Not at this stage

†Mr F J LEROUX Mr Speaker, arising out of the hon the Minister's reply, I want to ask him the following question. I understand that according to Press reports, he said that the detention of Mr De Jonge does not cost the South African Government anything. Is it correct that he made such a statement, and if so, does he stand by what he said?

†The MINISTER. No, Mr Speaker, I did not make such a statement. What I did say, was that, practically speaking, the Dutch Government is paying for the building, the medical costs and for his food. That is what I said

THE FUTURE commissioner of the SA Police drew deeply on his Chesterfield and contemplated urban terror.

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Lieutenant-General Hendrik de Witt is not a man who says one thing when he means another. It's straight talk, or no talk.

In the next few months De Witt will be doing a lot of straight talking. As commissioner he will assume the awesome powers his predecessor General Johann Coetzee gained for the SAP during the insurrection of the past two years. "It's not an enviable task. It's quite a responsibility. When I joined the force we only fought crime. Now it's become more complicated with this situation."

"This situation" is something De Witt feels the SAP has come to terms with.

"Since 1984 the force has been put under pressure. But thanks to the declaration of the state of emergency, and with the help of other security forces, especially the SA Defence Force, the position from an unrest point of view — not a political point of view — has become normalised to the extent that we can now look at our priority, which is the prevention and detection of crime."

"At one stage in certain parts of the country, crime work had to come second as a result of the unrest situation. It made it most difficult for us."

"The declaration of the state of emergency gave us additional powers to normalise the situation. We needed additional powers and they've been given to us. I think it's obvious that the country is fairly quiet from an unrest point of view."

De Witt says one of his priorities will be to improve the image of the SAP.

"The image has been tarnished by the combating of unrest. There were certain members of the community that saw the police as oppressors," he says.

No rules

This was especially the case with black policemen.

"At one stage they went through a helluva time, but they remained loyal to the force they served. That to me is something fantastic."

"It's not very easy, I suppose, from their point of view to remain loyal when you are seen as an oppressor. It is not the majority that see them



□ DE WITT ... "the other fellows haven't got rules"

He'll burnish the SAP's tarnished image

251

PATRICK BULGER

like that. Radicalists are in the minority in this country," he says.

Not surprisingly, De Witt vehemently rejects claims that SA is a police state.

"I know it's being said all the time, but with 1.6 policemen per 1 000 of the population, whereas in the Eastern countries you have up to 10 policemen per 1 000, we could hardly call ourselves a police state."

But, he adds: "For a difficult situation like we are in at the moment, we do need additional powers. Make no mistake — the other fellows aren't playing by the rules. They haven't got rules."

De Witt says the SAP is "looking at methods to curb unrest situations with a minimum of force and maximum effectiveness. We don't like shooting people".

CAC 7/12/87 3/6/87 251

Policeman fined R800 for culpable homicide

Own Correspondent

EAST LONDON — A 30-year-old police sergeant was found guilty and sentenced in the regional court here yesterday on a charge of culpable homicide

The magistrate, Mr N R Oosthuizen, fined Sergeant Gerbrand Steyn, of 103 Rosedale Road, R800 (or 200 days)

Steyn, who was in charge of the crime-prevention unit, was found guilty of stabbing Mr Loyiso Lawrence Gwavu in the chest with a knife on November 27 last year at West Bank

The stab wound resulted in Mr Gwavu's death

In his verdict, Mr Oosthuizen said that both State witnesses, Sergeant Leach and Constable Schreiber, had seen Steyn pick up the knife from the table and walk to Mr Gwavu

Constable Schreiber told the court when Steyn turned around again he saw blood on the knife



Mr Johannes Alkaster

'Arm broken by policeman'



The accused: Sergeant Hermias Rossouw, left, and Detective-Sergeant Gert Jacobs.

Tygerberg Bureau

KUILS River farm worker Mr Johannes Alkaster, who claims to have seen two policemen dragging his friend, Mr Dawid Morris, behind a tractor, told the Regional Court, Parow, that one of the policemen broke his arm with a "heavy blunt weapon"

Mr Alkaster was giving evidence yesterday at the trial of Detective-Sergeant Gert Johannes Jacobs, 30, of Rusthof Farm, Kuils River, and Sergeant Hermias Cornelius Rossouw, 35, of Herte Street, Kraaifontein

They have pleaded not guilty to charges of culpable homicide following the death of Mr Morris on November 2 last year, and have also pleaded not guilty to charges of assaulting Mr Alkaster

Their defence counsel, Mr H C Trisos, said Sergeant Jacobs, of the Brackenfell police, would acknowledge there was a fight between himself and Mr Morris after Mr Morris allegedly attacked him with a panga

The policemen would also say they tied Mr Morris to the tractor's tow-hitch by his hands in order to transport him, "as he was not in a fit state to walk", and that Mr Morris fell off

Multiple injuries

Medical evidence from Tygerberg Hospital was that Mr Morris died of multiple injuries. He had a lacerated liver and kidneys, heart damage, a ruptured colon, two fractured ribs, a fractured thorax and other injuries

Mr Alkaster said that about 10pm that Saturday night he left his room to investigate shouting and saw two men assaulting Mr Morris

He identified Sergeant Jacobs as one of the two men striking Mr Morris with large, heavy sticks. Mr Morris was lying on the ground and did not fight back

Mr Alkaster was then also assaulted with a "heavy, blunt weapon" by Sergeant Jacobs, who warned him to "take your foot off this farm at once"

Mr Alkaster said he worked on the farm for eight years, had a right to be there and paid rent for his labourer's cottage. However, the assault frightened him so much he fled to a chicken coop

Heavy rope

From the chicken coop he saw the policemen tie Mr Morris to the tow-bar of a tractor with a heavy rope

Mr Morris was "lying quietly, not making a sound". Even though it was dark and he did not see details of his face, he knew it was Mr Morris as he saw his watch gleaming. The farm also had lights outside

He saw Sergeant Jacobs driving the tractor with Mr Morris being dragged behind it. Mr Morris was attached to the tractor by his feet and was dragged face down for 200 to 300 paces to the adjacent farm, Bella Vista. Sergeant Rossouw was walking behind, he said

During cross-examination by Mr Trisos, Mr Alkaster denied Mr Morris could have attacked the two policemen with a panga

The hearing continues today

... sapa-netter
MK45 3/6/87 25/100

Police stations handed over

DURBAN. — Four police stations around Durban — Kwamashu, Umlazi, Umbumbulu and Ndwedwe — have been handed over officially to the Kwazulu police — Sapa

Man dragged face down by tractor — witness

Capt. Trisos 3/6/87 251
Court Reporter

A WITNESS told Parow Regional Court yesterday that he had fled and hid in a chicken coop after two policemen had broken his arm

He said that while hiding he had seen the same policemen tie another man to a tractor and drag him, face down, along the ground

Mr Johannes Alkaster was giving evidence in the trial of Detective-Sergeant Gert Johannes Jacobs, 30, of Rusthof Farm, Kuils River, and Sergeant Hermias Rossouw, 35, Herte Street, Kraaifontein

The policemen have pleaded not guilty to culpable homicide

They are accused of causing the death of Mr Dawid Morris by hitting him, tying him to a tractor and dragging him

They also denied assaulting Mr Alkaster with intent to do grievous bodily harm

Mr Alkaster said he had heard a noise outside his

To page 2

From page 1

Policemen

Capt. Trisos 3/6/87 251
house. He saw the two policemen hitting Mr Morris with sticks. He had approached them

The witness said Sergeant Jacobs had hit Mr Alkaster with a stick, breaking his left arm.

"I ran to a chicken coop and I saw the two accused passing the coop carrying Mr Morris. His feet were dragging and they put him by the gate."

Sergeant Jacobs fetched a tractor and the two tied Mr Morris's hands to it. They dragged him, face down, to an adjoining farm, Mr Alkaster said

Defence counsel Mr H C Trisos, for both the policemen, said Sergeant Jacobs would say that he tried to subdue Mr Morris, who attacked him with a panga.

Because Mr Morris could not walk at that point, they had tied him to the tow bar of a tractor, in a sitting position

Sergeant Jacobs continued driving and did not see that Mr Morris had fallen from the tractor but Sergeant Rossouw had jumped off when he noticed this, Mr Trisos said

Mr Niklaas Bekers, 18, told the court that he, Mr Morris, Ms Mary Williams and Ms Sara Hendricks had walked to the neighbouring farm to fetch Ms Williams's son

While he and Mr Morris waited at the fence, two people came out of the bushes with torches and hit Mr Morris. It was too dark for Mr Bekers to identify the assailants or their weapons. After hearing a shot, he ran away, he said

Ms Williams, Mr Morris's common-law wife, said she had gone to fetch her 12-year-old son with the group and as she walked through the fence she heard hitting noises and ran to hide

Her husband had been all right when she left him at the fence and she denied that he owned a "panga"

She denied that the group had gone to the farm to take care of "pimpers" (police informers) who had caused a friend's arrest for trespassing

Ms Hendricks, one of the group, said she had watched from behind bushes as two men assaulted Mr Morris with sticks

The hearing continues today
Mr J C Botha was the magistrate. Mr J Luckhoff prosecuted

CAPE TIMES
4/6/87
**Tractor
death: (2)
Court 28/1
told of
injuries**

Court Reporter

THE findings of a pathologist who performed a post-mortem on a man who was allegedly dragged behind a tractor by two policemen, was consistent with allegations that he had been dragged and beaten, Parow Regional Court heard yesterday

Dr S A Siroka, a State pathologist at Tygerberg Hospital, was giving evidence in the trial of Detective Sergeant Gert Johannes Jacobs, 30, of Rusthof Farm, Kuils River, and Sergeant Hermias Rossouw, 35, of Herte Street, Kraaifontein

They have pleaded not guilty to culpable homicide in that on November 1 they caused the death of Mr Dawid Morris, 35, by hitting him, tying him to a tractor and dragging him for a distance on farm ground

They also denied assaulting Mr Johannes Alkaster with intent to do grievous bodily harm.

Fractures

Dr Siroka found that Mr Morris died of multiple injuries which included a fractured sternum, two fractured ribs, deep-seated lacerations of the liver, lacerated kidneys, bleeding to the right side of the scalp, a ruptured colon, and fresh lacerations to the upper abdomen, the back, upper arm, the right shoulder and the right hand

She said that blunt force was used on Mr Morris, but she could not say how much. The marks on his back could have been caused by scraping along a rough or sharp surface

Cross-examined by counsel for the defence, Mr H C Trisos, she said the wounds could have been inflicted by a blunt or sharp instrument. She said that if the man had been dragged face down, she would have expected abrasions on his face. Mr Morris had had a swollen eye

In a statement handed in to the court, Sergeant

Rossouw said he and Detective Sergeant Jacobs had gone to the farm Rotterdam to investigate some "trouble". He had seen a man stealthily approaching Detective Sergeant Jacobs with a "panga" and he had "floored" him

Panga

Detective Sergeant Jacobs then grabbed the man and took the "panga" away from him

"The youngster (jong) was lying on the ground and I told him to get up and he said he would try." Detective Sergeant Jacobs came back with a tractor and tied Mr Morris's legs to it with rope

Sergeant Rossouw climbed on to the tractor and later noticed the rope trailing and realized Mr Morris was no longer tied to the tractor. He jumped off and later ran after Detective Sergeant Jacobs, shouting at him to stop

Sergeant Rossouw denied that he had helped Detective Sergeant Jacobs tie Mr Morris to the tractor

At a previous hearing, Mr Alkaster said he saw the two policemen hitting Mr Morris with sticks. He had approached them and asked them what they were doing

Detective Sergeant Jacobs hit Mr Alkaster with a stick, breaking his left arm

"I ran to a chicken coop to hide and I saw the two accused passing the coop carrying Mr Morris"

'Beaten'

Detective Sergeant Jacobs fetched a tractor and the two tied Mr Morris's hands to it with a rope. They dragged him, face down, to an adjoining farm, Belle Vista, he said

Three other witnesses said they saw Mr Morris being beaten

Warrant Officer Johannes Thiat said he had been called to the farm just after midnight and Detective Sergeant Jacobs had come out of a narrow alley with two other men, dragging Mr Morris

He said Mr Morris had smelled of stale alcohol. He later realized Mr Morris was unconscious and called an ambulance

The hearing was adjourned to July 20

Mr J C Botha was the magistrate. Mr J Luckhoff prosecuted

Police charge docket not logged, trial told

Tygerberg Bureau

A POLICE docket charging a Kuils River farm worker, Mr Dawid Morris — who died the following day from multiple injuries — with trespassing and possessing a dangerous weapon, was never entered into the police station logbook, a police desk sergeant told the Farow Regional Court.

Sergeant Bertus Hendrik Sertera was ordered by another Kuils River policeman, Warrant-Officer Christiaan Thuart, not to register the arrested man's docket.

Warrant Officer Thuart said in evidence yesterday that he fetched the arrested farm labourer from Rotterdam Farm, Kuils River, on November 1 last year.

He gave the order not to enter the new docket — which did not bear Mr Morris's name — "until I could discuss this case with the station commander".

Sergeant Sertera and Warrant-Officer Thuart testified yesterday at the trial of Detective-Sergeant Gert Johannes Jacobs, 30, of Rusthof Farm, Kuils River, and Sergeant Hermias Cornelius Rossouw, 35, of Herte Street, Kraaifontein.

Not guilty plea

The two have pleaded not guilty to culpable homicide following Mr Morris's death on November 2 last year. They have also pleaded not guilty to assaulting another farm worker, Mr Johannes Alkaster, on November 1.

The two policemen, who were off-duty at the time of the incident, are accused of causing Mr Morris's death by "hitting him and dragging him behind a tractor".

Sergeant Sertera said yesterday that when the "arrested" Mr Morris was carried into the police station from the police van about 12 30am on November 2, he "appeared to be unconscious".

"I noticed blood and dirt on his clothing and his head, and also on his chest, and saw sand in his hair," he said. The man had "smelt slightly of stale alcohol".

An ambulance ordered from Tygerberg Hospital arrived about 15 minutes later, he said.

A new docket, which was completed and sent with the arrested man from the farm by Detective-Sergeant Jacobs of the Brackenfell cattle-theft unit, was not entered into the police station logbook but was kept in the charge office, with a panga brought along with Mr Morris, "until the station commander was informed of the case".

Wounds described

Dr S A Siroka of the State pathology department told the court yesterday that Mr Morris had died of multiple injuries, including a "deeply lacerated" liver and torn kidneys, heart damage, a ruptured colon, fractured ribs, a fractured thorax, and two broken bones in his lower left leg.

She also said the "fresh lacerations" and extensive scraping marks on Mr Morris's upper torso and shoulder "could have been caused by scraping along a rough or sharp surface".

Some of the other injuries to Mr Morris could also have been caused by a blunt instrument "with a rough surface", and his swollen left eye could have been caused by dragging over a rough surface, she said.

Dr Siroka agreed with the defence counsel's contention that a rough-surfaced panga, handed in as evidence to the court, could also have caused the injuries.

She had not found any marks on the legs which could have been caused by ropes. However, if Mr Morris had been shod, the rope marks might not have shown up, she said.

The hearing was postponed to June 22.

Mr J C C Botha was on the Bench. Mr J W Lückhoff appeared for the State and Mr H Trisos for the two accused.

Unrest, more members, special projects . . .

Reasons for big slices taken by police, defence

251 5702
4/6/87

Pretoria Bureau

The massive increase in both the Police and Defence Force budgets has been attributed to the control of unrest, the increase in the number of members of the police force and special SADF development projects

The appointment of extra manpower, particularly from the Railway Police into the SAP has led to the 42,8 percent — R459 million — rise over the 1986/87 budget

Within the SADF it has been announced that special projects being undertaken — such as the development of new sophisticated weaponry and renewal programmes — had led to the 30 percent increase in the Defence Force spending

Asked to comment on both the SAP and SADF budget increases, spokesmen for the two departments said statements would only be made after the reading of the two budgets in Parliament later

The SADF spokesman said

Please see
7M, 8M, 9M
and 10M.

he was not in a position to comment on the "new developments" which were being undertaken

In an explanatory statement on the defence budget released by the Ministry of Defence yesterday the 30 percent increase in spending was described as "modest"

The inflation rate and the extent of their renewal programmes were listed as the reasons

The ministry said that the budget, measured in real terms "was less than that of 1984/85"

"The Defence Force is very much aware of the fact that a stable and healthy economy is just as much a prerequisite for a strong Defence Force as a strong Defence Force is a prerequisite for a healthy South African economy," said the memorandum

Air defence

"The steady reduction of its share of State expenditure and the gross domestic product during the past decade is evidence of this fact

"The SADF has therefore made every endeavour to curtail the real increase in expenditure required to meet its long-postponed modernisation and re-equipment programmes to between five and six percent

per annum only, during the next five years"

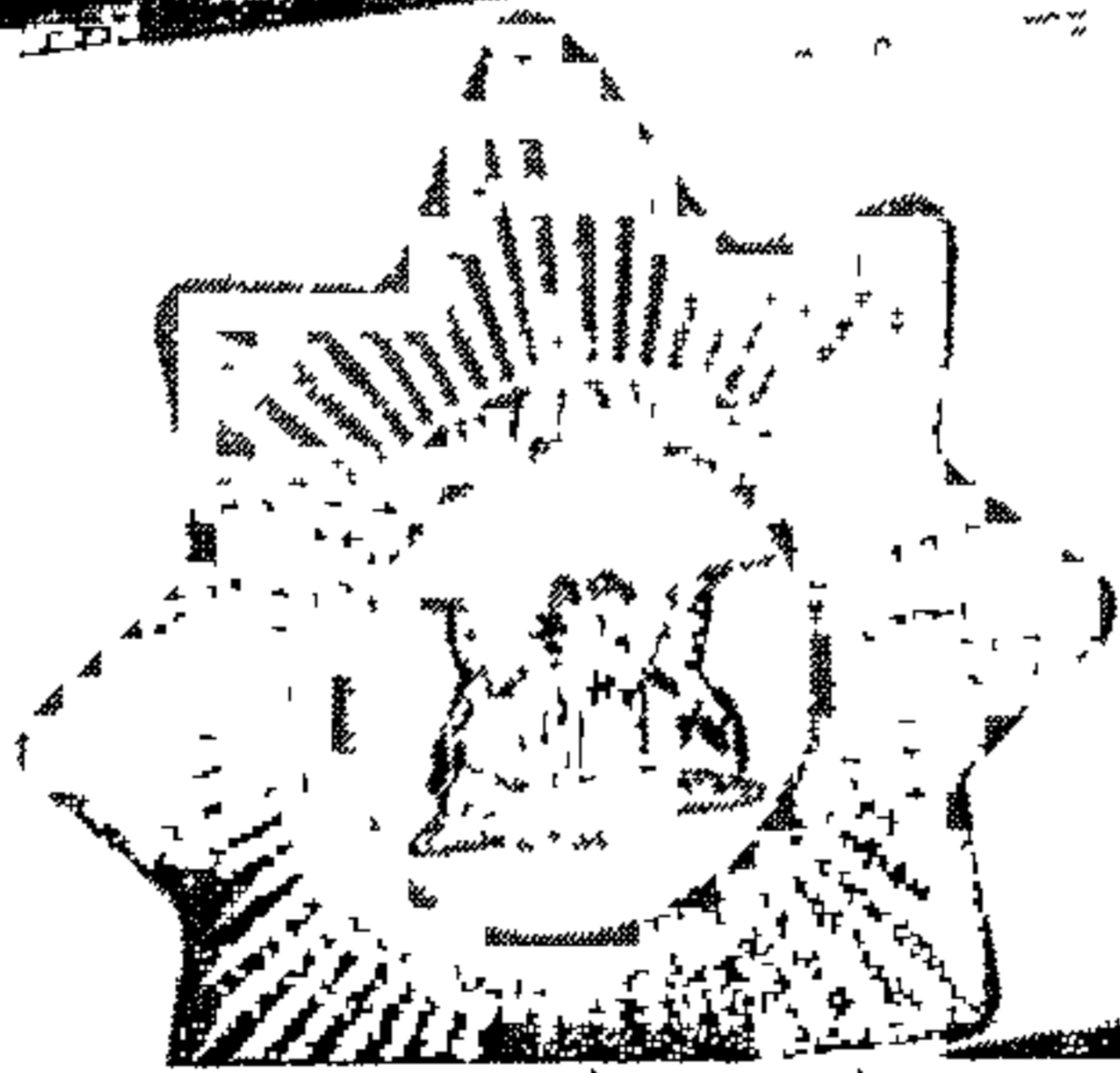
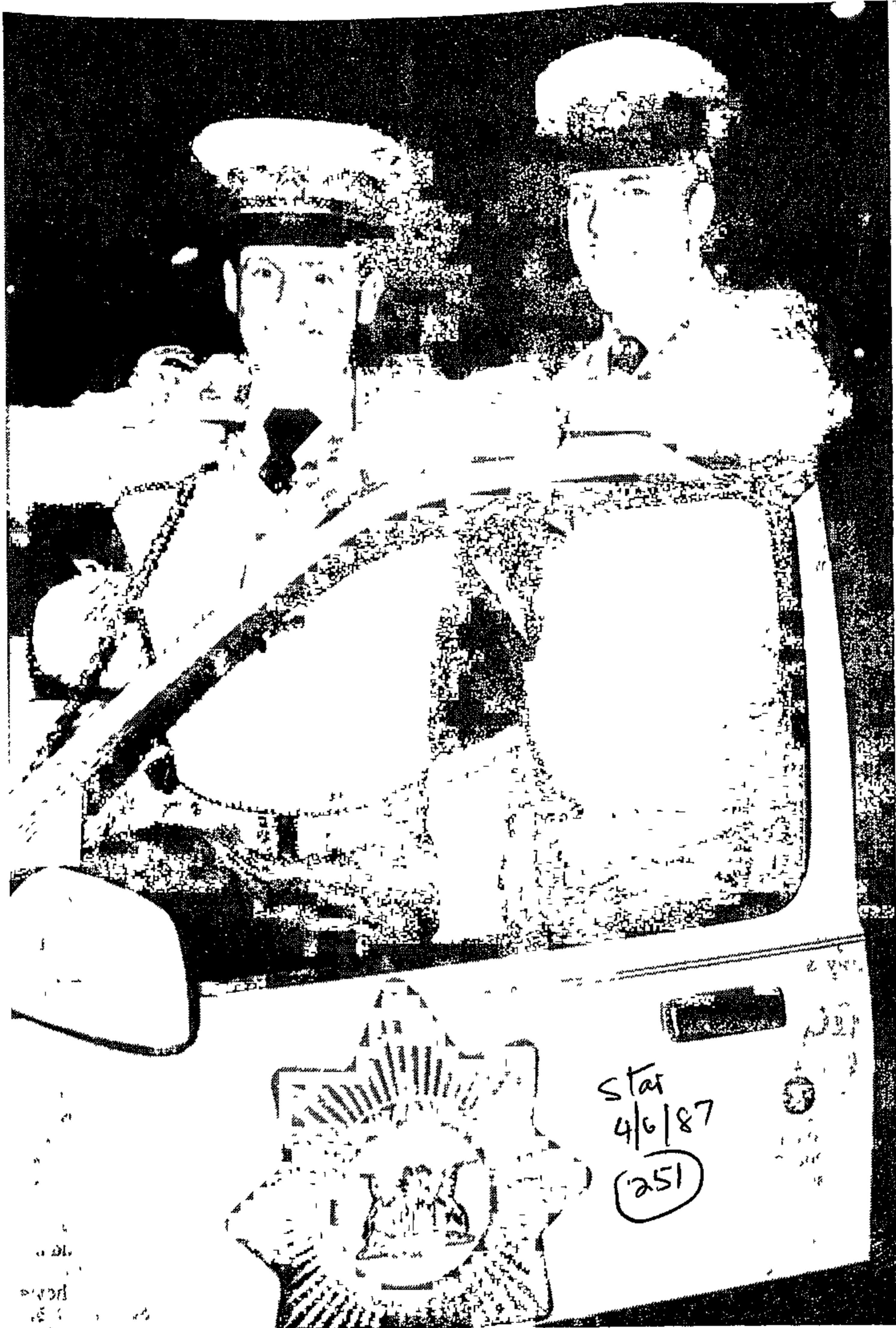
The memorandum noted that that greatest single increase in any of the SADF's programmes was in air defence, with a R925,9 million or 54,9 percent increase over 1986/87 due to modernisation and replacement programmes and inflation

The second largest increase, of R450 million or 22,5 percent in landward defence, was due to modernisation and replacement programmes, inflation and "the transfer of responsibility for border protection to the SADF and increased aid to the SA Police"

"The trend of investing an increasing percentage of the budget in modernisation and replacement programmes has been continued," said the memorandum

The arm of the service receiving the largest portion of the budget was the army, with 39,2 percent, while the air force followed closely with 38,6 percent

Mr du Plessis said in his Budget speech the Defence Force could no longer defer certain programmes "while others such as the Cheetah jet fighter, the combat support helicopter and the G6 mechanised artillery weapon had already been initiated"



Star
4/6/87
(251)

Sergeant Nico van der Merwe and Constable Peet Pretorius seem happy with the portion dealt out to their department.

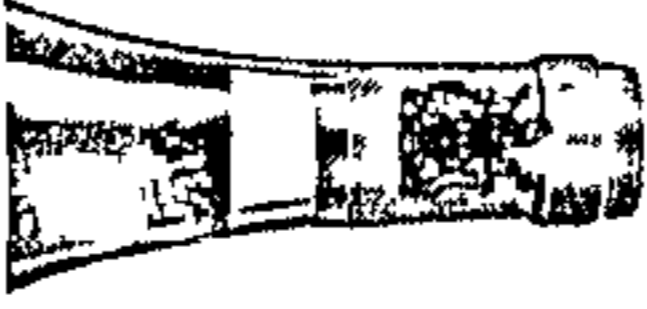
Cape Times

251



HAMILTON RUSSELL VINEYARDS

The reward
of a cooler
climate



Shooting: Cop is blamed

By WETTE VAN BREDA
Court Reporter

AN INQUEST magistrate found that culpable homicide was committed when a policeman shot a 31-year-old father in a Salt River house diagonally opposite his own during unrest in September 1985

The magistrate, Mr P L May, found that Mr Ebrahim Carelse had died of brain damage suffered when he was shot by Lieutenant John Michael Baird, who "attempted to arrest the deceased whom he believed was a person trying to evade arrest"

"The offence of culpable homicide was committed. The court is not satisfied on the evidence that Lieutenant Baird acted within the bounds of Section 49(2) when he shot the deceased," Mr May said

Section 49 (2) relates to a killing which may be deemed justifiable homicide, when a person authorized to make an arrest cannot arrest someone or prevent him from fleeing by other means than killing him

At an earlier hearing Lieutenant Baird said he had gone to Salt River to look for "troublemakers"

He had seen about 20 men on the corner of Albert and Burns Roads among them was a man holding a

petrol bomb as if he was about to throw it.

As the police approached the group, the man, whom the lieutenant said was Mr Carelse, passed the bomb and a brick to another man in the crowd and ran

Lieutenant Baird gave chase and followed "Mr Carelse" into a house. He fired a shot at Mr Carelse as he was about to leave through the back door. He said the shot was intended to be low down but "by fluke" it hit him in the neck

Mrs Jawaya Carelse, wife of the deceased, said her husband had gone to visit neighbours who had just returned from Mecca

A few minutes later she heard a shot and on entering her neighbour's house she found her husband lying just outside the back door

An 11-year-old boy told the court a policeman had come into his grandmother's home and shot Mr Carelse who had stepped out the back door to see why people were running in the road

He said Mr Carelse had come to the house a short while earlier to see his uncle "He was not running," the boy said

Mr M de Vries led the evidence. Mr J R Whitehead instructed by Mr B Haliday, appeared for the Carelse family. Mrs J H Traverso, instructed by the State Attorney, appeared for Lieutenant Baird and the Minister of Law and Order

✓ 2/19/79
SWA
(157)

Police will examine hostel raid allegations

WINDHOEK — Police would examine in terms of the Police Act allegations of irregularities in police action in a raid this week on a hostel in Katutura township outside Windhoek, a SWA Police spokesman said yesterday.

The spokesman, Chief Inspector Kierie du Rand, was approached for comment on a statement issued by the General Secretary of the Council of Churches in Namibia (CCN), Dr Abisai Shejavali.

The CCN statement, issued through the Swapo-affiliated National Union of Namibian Workers, claimed the raid was a combined operation of the South African Defence Force, police, a police counter-insurgency unit (popularly known in SWA/Namibia as Koevoet), and an organisation known as Etango.

A subsequent investigation had brought to light that 74 people were injured.

Chief Inspector Du Rand said: "No South African troops were used."

Hunting jaunts on a farm — and tales of a saucy weekend with the girls

KITNET-FOR-PAITS COOLERS PREFER BROTHERS

BY DE WET POTGIETER

Address Marlene

A TOP-LEVEL police investigation has been launched into allegations of a kit-for-pais caper in the elite Counter-Insurgency (COIN) unit of the South African Police in Pretoria.

A senior police officer in the unit allegedly supplied a friend's northern Transvaal game farm with police stock and equipped a saucy weekend camping party at the coast for friends and girlfriends.

Included among the more minor gear provided by the colonel for the camping party — which included a ballet dancer — were six new pairs of PT shorts for offshore fishing.

This week the SAP directorate of public relations confirmed that preliminary investigations — based on information supplied by the Sunday Times — indicated a possible unauthorised use of police equipment.

It said thorough investigations were continuing with a view to departmental steps against offenders, but insisted there had been no losses as a result of the irregularities.

A senior officer from the SA Police Inspectorate has been appointed to head the inquiry.

The man at the centre of the affair is Pretoria printer Mr Vink Kloppers, a former associate of J Van Zyl Alberts of Inlo fame.

This week Mr Kloppers declined to comment other than to say the equipment had been sent back "a long time ago".

Hunting

An affidavit in the hands of the

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251

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LA! The

French

get so

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her all

By JEREMY BROOKS

Paris

NUDE: South African model Sonya Mulholland Wilander



Kit-for-pals probe

251 511 716 87

□ **From Page 1**
to COIN headquarters in Pretoria West where he met the colonel to get supplies for the weekend

The supplies picked up were two brand new freezers, two generators, two portable coolers (full of ice), six brand new groundsheets for tents, four fold-up steel tables, a dozen chairs, a dozen beds, 24 sheets, 24 pillows and 24 blankets, toilet paper, gas bottles and gas lamps

The four men were waiting at St Lucia Bay for their female companions when they arrived that Thursday night and accompanied them to the camping site at Cape Vidal

Among the girls were a married ballet dancer and aerobic teacher from Bloemfontein, and a divorcee and widow from Pretoria

One of the girls in the party last week confirmed the party and described it as "thoroughly enjoyable"

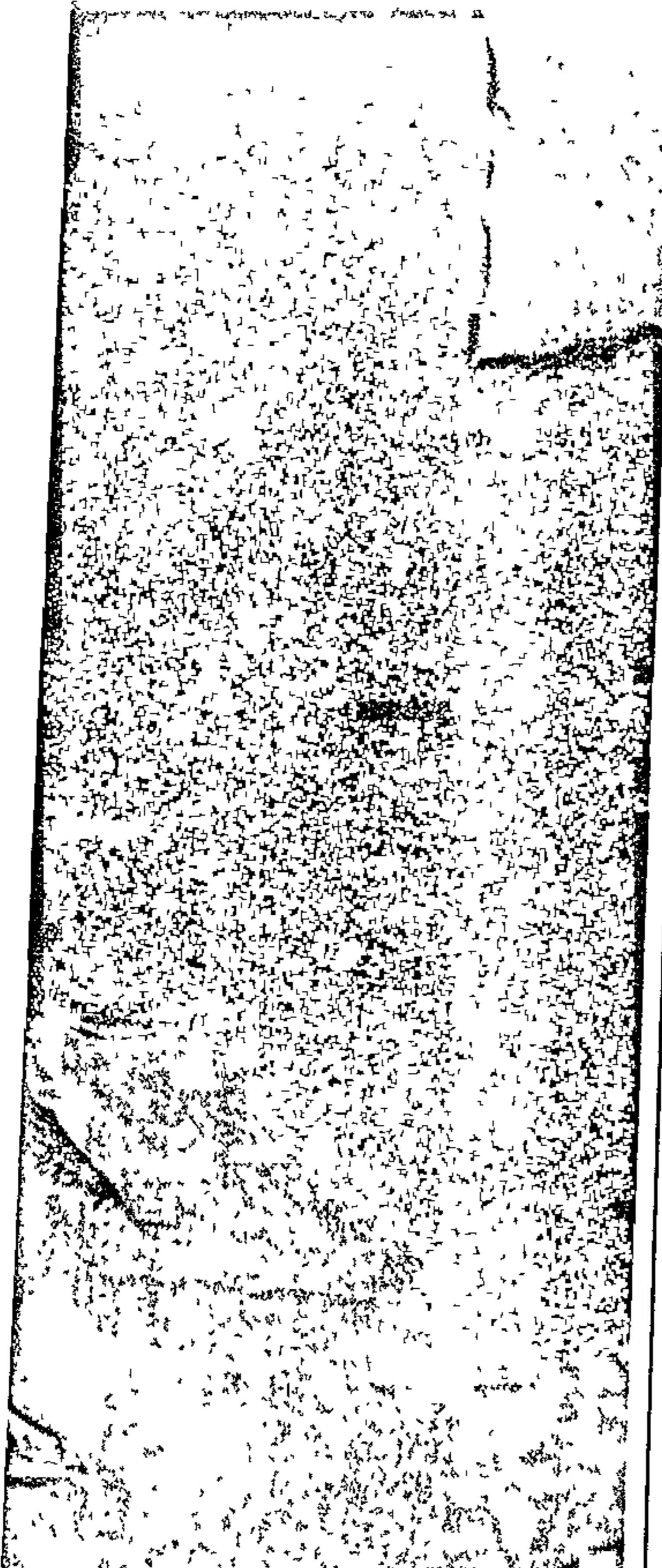
That Sunday morning all the supplies were loaded on Mr Kloppers's truck

Back at his Pretoria North headquarters

home, he allegedly instructed an employee to put some of the supplies on his red bak-

The red bakkie with the following supplies were then reported to have been taken by one of his black farm workers to Ou Hoek three groundsheets, cutlery (bearing the SAP mark), brand new towels, two gas bottles, torch batteries and 100 metres of power cable

The rest of the weekend's supplies were then, it is alleged, taken back to COIN



Included among the more minor gear provided by the colonel for the camping party — which included a ballet dancer — were six new pairs of PT shorts for offshore fishing

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Hunting

An affidavit in the hands of the Sunday Times, made by a former associate of Mr Kloppers, alleges that —

● A police colonel in COIN (whose name is known to the Sunday Times) supplied Mr Kloppers with camping, cooking and hunting equipment for his game farm, Ou Hoek, on the Botswana border.

● Senior military and police officers and some junior cabinet ministers used the farm, apparently unaware that the equipment was irregularly acquired Government stock

● The police colonel provided tents, generators, blankets and food for a weekend jaunt to Cape Vidal on the Natal coast during which Mr Kloppers and his friends entertained four pretty girls

A visit by the Sunday Times to the farm Ou Hoek two weeks ago revealed the police equipment lying in open view

Cartons of ammunition, some of them open, were lying casually in unlocked cupboards in the farm camp, which was guarded only by a black caretaking couple

Confirmed

Soon after the Sunday Times began its investigations it is understood the equipment was hastily returned from Ou Hoek to the stores.

A former friend and farm manager for Mr Kloppers confirmed to the Sunday Times in an affidavit that on several occasions he loaded police supplies at the COIN headquarters at the police training college in Pretoria West for Kloppers's farm

"I never signed for anything," he said "It was mainly during the hunting seasons that I went to the colonel at COIN headquarters at Vink Kloppers's request"

Among the police supplies he allegedly picked up for the farm at COIN headquarters were 18 beds, 18 mattresses, 36 pillows, 36 pillowcases, 36 sheets, 36 blankets, 24 towels, six tables, 18 chairs, two portable coolers, one generator, four big aluminium pots, three big gas bottles, one big hunting light, three groundsheets and lots of ammunition

In March Mr Kloppers, some friends and the COIN colonel went on a fishing weekend to Cape Vidal, about 35km from St Lucia

Mr Kloppers's farm manager allegedly took the truck from Ou Hoek

□ **To Page 2**

UDF Leaders claim damages from Minister

By SIBU MNGADI

FOUR Natal United Democratic Front leaders - part of the much-publicised "British Consulate six" saga of three years ago - have instituted a claim of about R120 000 against the Minister of Law and Order.

The four - UDF president Archie Gumede, Natal Indian Congress president Chanderdeo "George" Sewpershad, former NIC president Moorghah Naidoo and Natal UDF vice-chairman Billy Nair are claiming R25 000 damages for loss of

liberty and general damages

Sewpershad and Naidoo also claim R8 000 each for loss of earnings and Gumede R3 552

An attorney acting for Seedar, Pillay and Govindsamy confirmed that summonses had been issued against the Minister, who is defending the action.

The leaders were released from detention on September 7, 1984, when the Supreme Court ruled that the notice under which they were being detained was unlawful. At the time, they were held under preventive detention.

Two days later the police, acting on the instructions of the Minister, attempted to serve them with fresh notices.

Fearing further detention and deprivation of their liberty, they sought refuge at the British Consulate in Durban on September 13, 1984.

They remained in the consulate until October 6, 1984. When they left the consulate they were immediately arrested and detained in terms of Section 28 of the Internal Security Act.

They were kept in police custody until December 10, 1984 when they, together

with eight others, were charged with treason.

"Our sojourn in the British Consulate, with hardships and prejudices, became necessary as a result of threat of detention in terms of the Internal Security Act," they said.

Meanwhile another claim is being prepared against the Minister of Law and Order.

This is being brought by the accused in the marathon treason trial in Maritzburg, which lasted for about two years and involved UDF and SA Allied Workers' Union leaders.



251

clipped 7/6/87

Commander: SAP men were not reprimanded

251

EP
9/6/87

By DEBBIE BOOYSEN
THE commander of the Cradock Police Station denied in the PE Regional Court today that he reprimanded policemen about throwing stones at people in the township.
Lt Gerhard Johannes Goosen, was testifying in the trial of Mr J C Viviers,

Editor-in-Chief of the Eastern Province Herald, Evening Post and Weekend Post, Miss Jo-Ann Bekker, a former reporter for the Herald, and Miss Debbie March, a reporter.

All have pleaded not guilty.

The case follows a report in the Herald on February 4, 1985, in relation to actions by the SA Police in a Cradock township.

In his evidence, Lt Goosen told the court how the discovery of the body of a Constable Bonali had led to the arrest of Mr Madola Jacobs near the Dutch Reformed Church of Africa in Sikulu Street, Lingelihle, on Sunday, February 3, 1985.

Mr Jacobs had been brought there by the chairman of Cradora, Mr Mathew Goniwe. When the crowd that began gathering became riotous, shouting and stoning the police and their vehicles, Capt Hans Gouws fired three 37mm teargas canisters. Because he was watching the crowd, he could not say where the canisters fell, Lt Goosen said.

The crowd began dispersing and the police left for the police station. Mr Goniwe, a Mr Makaula and a third person later arrived at the charge office wanting to see Mr Jacobs. Lt Goosen said he could not grant the request as Mr Jacobs had been arrested.

The minister of the church where the teargas incident happened, Rev R Obose, and members of his congregation then arrived still dressed in their church clothes.

Rev Obose, who was carrying the remains of the teargas canisters, told Lt Goosen that the church service had been disrupted and that the congregation had to leave the church when teargas started coming through the windows. He said the two canisters had fallen

outside the church and one outside the manse.

Lt Goosen said he explained that the police action had been necessary to disperse a riotous crowd. He also said that the police had been unaware that a church service was in progress and that they had not meant to disrupt it.

Rev Obose clearly understood and, saying he did not want to lay a charge, left. After this, Mr Goniwe reported an assault on the third person with him and Lt Goosen ordered statements to be taken so the matter could be investigated.

Under cross-examination, Lt Goosen said he had spoken to the minister who had been carrying the teargas canisters that morning and not an elder, Mr Richard Rasmien, who told the court that he had carried and handed over the canisters. At no stage was he told that teargas had been fired into the church — which was different to teargas entering the church, he said.

Lt Goosen further said Mr Makaula had not complained of stones being thrown at people in the township. If he had, the matter would have been investigated. It was further contrary to departmental regulations for him to admonish a member of the force publicly (as the newspaper report claimed had happened) and only on the grounds of an allegation.

When he read of the allegations of the stone-throwing by police in the newspaper the next day, he was surprised — firstly, because this was not what had happened at the charge office, and secondly, because he had spoken to both Mr Goniwe and Rev Obose and not a Lt Gouws as the report stated.

(Proceeding)

CAPE TIMES 10/6/87 (25/1/87)

Ex-cop 'started riverbed fire'

OUTSHOORN — A former police constable purposely started a fire that destroyed the shelters and belongings of nine squatters living in a riverbed, the Circuit Court here has found

Constable Barend Cilliers, 30, a former member of the police at Oudtshoorn, was convicted yesterday of malicious damage to property

He was sentenced to a fine of R400 (or 200 days), four months suspended for five years and a compensatory fine of R2 974.

Mr P J Greeff was the presiding regional magistrate Mr P Groenewald prosecuted and R G Gerber appeared for Cilliers

Cape Times 10/6/87 251

Court told of teargas in hall

By YVETTE VAN BREDA
Court Reporter

TEARGAS canisters hit the windows and walls of the Zolani Centre in Nyanga East and one canister went into the hall, causing pandemonium at a May Day Rally taking place inside, the Wynberg Civil Court heard yesterday.

Mr Murray Michel was giving evidence for plaintiffs Mr Rodrigo Nunes and Mrs Zora Mehlomakhulu, who are suing the Minister of Law and Order for R200 and R500 respectively for damages and humiliation caused at the meeting.

Mr Michel, a photographer, said he was in the hall about 5pm, when the meeting was just coming to a close. He became aware that teargas was being fired outside and some canisters hit the windows and walls. "One canister bounced off the steps and came inside, emitting gas."

Pandemonium broke out, people passed out and one woman was trampled on as people clambered and dashed to get out.

Mr Tony Weaver, deputy news editor of the Cape Times, said he had been outside, between the security forces and the hall, to take photographs.

There were about 700 people at the terminus opposite and in the grounds of the hall, and about 200 youths singing and dancing in the street.

Mr Weaver said a stone was thrown at one of the Casspirs. After ordering the people to disperse, police fired teargas at the youths in the street, then about 30 to 40 canisters were fired at the hall.

Captain Henry Paulse, who was in command of the platoon who went to the Centre, said police had fired 104 rounds of teargas in about half a minute.

Teargas was not fired into the hall, only over it. He said it was not police practice to fire teargas into buildings.

Captain Paulse said he had foreseen that the wind would blow teargas into the hall and that people would be affected. He agreed that it would be highly dangerous and unfair to have fired teargas into the centre.

In argument, Mr B Griessel, for the minister, said the police were acting lawfully when they fired the teargas.

He said Mr Weaver was "biased".

Mr D Potgieter, for the plaintiffs, said all his witnesses had said the gas was concentrated in one place and if it had been blown in, it would have drifted.

The magistrate, Mr W Schagen, reserved judgment.

Mr Potgieter was instructed by Legal Resources and Mr Griessel by the State Attorney.

| | Male | Female | Total |
|-------------------------|-------|--------|-------|
| Transport | 48 | 2 | 50 |
| Financing and insurance | 21 | — | 21 |
| Domestic service | 185 | 1 | 186 |
| Other | 104 | 2 | 106 |
| Total | 2 410 | 11 | 2 421 |

Zimbabwe

| | Male | Female | Total |
|---------------------------|--------|--------|--------|
| Agriculture | 704 | 1 | 705 |
| Mining and quarrying | 114 | — | 114 |
| Manufacturing | 355 | 1 | 356 |
| Electricity | 52 | 3 | 55 |
| Construction | 234 | — | 234 |
| Wholesale and retail | 622 | 3 | 625 |
| Transport | 695 | 4 | 699 |
| Financing and insurance | 269 | — | 269 |
| Domestic service | 3 655 | 15 | 3 670 |
| Other | 573 | 4 | 577 |
| Total | 7 273 | 31 | 7 304 |
| Unclassifiable foreigners | 74 747 | 683 | 75 430 |

Ibhayv/KwaNobuhle Town Councils

43 Mr D J N MALCOMESS asked the Minister of Constitutional Development and Planning

- (1) (a) How many town councillors were there on the (i) Ibhayi Town Council and (ii) KwaNobuhle Town Council on 1 January 1985, 1986 and 1987, respectively, and (b) what was the total remuneration package of each councillor received from the State or State bodies as at the latest specified date for which information is available,

- (2) whether these town councillors or mayors receive any housing or transport benefits if so, (a) what benefits and (b) by what Departments or State bodies are these benefits financed,

- (3) whether these town councillors are being protected by guards, if so, (a) what total amount had been spent on this service as at the latest specified date for which figures are available and (b) from what source is this service financed,

THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

(1) (a) (i) *Ibhayi Town Council*

- 1 January 1985—21 Councillors
1 January 1986—12 Councillors
1 January 1987—11 Councillors

(ii) *KwaNobuhle Town Council*

- 1 January 1985—16 Councillors
1 January 1986—0 Councillors
1 January 1987—0 Councillors

- (4) whether town councillors receive any loans to build houses, if so, (a) from whom and (b) at what rate of interest,

- (5) (a) in respect of each of these councils, (i) how many councillors were (aa) elected and (bb) appointed and (ii) on what date was each councillor elected and (b) what number of councillors forms a quorum?

- (b) (i) *Ibhayi Town Council*
Mayor
Deputy Mayor
Members of the Executive Committee
Councillors
- Remuneration package*
R1 400,00 per month to date
R1 000,00 per month to date
R300,00 per month to date
R400,00 per month to date

- (ii) *KwaNobuhle Town Council*
Mayor and Chairman of the Executive Committee
Deputy Mayor and Vice Chairman of the Executive Committee
Members of the Executive Committee
Councillors
- Remuneration package*
R437,50 per month up to 28-2-85
R312,50 per month up to 28-2-85
R250,00 per month up to 28-2-85
R125,00 per month up to 28-2-85

Councillors allowances are funded from the Council's annual budget

- (2) (a) *Ibhayi Town Council*, None
KwaNobuhle Town Council, None

- (b) Falls away

- (3) (i) *Ibhayi Town Council*

- (a) Councillors are protected by guards 30 Guards averaging R6 252 each per annum

- (b) Financed by Government subsidy

- (ii) *KwaNobuhle Town Council*

- (a) Councillors are protected by staff of the Council (Municipal Police) R70 606,86 per annum in total

- (b) Financed out of Council's annual budget

- (4) (i) *Ibhayi Town Council*

- (a) No loans are granted to Councillors for buying or building residences

- (b) Falls away

- (ii) *KwaNobuhle Town Council*

- (a) No loans are granted to Councillors for buying or building residences

- (b) Falls away

- (5) (a) (i) *Ibhayi Town Council*
(aa) 10 now serving were elected on 1 December 1983
(bb) 1 now serving was appointed by the Minister on 23 January 1986
- (b) 11 Councillors
- (a) (i) *KwaNobuhle Town Council*
(aa) 16 Councillors were elected unopposed as Town Councillors on 30 November 1983
(bb) None

- (b) 9 Councillors

Municipal police

54 Mr P G SOAL asked the Minister of Constitutional Development and Planning

- (1) Whether a minimum education qualification is required for recruitment for the municipal police, if so, what is that qualification,

- (2) whether any municipal policemen attached to the (a) Ibhayi Town Council and (b) KwaNobuhle Town Council have education qualifications (i) lower than (aa) Std 4, (bb) Std 6, (cc) Std 8 and (dd) Std 10 and (ii) higher

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10/6/87

10/6/87

251

THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

than Std 10, if so, how many in each case?

(1) Yes Std 10, but a lower qualification in deserving cases is also acceptable

(2) (a) (i) (aa) 20
(bb) 10
(cc) 80
(dd) 118
(ii) 0
(b) (i) (aa) 0
(bb) 63
(cc) 152
(dd) 33
(ii) 0

employees are filled by temporary employees, if not, what arrangements are made regarding these posts, if so, (a) how many temporary employees had been engaged to fill such posts as at the above date and (b) what steps are taken in respect of such temporary employees when the detained employees are released by the Police?

THE MINISTER OF WATER AFFAIRS

(1) No
(2) Falls away

Taxable earnings

93 Mr J J WALSH asked the Minister of Finance

(a) What were the total taxable earnings for Whites, Coloureds and Indians, respectively, in 1986 and (b) what was the (i) total taxable income earned in this year by each of these race groups and (ii) percentage increase or decrease for each such group over the previous year?

THE MINISTER OF FINANCE

(a) No statistics are available in respect of total taxable earnings

(b) (i) 26 839 355 454
(ii) +4,8%

Whites
Coloureds
Indians
1 965 070 957
+4,4%
1 296 794 320
+8,6%

Notes (1) These statistics excludes taxpayers paying tax under the Final Deduction System, in respect of whom accurate statistics are not available
(2) These statistics are incomplete because approximately 20 per

State housing sale

Orange Free State

111 Mr P C CRONJÉ asked the Minister of Constitutional Development and Planning

How many houses had been sold to Blacks by his Department under the State housing sale announced by the then Minister of Community Development on 3 March 1983, as at the latest specified date for which figures are available?

TOTAL

51 787

Mining sector: tax revenue

116 Mr C J DERBY-LEWIS asked the Minister of Finance

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING
As at 30 April 1987

| | |
|---------------|--------|
| Transvaal | 41 036 |
| Cape Province | 6 352 |
| Natal | 562 |

(a) What amounts were budgeted in respect of tax revenue from the mining sector for the 1980-81, 1985-86 and 1986-87 tax years, respectively, and (b) what were the actual amounts collected from this source in each of these tax years?

Estimate Collections

| Financial Year | Mining Leases | Income Tax | Mining Leases | Income Tax |
|---------------------|---------------|------------|---------------|------------|
| 1980-81 | R695 m | R2 090 m | R880 2 m | R3 006 4 m |
| Diamond Export Duty | R 31 m | | R 24 8 m | |
| 1985-86 | R468 m | R2 275 m | R633 2 m | R2 938 1 m |
| Diamond Export Duty | R 37 m | | R 56 7 m | |
| 1986-87 | R680 m | R2 730 m | R845 3 m | R3 450 2 m |
| Diamond Export Duty | R 35 m | | R 48 4 m | |

Nurses: salary scales

126 Dr M S BARNARD asked the Minister in the State President's office entrusted with Administration and Broadcasting Services

(1) What are the salary scales payable to (a) male and (b) female persons of each race group employed in institutions falling under the control of Government Departments as (i) student nurses, (ii) staff nurses, (iii) professional nurses, (iv) chief professional nurses?

(2) whether salary parity has been achieved in respect of all nurses falling under the control of such Departments, if not (a) why not, (b) when is it anticipated that salary parity will be achieved and (c) what is the estimated annual cost of bringing about parity by increasing the salaries of Black, Coloured and Asian nurses?

Handwritten notes and signatures at the bottom of the page.

Pik says bomb meant for SA targets

SAP responsible for bomb blast says Botswana

251
B Day 1d 6/07

GABORONE — The government said yesterday that a car-bomb, which killed three people here in April, was detonated by the SAP in an attempt to keep an undercover operation secret.

The office of President Quett Masire made the allegation in a statement reporting the findings of a Botswana police investigation of the April 9 explosion. An elderly woman, a 7-year-old child and an infant living in a house near the bomb-laden minibus were killed.

The government statement said the minibus was driven into Botswana on April 4 by Keith MacKenzie, an alleged SAP agent.

Citing information from "sources close to MacKenzie", the statement said his vehicle was in the possession of the SAP for three days prior to the trip to Botswana, and apparently was fitted out with a monitoring device and a bomb "which was to be detonated later for an unknown purpose".

The statement said the SAP told MacKenzie to drive the vehicle only in the vicinity of two hotels in Gaborone.

According to the statement, the instructions were disregarded, and the vehicle was driven to northern Botswana before being returned to Gaborone by a man identified as Basnar Pule.

"After the return of the vehicle to the agreed range of operations, learning that it was no longer in MacKenzie's possession and fearing it might end up with Botswana police, the SAP detonated the explosives on the vehicle by remote control in order to destroy any evidence that might point to the South Africa connection," the statement said.

"They did so knowing that the vehicle was probably parked in a densely populated area of Gaborone."

The statement said Botswana had filed a protest with SA and "a response is awaited." It also said investigators were seeking to determine MacKenzie's whereabouts.

The SAP were approached for comment last night, but this was not available at the time of going to press.

Immediately following the bombing the ANC and the SA government blamed each other for the blast.

SA's Foreign Minister Pik Botha said the explosives "were probably intended for targets in SA, had they not exploded prematurely." The ANC said the blast was part of series of SA raids on neighboring states which it accuses of harbouring guerrillas.

Since the Gaborone explosion, SA has acknowledged that its forces carried out a raid in Livingstone, Zambia, in which five people were reportedly killed — Sapa-AP

10/6/71 25/

'Confession' of bomb threat inadmissible, says magistrate

Court Reporter

A WYNBERG Regional Court magistrate has ruled as inadmissible a confession allegedly made after a man accused of threatening to blow up police flats was assaulted at Wynberg police station

The accused, Mr Darryl Wilham Ackerman, 29, of Lentegeur, has pleaded not guilty to a charge of making a bomb threat by way of an anonymous telephone call to Detective-Constable L Aspeling at Servamus Flats, Wynberg, last July or, alternatively, making a false statement regarding an explosion.

In a test on the validity of an alleged confession Mr Ackerman said he was arrested at his home and taken to Wynberg police cells.

The following morning he was taken to Lieutenant Abraham van der Westhuizen's office and was told in Afrikaans to make a statement.

He replied in English that he was not prepared to make a statement. Lieutenant van der Westhuizen pushed him around and used abusive language.

His hands were handcuffed tightly behind his back and Lieutenant van der Westhuizen kneed him in the stomach and back and hit and punched his face.

Mr Ackerman said something wet was tied over his head and he felt suffocated. He was thrown to the ground and assaulted until he lost consciousness.

"NOT IN FIT STATE"

Later a Constable Nolan released him, asking him to sign a "fingerprint form".

"I was not in a fit state to read the form," Mr Ackerman said

Mr M A Albertus, for Mr Ackerman, asked him if he was made to sign the statement under false pretences.

Mr Ackerman replied: "Yes"

He said his hands were so swollen he could not move his fingers and Constable Nolan massaged them.

He said he did not at any time make a confession.

District surgeon Dr S W Stoch said he saw Mr Ackerman on July 5 and noted on an official form that he had minor injuries to his wrists consistent with handcuff injuries.

Had Mr Ackerman complained of having been assaulted he would have entered that on the form, he said.

Under cross-examination by Mr Albertus, Dr Stoch said he could not recall why the form he filled in was dated July 9 when he saw Mr Ackerman on July 5

The magistrate postponed the hearing to July 21.

Teargas fired at riotous crowd: claim Police chief denies public reprimand

251
DD
10/6/87

PORT ELIZABETH — The commander of the Cradock police station denied in the Port Elizabeth regional court yesterday, that he had reprimanded policemen about throwing stones at people in the township.

Lieutenant Gerhard Johannes Goosen was testifying in the trial of the editor-in-chief of the Eastern Province Herald, Mr J C. Viviers, a former reporter for the Herald, Miss Jo-Ann Bekker, and a Herald reporter, Miss Debbie March.

All three pleaded not guilty at a previous hearing.

They are alleged to have been involved in publishing certain statements without reasonable grounds for believing them to be true.

The case follows a report in the Herald on February 4, 1985, in relation to actions by the SA Police in a Cradock township.

The report claimed that the police had fired a teargas cannister

into a church building while a service was in progress, that policemen travelling in a hippo had thrown stones at a house and/or that such an allegation was reported to a Lieutenant Gouws at the Cradock police station and/or that he had told police in the room not to throw stones.

It also claimed that the Reverend R. M. Obose had arrived at the police station and said teargas had been fired into his church and that Mr Richard Rasmeni told the Herald that chaos had erupted when one teargas cannister was fired into the kitchen door of the manse.

In his evidence, Lt Goosen told the court how the discovery of the body of a Constable Bonali had led to the arrest

of Mr Madola Jacobs, near the Dutch Reformed Church of Africa, in Lingelihle.

Capt Hans Gouws had fired three 37 mm teargas canisters at a riotous crowd that gathered

Mr Obose had told Lt Goosen that the church service had been disrupted and that the congregation had to leave the church when teargas started coming through the windows.

Lt Goosen said he had spoken to the minister that morning and not an elder, Mr Richard Rasmeni, who told the court that he had carried and handed over the empty teargas canisters. At no stage was he told that teargas had been fired into the church — which was different to teargas entering the church, he

said

Lt Goosen further said Mr Makaula had not complained of stones being thrown at people in the township. If he had, the matter would have been investigated. It was further contrary to departmental regulations for him to admonish a member of the force publicly.

When he read of the allegations of the stone-throwing by police in the newspaper the next day, he was surprised — firstly, because this was not what had happened at the charge office, and secondly, because he had spoken to both Mr Goniwe and Mr Obose and not a Lt Gouws as the report stated.

The trial is continuing — Sapa

Police 'liable' for man's death

POTGIETERSRUS. — Monday's inquest findings by a magistrate here, that 10 Lebowa policemen were liable for the death of journalist Mr Lucky Kutumela on April 5 last year, has caused a stir in legal circles

The policemen concerned were named, but there were no findings made regarding the actual cause of Mr Kutumela's death. The findings are to be referred to the attorney-general for further investigation

A doctor's report stated that Mr Kutumela died after receiving 41 sjambok lashes on his body, as well as a number of serious blows inflicted by a blunt instrument, and injuries to his head. The report said he died from multiple internal bleeding and cerebral concussion

The doctor mentioned that he could have been saved if he had received immediate medical care

Two men who were detained by Lebowa police with Mr Kutumela at the Mokopane police station, described Mr Kutumela's last moments to the court.

Mr K Kekana testified that he had appealed to police to get medical assistance, warning them "Otherwise you will be faced with three corpses"

He said Mr Kutumela experienced difficulty in breathing during the night, after allegedly being assaulted by police, but his plight was ignored, in spite of appeals by his cellmates

Mr D Thobojane, another detainee, confirmed Mr Kekana's version of the events which led to Mr Kutumela's death. He said the dead man had complained

after being assaulted with sjamboks that he was cold, and later experienced considerable pain

The two men found him to be dead about 5 the next morning, about nine hours after the alleged assault

Mr Kekana said he was also assaulted and still bore the marks of the sjambok blows.

Mr Thobojane said he had lost the sight in his left eye after being kicked by a policeman

Policemen who testified rejected the assault claims, saying they sjambokked the detainees briefly because they refused to enter the police cells

Affirmative

Mr J A Wessels, representing the policemen, asked Mr Kekana whether he belonged to the Azanian People's Organization (Azapo), and he replied in the affirmative. When asked whether he was a "comrade", he replied "What is a comrade?"

Referring to a file of documents found in the house in Mahwelereng township where the men were arrested, Mr Wessels said it contained details of boycott plans and "comrade" activities.

Mr Kekana denied all knowledge of such plans and activities

The policemen found to be responsible for Mr Kutumela's death are constables Lebese, Rampedi, Modiba, Mphahlele, Ledwaba and Mabukachaba, Lieutenant Molungwane and sergeants Machete, Seunane and Seete — Sapa

CAPE TIMES 10/6/87
251

Gaborone blast 'work of SAP'

GABORONE — The government said yesterday that a car-bomb which killed three people here in April was detonated by South African police in an attempt to keep an undercover operation secret.

The office of the President, Mr Quett Masire, made the allegation in a statement reporting the findings of a Botswana police investigation into the April 9 explosion.

The government statement said the minibus was driven into Botswana on April 4 by an alleged South African police agent from Pretoria named Mr Keith MacKenzie.

The statement said police told MacKenzie to drive the vehicle only in the vicinity of two hotels in Gaborone.

According to the statement, the instructions were disregarded and the vehicle was driven to northern Botswana before being returned to Gaborone by a man identified as Mr Basnar Pule.

Fearing it might end up with Botswana police, the South African police detonated the explosives on the vehicle by remote control to destroy evidence of a South Africa connection, the statement said.

□ The South African Police have been approached for comment, which was unavailable at time of going to press — Sapa-AP

More news on page 14

Commander denies he rebuked cop

PORT ELIZABETH — The commander of the Cradock police station denied in the Regional Court here yesterday that he reprimanded policemen about throwing stones at people in the township.

Lt Gerhard Johannes Goosen was testifying in the trial of Mr J C Viviers, editor-in-chief of the Eastern Province Herald, Evening Post and Weekend Post, Miss Jo-Ann Bekker, a former reporter for the Herald, and Miss Debbie March, a Herald reporter.

The three are alleged to have been involved in publishing statements without reasonable grounds for believing them to be true. The case follows a report in the Herald on February 4, 1985, concerning actions by the SA Police in a Cradock township.

In his evidence, Lt Goosen told the court how the discovery of the body of a Const Bonali had led to the arrest of Mr Madola Jacobs near the Ned Geref Kerk van Afrika in Sikulu Street, Lingelihle, on Sunday, February 3, 1985.

'Riotous crowd'

Mr Jacobs had been brought there by the chairman of Cradora, Mr Mathew Goniwe. When the crowd that began gathering became riotous, shouting and stoning the police and their vehicles, Capt Hans Gouws fired three 37mm teargas canisters.

Mr Goniwe, a Mr Makaula and a third person later arrived at the charge office wanting to see Mr Jacobs. Lt Goosen said he could not grant the request as Mr Jacobs had been arrested.

The minister of the church where the teargas incident happened, Mr R Obose, and members of his congregation then arrived.

Mr Obose carried the remains of the teargas canisters. He told Lt Goosen the church service had been disrupted and the congregation had to leave the church when teargas started coming through the windows. Two canisters had fallen outside the church and one outside the manse.

'Clearly understood'

Lt Goosen said he explained that the police action had been necessary to disperse a riotous crowd. He also said the police had been unaware that a church service was in progress and they had not meant to disrupt it. Mr Obose clearly understood and, saying he did not want to lay a charge, left.

Under cross-examination, Lt Goosen said he had spoken to the minister who had been carrying the teargas canisters that morning and not an elder, Mr Richard Rasmeni, who told the court that he had carried and handed over the canisters. At no stage was he told teargas had been fired into the church.

Lt Goosen also said Mr Makaula had not complained of stones being thrown at people in the township. It was also contrary to departmental regulations for him to admonish a member of the force publicly (as the newspaper report claimed had happened) and only on the grounds of an allegation.

When he read of the allegations of stone-throwing by police in the newspaper the next day, he was surprised — firstly, because this was not what had happened at the charge office, and secondly, because he had spoken to Mr Goniwe and Mr Obose and not a Lt Gouws, as the report stated.

The case is proceeding in Sapa.

Boy shot playing with stones

By MOIRA LEVY

A BELHAR boy, aged 16, is in serious condition in hospital after being shot in the back by a policeman last Sunday, in an incident on which conflicting accounts are being given by the boy's parents and the police.

The boy's mother says her son, Melvin, and friends were playing an innocent "game" with a stone when he was shot without warning.

But the SAP Public Relations Bureau, however, claims a policeman's house was damaged in an attack by stone-throwing youths. A youth was injured when a shot was fired the attackers, they say.

Mrs Katherine le Fleur says Melvin and his friends were tossing a stone to each other as they



Turn to page 3

Belhar schoolboy Melvin le Fleur in hospital

Belhar boy shot

From page 1

walked down the road last Sunday claim for damages, he said

One of the youths missed the catch and the stone hit the home of a Belhar policeman. Melvin was unable to speak when SOUTH visited him in hospital. According to his mother, doctors could not say if Melvin would walk again.

The youths were pursued and a shot was fired. Melvin was struck in the back. They claim no warning was given before the shot was fired. Police confirmed a shot was fired in Belhar on Sunday May 31 and a youth wounded.

Melvin was taken to Tygerberg Hospital where doctors operated to remove a bullet. The police. "The home of a policeman in Belhar was allegedly attacked by a group of 20 to 30 stone-throwing youths. The member's house and vehicle were damaged.

Lawyers acting for the boy said the bullet damaged Melvin's spinal cord and missed his heart. "He can move one leg slightly and has no sensation in the other leg."

The lawyer said Melvin had been charged with public violence and was expected to appear in court on June 29.

The family was investigating a possible civil claim for damages, he said. Melvin is presently under police guard in hospital.

APC Times 12/6/87

Police ~~27~~ wounded in Soweto shootout

(251)

PRETORIA — A trained ANC insurgent was killed and two policeman, one a senior officer, were seriously wounded in a shootout in Emdeni, Soweto, yesterday, police said

Police surrounded a house in Emdeni after learning of a "terrorist" in hiding. Four men — two who were later identified as "trained ANC terrorists" — emerged

While searching the house two policemen were fired at from behind a door, and a Constable Theart was wounded

The other policeman fired at the attacker and helped Const Theart out of the house.

More shots were fired from the house and police retaliated by hurling hand grenades

Shots were then fired at police from another house across the street, wounding a Lt-Col Sauer, the spokesman said

The body of a "foreign trained ANC terrorist" was found in the first house, clutching a Makarov pistol.

Col Sauer was undergoing surgery at the Johannesburg Hospital — Sapa

Bail *E Post*
12/6/87
granted (251)
in murder
case (12) (12)

HERALD REPORTER

BAIL of R300 each was granted at New Brighton Magistrates' Court yesterday to a youth of 15 and five men appearing in connection with the killing of three "kitskonstabels" who were burnt to death.

Mr Muse Mkona, 23, Mr Michael Ndamane 26, Mr Hlangene Mkona 20, Mr Billy Madoda Mkona, 18 and the 15-year-old youth, all of Kwazakele, appeared before Mr M van der Vyver.

They were charged with the murder of three special constables whose badly mutilated bodies were discovered by police in Kwazakele, in April. The accused are also facing two charges of attempted murder.

The case was adjourned until July 1.

Mr W Human appeared for the State, Mr M D Vabaza appeared for the defence.

CMA TROIKS 12/6/87 (250)

Religious objectors: Option plea

Political Staff

HOUSE OF ASSEMBLY. — Religious objectors to military service should also be given the option of doing community service in non-governmental institutions like the Red Cross or Nicro

This plea was made yesterday by the Progressive Federal Party's defence spokesman, Mr Peter Gastrow, while he was recording his party's objections to the second reading of the Defence Amendment Bill, passed yesterday by a government and Conservative Party majority.

Mr Gastrow said only a few government departments accepted religious objectors for community

service. Mr Justice Hiemstra had said these men should be fully used.

The Department of Education had stated they were not prepared to accommodate objectors.

Reiterating his party's objection to the fact that the law made no provision for ethical or philosophical objectors, Mr Gastrow said the six-year-term of community service for religious objectors or jail sentence for conscientious objectors was extremely harsh.

He said this period was supposed to be one-and-a-half times actual military service, but the average national servicemen only served 45% of the maximum period for which he was liable to be called up.

Tracing device in fated minibus

PRETORIA. — The South African Police fitted a "tracing device" to missing Pretoria taxi driver Keith MacKenzie's minibus before it exploded in Gaborone in April, killing three people.

According to a diplomatic note South Africa sent to Botswana yesterday, this had been done because the SAP learnt that ANC members would fit a remote-controlled explosive device to the vehicle in Botswana.

This information emerged when Foreign Affairs Minister Mr Pik Botha made public the contents of the note, in which the South African government "emphatically" denied SAP involvement in the blast.

The note said that it was "deplorable and unacceptable that the Botswana government sees fit to implicate the South African Police whilst ignoring the grave danger arising from the presence of the ANC in its territory".

Mr MacKenzie, who ran a taxi service between Gaborone and Pretoria, has reportedly gone into hiding.

The note, sent in reply to Botswana's

accusations of SAP involvement in the blast, said the SAP had incontrovertible evidence that Mr MacKenzie had been used by the ANC to transport "terrorist weaponry" from Botswana to South Africa.

The last time the driver went to Botswana, he was to have met Ernest Lekoto Pule and Lester Dumakude, "both active ANC terrorists".

Further investigations by the SAP revealed that MacKenzie was to have taken a vehicle to Botswana which Dumakude and Pule were to equip with an explosive device to be detonated by remote control.

It was established that MacKenzie would use a vehicle with registration number JKG375T, registered in the name of his wife (Eloise), and a tracing device was installed in his vehicle by the SAP.

"This vehicle exploded in Gaborone on April 8 and there is no doubt that it had been equipped by the ANC with an explosive device as described above."

The government invited Botswana to inspect "certain material to support these facts" — Sapa

CAT 71-12 12/6/87

2511

Widow to sue police over son

Supreme Court Reporter

THE Minister of Law and Order is facing another court suit after a 57-year-old widow whose son died in a police station after being punched in the head was awarded R10 000 damages against the killer

The court heard that 25-year-old Mr Dawid Miggel, a Vanrhynsdorp labourer, was in police custody when he was assaulted in the Vanrhynsdorp police station by Johannes Jacobus van Zyl of Darling in December 1985, and died as a result.

CAD *Tues 13/6/87* *(251)*
Van Zyl appeared in court in April last year, pleaded guilty to assault but not guilty to culpable homicide and was fined R200 (or three months)

The victim's mother, Mrs Maria Miggel, said her son had given her between R40 and R50 a week to help support the last of her 10 children and a grandchild

She said she worked R4 for a 12-hour day as a seasonal tomato-picker

"There is no other work for us. If one can get work as a domestic

one gets R3 a day," she said

Mrs Miggel claims that Constable J J van der Westhuizen was present while her son was assaulted and was negligent in failing to protect him. Her attorney said she intended proceeding against the Minister of Law and Order

Mr Justice E L King presided. Mr I J Muller, instructed by Y Ebrahim and Co, appeared for Mrs Miggel

Three deny murder

Cy Press
251
14/6/8

THREE kitskonstabels charged with murdering four Grahamstown township residents, pleaded not guilty in the local magistrates' court.

The three, Mzamo Ntaka, 31, Vuyo Habane, 24, and Madoda Tiki, 20, all of Fort Beaufort, have been charged with murdering Joe Nebenge, June Mantile, her husband, Johnson Mantile, and Topsy Peter.

They were shot earlier this year when the kitskonstabels allegedly entered the Mantiles' home and started firing randomly at people in the room.

The kitskonstabels have also been charged with attempting to murder Allec Peter, William Madinda, Nozwakazi Bikishem, Mondi Dyabyi, Mayoli Mapapu and Wilmot Ceyisi.

They were not represented during their appearance and have asked the court to be given pro deo legal representation.

The case was postponed to July and bail of R300 was extended.

Elnews
378 1. 10 87
Political comment and newsbits by P Joboza, headlines and subediting by Jon Swift all of 204 Eloff Street Fxt, Johannesburg

Police pledge on torture

Cape Times 15/6/87
Staff Reporter

251

THE Progressive Federal Party MP for Claremont, Mr Jan van Eck, has submitted eight affidavits from KTC/Nyanga residents — alleging police assault and torture — to the Minister of Law and Order and the SA Police Divisional Commissioner of the Western Cape.

A police spokesman for the Western Cape, Lieutenant Attie Laubscher, confirmed that Brigadier Ronnie van der Westhuizen had received copies of the affidavits.

"The brigadier gives the assurance that the allegations will be fully investigated. A senior police officer has been appointed to investigate," Lieutenant Laubscher said.

The affidavits allege several residents were either assaulted, beaten, or tortured by elements of the SAP at a house in KTC/Nyanga while they were holding a choir practice on May 27.

EMERGENCY UPDATE

2 youths injured by birdshot near KTC

NEWS 15/6/81
Staff Reporter

TWO youths were injured and arrested and a third held when police opened fire with birdshot after a security force patrol was attacked near the KTC squatter camp.

Police said that soon after midnight a security force patrol spotted about 30 people armed with petrol-bombs in Terminus Road near KTC.

About 30 minutes later the patrol came under attack. A petrol-bomb exploded on the roof of a Casspir, causing minor damage.

About 1am the patrol was stoned and again attacked with a petrol-bomb.

Two youths were seen running away. A foot patrol started a search of the camp and spotted two people who were warned to stop.

Police said the two ran off and birdshot was used.

Two youths, one 17 and the other 14, received minor injuries. A 13-year-old was also arrested.

● A house was damaged in a petrol-bomb attack at Imbali near Maritzburg, according to the police unrest report.

At Richards Bay a police vehicle detonated an explosive device. The occupants were not injured.

Affidavits on violence in police station sent to Minister

'Kitskonstabels' accused of brutal assault on youths

Own Correspondent

DURBAN — The controversial "kitskonstabels" are under fire again — this time for alleged brutal assaults on a group of young people in the Cape peninsula townships

The special constables, dubbed "kitskonstabels" because of their relatively short six-week training courses, have been criticised for alleged lack of discipline and unprofessional conduct

This week eight affidavits from victims of alleged assaults at a house in KTC and at the Nyanga police station were submitted to the Minister of Law and Order, Mr Adriaan Vlok, and to the Divisional Commissioner for the Western Cape

They were collected by PFP MP Jan van Eck, chairman of the party's Unrest Monitoring and Action Committee

Brigadier Leon Mellett said from the Minister's office that if the allegations were substantiated, they would be thoroughly investigated. He confirmed that the affidavits had been received and would be handed on to the Minister

CHOIR PRACTICE IN HOUSE

In one affidavit Mr Zakhele Jakeni (22) told how 21 young people had been attending a choir practice at a house in KTC on May 27. "Suddenly the door was broken in and a large group of special constables rushed into the house and started assaulting everyone present," he said

"They beat us with their rifle butts and also kicked us. We were all handcuffed and marched to the Nyanga police station"

At the station, he was questioned and said "We were holding a meeting of the football team to plan a commemoration service

"I was placed inside a dark cell and was punched and kicked. Two

special constables punched my ears. I was also kicked on my shin and genitals. This treatment went on for two hours"

After the assaults "a white policeman entered the cell and questioned me as to the whereabouts of an AK47 rifle, a 9 mm shotgun and tyres (known as necklaces)"

"I replied that I had no idea. The white policeman then struck me on the left side of my neck

"I was assaulted for another half an hour by this white policeman assisted by two special constables, then released"

Mr Lawrence Lulama Sifile (25) alleged he was also interrogated and beaten with sjamboks, rifle butts and fists for about two hours

"During the assault a special constable took my own personal wages, about R100, and my watch. When I asked for my money and watch upon being released I was again hit and told to leave"

Mr Patrick Solani (19) said he was "thrown into a metal box approximately one metre deep and one metre wide in which I had to crouch". He said he was interrogated for six hours

Most of the alleged victims claimed they had been asked the whereabouts of an AK47 rifle and a 9 mm shotgun. Some said white policemen stopped the special constables assaulting them

Mr van Eck said "What is most distressing is that these alleged actions took place on the very same day that the squatter leaders from KTC and Nyanga had a two-and-a-half hour meeting with the new Divisional Commissioner of Police in the Western Cape in an attempt to alleviate tensions and address grievances

"Unless some action is taken against those members of the SAP who allegedly have used excessive force, we run the real risk that the beleaguered communities of KTC and Nyanga will come to the conclusion that these repeated acts of violence by elements in the SAP are being condoned"

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15/6/87

- (b) 3 February 1987,
(c) Marco Parisi

(2) Yes

- (a) Potchefstroom Base Hospital,
(b) Medical information about members is handled confidentially and it will only be made available to a medical practitioner acting on behalf of the member's next of kin

(3) No, because the facts pertaining to his service and treatment in the SA Defence Force are known

(4) Falls away

(5) No

New Questions

Voters' roll

*1 Mr P G SOAL asked the Minister of Home Affairs

- (1) Whether the identity numbers recorded on the voters lists for the general election of 6 May 1987 were different from those recorded in the identity documents of individuals if so, (a) (i) in what manner and (ii) why had they been changed (b) who took the decision in this regard and (c) what is the significance of this change
- (2) whether he will make a statement on the matter?

†The MINISTER OF HOME AFFAIRS

- (1) Yes, but only in respect of identity documents issued prior to 1 July 1986, and not yet replaced with a new identity document since that date
- (a), (b) and (c) The hon member is referred to the Report on the Identification Bill, by the Standing Committee on Home Affairs of which the hon member was a member, Tabled in this House on 13 June 1986. The recommendations in this report are included in the Identification Act, 1986 (No 72 of 1986) which came into operation on 1 July 1986

HOA

(2) No

Mr P G SOAL Mr Speaker, arising out of the reply of the hon the Minister, is he not aware that the majority of the identity documents issued to persons voting on election day would have been issued before 1986, and also that the alteration of the twelfth digit caused an enormous amount of inconvenience to people, particularly to old people?

†The MINISTER Mr Speaker, the hon member has received the particulars to which I referred, and the points he raised can undoubtedly be fruitfully debated during the discussion of the Vote

Ballot papers

*2 Mr C J DERBY-LEWIS asked the Minister of Home Affairs

- (1) Whether ballot papers used at general elections are numbered, if so, (a) why and (b) (i) who has access to used ballot papers after counting has taken place, (ii) under what conditions is such access granted and (iii) (aa) where and (bb) for what period are such ballot papers kept,
- (2) whether he will make a statement on the matter?

The MINISTER OF HOME AFFAIRS

- (1) Yes
- (a) Section 98 and Schedule 1 of the Electoral Act, 1979, provide that ballot papers and their counterparts should be numbered
- (b) (i) to (iii) The remainder of the hon member's question is fully covered by the provisions of section 107 of the Electoral Act, 1979
- (2) No

Political meetings, protection to Ministers

*3 Dr F HARTZENBERG asked the Minister of Law and Order

- Whether any members of the South African Police were used during the past election campaign to provide protection to Ministers at political meetings, if so, (a)

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1/6/87

how many members were so used and (b) what was the cost involved?

†The DEPUTY MINISTER OF LAW AND ORDER

During the election campaign, members of the South African Police were placed on duty at political meetings by Divisional Commissioners according to circumstances to, inter alia protect all speakers including Ministers, and to maintain law and order, which is a normal police function. The number of members on duty and the cost involved, cannot be ascertained seeing that these duties were performed during normal police activities

Blue Train

*4 Dr F HARTZENBERG asked the Minister of Transport Affairs †

Whether free tickets for travelling on the Blue Train were issued to any persons in the latest specified financial year for which figures are available, if so (a) to how many persons, (b) for what reasons and (c) what was the total value of these tickets?

The MINISTER OF TRANSPORT AFFAIRS

1986-87 Financial Year

- Yes
- (a) 555
- (b) Advertising purposes
- (c) R91 245

Internal Security Act

*5 Mrs H SUZMAN asked the Minister of Justice

How many persons had been detained in terms of section 31 of the Internal Security Act, No 74 of 1982, since 31 January 1987 as at the latest specified date for which information is available?

†The MINISTER OF HOME AFFAIRS (for the Minister of Justice)

24 for the period 31 January 1987 up to 25 May 1987

HOA

Voters' lists

*6 Mr P G SOAL asked the Minister of Home Affairs

- (1) Whether his Department makes use of records in the Deeds Office in updating the voters' lists or reregistering voters, if so, (a) why, (b) when did this practice commence, (c) what specified records are used for this purpose and (d) who took the decision in this regard,
- (2) whether, prior to altering a voter's registration on the strength of information obtained from the Deeds Office, his Department checks the accuracy of the information with the voter concerned, if not, (a) why not and (b) how many persons have been reregistered on the strength of such information, if so, (i) in what manner is the information checked and (ii) on how many occasions have voters been so reregistered?

The MINISTER OF HOME AFFAIRS

- (1) No (a) to (d) Fall away
- (2) Falls away

Helicopter: pamphlets dropped

*7 Mr P G SOAL asked the Minister of Law and Order

- (1) Whether the South African Police have received any complaints about (a) pamphlets allegedly distributed by a certain group, the name of which has been furnished to the Police for the purpose of the Minister's reply, and (b) a low-flying helicopter which allegedly dropped these pamphlets over suburbs of Cape Town on 23 May 1987, if so, (i) from whom, (ii) on what dates (iii) what was the nature of the complaints in each case, (iv) who is the owner of this helicopter, (v) what action has been taken by the Police in this regard and (vi) what is the name of this group,
- (2) whether the Police have visited the address printed on the pamphlet as being the address of the group in

251
16/6/87
Howard

- (b) 3 February 1987.
- (c) Marco Parisi

(2) Yes

- (a) Potchetsruom Base Hospital,
- (b) Medical information about members is handled confidentially and it will only be made available to a medical practitioner acting on behalf of the member's next of kin

(3) No, because the facts pertaining to his service and treatment in the SA Defence Force are known

- (4) Falls away
- (5) No

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+The MINISTER OF HOME AFFAIRS

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(2) No

Mr P G SOAL Mr Speaker, arising out of the reply of the hon the Minister, is he not aware that the majority of the identity documents issued to persons voting on election day would have been issued before 1986, and also that the alteration of the twelfth digit caused an enormous amount of inconvenience to people, particularly to old people?

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- (2) whether he will make a statement on the matter?

The MINISTER OF HOME AFFAIRS

- (1) Yes
- (a) Section 98 and Schedule 1 of the Electoral Act 1979, provide that ballot papers and their counterparts should be numbered
- (b) (i) to (iii) The remainder of the hon member's question is fully covered by the provisions of section 107 of the Electoral Act, 1979
- (2) No

Political meetings: protection to Ministers

*3 Dr F HARTZENBERG asked the Minister of Law and Order

- Whether any members of the South African Police were used during the past election campaign to provide protection to Ministers at political meetings, if so, (a)

how many members were so used and (b) what was the cost involved?

+The DEPUTY MINISTER OF LAW AND ORDER

During the election campaign, members of the South African Police were placed on duty at political meetings by Divisional Commissioners according to circumstances to, inter alia protect all speakers including Ministers, and to maintain law and order, which is a normal police function. The number of members on duty and the cost involved, cannot be ascertained seeing that these duties were performed during normal police activities

Blue Train

*4 Dr F HARTZENBERG asked the Minister of Transport Affairs +

Whether free tickets for travelling on the Blue Train were issued to any persons in the latest specified financial year for which figures are available, if so (a) to how many persons, (b) for what reasons and (c) what was the total value of these tickets?

The MINISTER OF TRANSPORT AFFAIRS

- 1986-87 Financial Year
- Yes
- (a) 555
- (b) Advertising purposes
- (c) R91 245

Internal Security Act

*5 Mrs H SUZMAN asked the Minister of Justice

How many persons had been detained in terms of section 31 of the Internal Security Act, No 74 of 1982, since 31 January 1987 as at the latest specified date for which information is available?

+The MINISTER OF HOME AFFAIRS (for the Minister of Justice)

- 24 for the period 31 January 1987 up to 25 May 1987

Voters' lists

*6 Mr P G SOAL asked the Minister of Home Affairs

- (1) Whether his Department makes use of records in the Deeds Office in updating the voters' lists or reregistering voters, if so, (a) why, (b) when did this practice commence, (c) what specified records are used for this purpose and (d) who took the decision in this regard,
- (2) whether, prior to altering a voter's registration on the strength of information obtained from the Deeds Office, his Department checks the accuracy of the information with the voter concerned if not, (a) why not and (b) how many persons have been reregistered on the strength of such information, if so, (i) in what manner is the information checked and (ii) on how many occasions have voters been so reregistered?

The MINISTER OF HOME AFFAIRS

- (1) No (a) to (d) Fall away
- (2) Falls away

Helicopter pamphlets dropped

*7 Mr P G SOAL asked the Minister of Law and Order

- (1) Whether the South African Police have received any complaints about (a) pamphlets allegedly distributed by a certain group the name of which has been furnished to the Police for the purpose of the Minister's reply, and (b) a low-flying helicopter which allegedly dropped these pamphlets over suburbs of Cape Town on 23 May 1987, if so, (i) from whom, (ii) on what dates, (iii) what was the nature of the complaints in each case, (iv) who is the owner of this helicopter, (v) what action has been taken by the Police in this regard and (vi) what is the name of this group.
- (2) whether the Police have visited the address printed on the pamphlet as being the address of the group in

251
1/6/87

251

Answered 16/6/87

question, if not, why not, if so, (a) when, (b) with what result and (c) what action has been taken by the Police in consequence of this visit?

†The DEPUTY MINISTER OF LAW AND ORDER

(1) (a) and (b) Yes

(i) From two members of the public whose identity I am not prepared to reveal,

(ii) 25 May 1987,

(iii) In both instances that a low flying helicopter was distributing pamphlets,

(iv) Because the investigation is not yet completed, I am not prepared to reveal the identity of the owner,

(v) Investigation was instituted and is not yet completed,

(vi) Because the matter is still under investigation, I do not consider it feasible to reveal the information

(2) Yes

(a) 27 May 1987,

(b) It was ascertained that the address is false,

(c) The matter is still under investigation

Helicopter: pamphlets dropped

*8 Mr J VAN ECK asked the Minister of Defence

Whether a South African Defence Force helicopter was used on 23 May 1987 for dropping pamphlets over any Cape Town suburbs, if so, (a) what was the purpose of these pamphlets and (b) (i) on whose instructions, (ii) over which suburbs and (iii) why were these pamphlets so dropped?

The DEPUTY MINISTER OF DEFENCE

No (a) and (b) Fall away

Helicopter: pamphlets dropped

*9 Mr J VAN ECK asked the Minister of Law and Order

HOA

Whether a South African Police helicopter was used on 23 May 1987 for dropping pamphlets over any Cape Town suburbs, if so, (a) what was the purpose of these pamphlets and (b) (i) on whose instructions, (ii) over which suburbs and (iii) why were these pamphlets so dropped?

†The DEPUTY MINISTER OF LAW AND ORDER

No (a) and (b) Fall away

Travel bureau: Mossel Bay/George

†10 Mr D J N MALCOMESS asked the Minister of Transport Affairs

(1) Whether the South African Transport Services have opened a travel bureau in Mossel Bay, if so, (a) on what date and (b) why,

(2) whether this travel bureau has shown a profit, if so, (a) what is the nature of the profit and (b) in respect of what period is this information furnished, if not, (i) why not and (ii) what action is to be taken as a result,

(3) whether the Transport Services operate a travel bureau in George, if so, when was it opened,

(4) whether this travel bureau showed a profit during the latest specified year for which figures are available, if so, what was the nature of this profit, if not, in what specified year did this travel bureau last show a profit?

The MINISTER OF TRANSPORT AFFAIRS

(1) Yes

(a) 2 January 1987

(b) To provide an improved service to existing corporate account holders in the area and to generate new business

(2) Not yet

(a) and (b) Falls away

(i) The bureau was only opened in January 1987 and is not yet fully established

(ii) Marketing in the area, especially the corporate sector, is receiving preference

(3) Yes, since 17 November 1952

(4) Yes A profit of 3.5% on turnover during the 1986-87 financial year

Mr D J N MALCOMESS Mr Speaker, arising out of the hon the Minister's reply, may I ask him whether he does not consider the opening of this new bureau to be detrimental to the travel agencies already established there and whether this is not a case where the State is interfering with private enterprise?

The MINISTER Mr Speaker, this is a matter that can be fully discussed in debate

Cape Town/London: non-stop flights

*11 Mr D J N MALCOMESS asked the Minister of Transport Affairs

Whether direct non-stop flights between Cape Town and London are still taking place, if not, (a) why not and (b) when did these flights stop?

†The MINISTER OF TRANSPORT AFFAIRS

No

(a) In order to maximise commercial benefits for SA Airways all services (including international sectors) are continuously rationalised

(b) 27 March 1987

Group Areas Act

*12 Mr F J LEROUX asked the Minister of Constitutional Development and Planning †

Whether applications for the issue of permits in terms of section 26 (3) of the Group Areas Act, No 36 of 1966, to couples who have entered into married marriages, to reside permanently in White areas notwithstanding the provisions of the said Act, are considered on the basis of certain criteria, if so, what criteria are used for this purpose?

The DEPUTY MINISTER OF DEVELOPMENT PLANNING

HOA

Section 26 (3) of the Group Areas Act has no bearing on the issue of permits

Kwatzaduza

*13 Mr C B SCHOEMAN asked the Minister of Constitutional Development and Planning †

Whether the planning of Kwatzaduza on the East Rand is at present being reconsidered with a view to providing more suitable buffer strips, if not, why not, if so, (a) what is the proposed width of the buffer strips between Dunnottar, Sharon Park, Selcourt and the Black area of Kwathema and (b) what does the proposed Black extension next to the Nigel hospital, south of Dunnottar, comprise?

†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

No

(a) The area proposed in the Draft Guide Plan for the East Rand-Far East Rand for Black township development, with an open area (which is up to a kilometre wide in places) between Sharon Park-Dunnottar and the Kwatzaduza complex, has already been approved. Although parts of this land will (because of mining activities) not be available for township development in the short term, it can make a valuable contribution towards the provision in the demand for land for urbanisation in the medium to long term

(b) Application has been received from a developer for the designation of a development area in terms of section 33 of Act 4 of 1984, on that part of Portion 51 of the farm Vlakfontein 161-IR which is situated to the southwest of proposed route K161. This land is part of the land which has been approved for Black township development in the Draft Guide Plan for the East Rand-Far East Rand and links logically to Duduza Representatives of the Town Council of Nigel have undertaken to introduce a proposal for a suitable land-use for the area situated to the north-east of

HOA

16/6/87

TEACHER SUES COP

25
Sowetan
18/6/87

A HIGH school teacher who was acquitted on a charge of resisting arrest is claiming R5 000 damages from the Minister of Law and Order for alleged wrongful and malicious prosecution.

Mr Joseph Dau, a teacher at the D H Peta High School in Atteridgeville, brought the claim in the Pretoria Magistrate's Court yesterday. The respondents are the Minister and Constable Lesley Tebogo Mokgosi.

Mr Dau submitted that before his arrest on July 16, 1985, Constable Mokgosi wrongfully, maliciously and unlawfully pulled him with his belt before a large

By
**MONK
NKOMO**

number of students near Maunde Street. He was detained when he went to lay a complaint against the policeman at the local police station, the court heard.

Constable Rambaule, who was with Constable Mokgosi that day, told the court yesterday that he saw the policeman pulling the plaintiff with his belt. He ordered Constable Mokgosi to leave Mr Dau because a

number of students were throwing stones at them. Nobody was injured but the police vehicle was slightly damaged.

Asked by Mr Lot Madungandaba, who appeared for Mr Dau, why they did not return to arrest the plaintiff and those who damaged the State vehicle, Constable Rambaule replied that "it was not necessary". He reported the matter to the station commander but nothing was done.

Mr Madungandaba also told the court that Constable Mokgosi, who alleged that Mr Dau

swore at him and resisted arrest, opened the dockets against Mr Dau and pursued the case himself and yet he was the complainant.

Mr Dau submitted in an affidavit that his dignity and self-esteem had been injured because of Mr Mokgosi's conduct. The policeman, he added, wrongfully, maliciously and falsely preferred a charge of resisting arrest against him without reasonable cause. He was later acquitted.

The magistrate, Mr J M de Beer, will give judgment tomorrow.

4 SOUTH, JUNE 18 TO 23

Court hears of kitscop terror in KTC

South Reporter

"KITSKONSTABELS" on the rampage against "comrades" in the KTC area are resorting to assault and sexual harassment, it is alleged in papers placed before the Supreme Court by the Cape Youth Congress this week.

The allegations are made in 11 affidavits filed in support of an urgent application brought by Cayco for an order against the police.

A temporary order effective until August 6 — restraining police from unlawfully entering or interfering with lawful Cayco meetings and from assaulting or threatening to assault people at or wanting to attend such meetings — was granted by Mr Justice G Friedmann.

Cayco chairman Mr Mzwandile Xeshe said in an affidavit that kitskonstabels have been "harassing, intimidating and assaulting people in the townships" ever since they arrived in the KTC area last year, but single

out the youth for particularly harsh treatment.

He said police, particularly kitskonstabels, have been warning youths in KTC that "they will not allow any" meetings to be held in the township and Cayco feared they would break up a meeting commemorating June 16.

Two recent Cayco meetings in the area, one on April 5 and the second on May 21, were forcefully broken up by kitskonstabels who kicked down the door before using sjamboks and rifle butts to beat up those present, he said.

A subsequent meeting held on May 28 and attended by about 30 people was broken up in the same manner, according to ten supporting affidavits, with the difference that not everyone present got away.

About 12 Cayco members were

hauled off to the Nyanga police station where, it is alleged, they were made to sit on the floor and were kicked and beaten while kitskonstabels asked what they had been discussing at the meeting.

They were taken out of the room one by one and assaulted further, it is alleged.

Mr Zakehele Jakem says. "I was taken into a darkened cell where I was punched on the ears and in my face, kicked in my private parts and on the shun and struck with a rifle butt across the bridge of my nose."

He was questioned about "the comrades" and the nature of discussions at the meeting. He was told before being released at midnight. "You youths are being watched. If you comrades hold another meeting, the same thing will happen."

A 17-year-old girl says in her affidavit

"I was taken to a cell and promised by a kitskonstabel that should I have sexual intercourse with him, I would be released.

"I refused his promise but this angered him and he then forcefully touched my breasts and private parts. I tried to stop his sexual harassment by pushing his hands away."

She was then taken to another room where she was kicked, punched and hit with rifle butts, belts and batons.

Another 17-year-old girl was propositioned by a kitskonstabel who said his name was Zohle and that he "wanted to have sexual intercourse" with her.

Mr Patrick Solani was forced to crouch in a small metal box while he was questioned, he alleges, and was then whipped with a sjambok which drew blood.

Mr Lawrence Sibile says. "During

the interrogation and assaults one of the kitskonstabels took my wages of R100 and my watch."

Mr Timothy Mfotulo says he was forced to take off his clothes and sit naked on a wet floor. His hands and feet were tied and he was kicked and beaten with a rifle butt.

The Minister of Law and Order and the Divisional Commissioner of Police have to show cause on August 6 why the order granted on Monday should not be made final.

They filed no opposing affidavits on Monday. Instead, the divisional commissioner offered an "undertaking."

Cayco refused to accept this, saying they wanted the protection of a court order.

Mr S A Majedi, instructed by E Moosa and Associates, appeared for Cayco. Mr W J Louw, instructed by the State Attorney, appeared for the respondents.

More assault claims against 'greenflies'

South
18/12/82

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South Correspondents

DETAILS of assaults on civilians including a seven-year-old child by municipal police in the Eastern Cape, emerged this week.

Claims against the municipal police, dubbed "greenflies" because of their green uniforms, include hitting a child on the forehead with a brick and forcing a gun into a man's mouth and lashing him 79 times

Many assault charges have been laid against "greenflies" but as far as is known, no action has been taken against any members of the unit

A Duncan Village municipal policeman has been accused of assaulting a seven-year-old child because he wouldn't fetch some empty bottles for the policeman

Seven-year-old Zola Rubushe said he was assaulted while on the way from grandmother's home last weekend. He said the policeman pointed out a house where he should fetch some empty bottles. But as the boy was nearly home, he was reluctant to go back.

Hit boy 'three times'

The "greenfly" then asked him where the comrades were. When Zola said he knew nothing about comrades, the "greenfly" picked up a brick and hit him on the forehead.

"I fell down, I fell three times before I was able to reach my home," Zola said.

His father, Mr Comeboy Rubushe, said the child was taken to Frere Hospital the next day. He was treated for a swollen face and a cut on the right cheek.

Repeated attempts to obtain comment from the commanding officer of the unit, Warrant Officer Willem Wolmarans, or the Gampo Town Council, under whom the municipal police fall, were unsuccessful.

Meanwhile in Grahamstown a Supreme Court judge granted an interdict ordering the Gampo Town Council to prevent the municipal police from assaulting a Duncan Village resident.

Assaults 'warranted'

Mr Justice Beckley found that Mr Thamsanqa Makibeni's fears of assault by "greenflies" were warranted. Makibeni applied to the Supreme Court for an interdict after claiming he was beaten up by the municipal police.

The Gampo Town Council conceded in papers before the court that some of the assaults had taken place. Mr Justice Beckley ordered them to pay costs.

In an affidavit before the court, Makibeni said he was arrested while walking home from a soccer field last month.

"I was placed in the back of a police van and a policeman hit me with his fists and with the back of his gun.

After being kept in a police cell for a night and subsequently being released on R50 bail, Makibeni was released.

Gun in his mouth

"They came in the night with a man who told them I had received a gun from him. Even though I told them I was in prison when this was supposed to have taken place, they would not believe me."

"One of the policemen forced a gun into my mouth, while others pointed their firearms at me."

The assaults continued for some time, after which Makibeni was taken to a camp where the municipal policemen live and locked in the back of a police vehicle.

"Later someone opened the back and I was handed over to some people from the ambulance. They took me to Frere Hospital in East London and I was kept there for three days," Makibeni said.

He had 79 lash wounds.

Picture: GLENN SHERRATT

R12 500 settlement for UCT students

Cape Times 8/16/87

Supreme Court Reporter

THE Minister of Law and Order is to pay R12 500 in an out-of-court settlement of damages claims brought by two UCT students allegedly assaulted by police during a protest march in Rondebosch on August 8, 1985.

A Supreme Court hearing of a suit brought by the fathers of Ms Claire Larkin and Ms Jane van der Riet was postponed in February pending confirmation by the minister of the settlement.

Ms Van der Riet is to receive R6 000 and Ms Larkin R6 500, the minister has confirmed. Costs of the suit are also to be paid by the minister.

Lawyers for the two students had video footage of police handling of Ms Larkin which they intended handing in to court as an exhibit.

According to an affidavit filed by her father, Ms Larkin was assaulted with a sjambok, dragged across Burg Road and pushed into a police van.

She was arrested on charges of contravening the Internal Security Act but was released the next day and the charge was withdrawn.

AD VOIII FOR NEW

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'Police hit me for no reason'

Court Reporter

TWO former railway policemen punched a man, dragged him from a minibus and threw him to the ground head first "for no reason", Wynberg Regional Court heard yesterday.

Mr Welkom Mtyotywa was giving evidence in the trial of Warrant Officer Andre Willem Swart and Constable Andre Johan Smit (who are now policemen due to the phasing out of the Railways Police), both of Belcon Road, Bellville

They pleaded not guilty to three counts of assault. The State alleges that they assaulted Mr Mtyotywa, with intent to do grievous bodily harm, on December 4 last year by hitting him, punching him and throwing him to the ground

They also pleaded not guilty to assaulting Ms Beauty Mahlabani by slapping her, punching her and kicking her

Mr Mtyotywa said he had been returning to Langa about 2 45am, from a Salt River discotheque where he worked, by minibus. There were four other people in the bus. As the bus approached a corner in Langa, a police vehicle pulled up in front of it.

Two of five policemen who alighted from the police van ordered the passengers out of the bus

Mr Mtyotywa was the last to get out, and as he did so he was hit in the face by Const Smit, he said

He was ordered to place his hands on the roof of the bus and was frisked. Const Smit "searched me, he hit me with his fist in my mouth, back and behind my left ear", he said

To protect himself he had climbed back into the minibus and was grabbed by the belt and collar and pulled out

W/O Swart "then picked me up by the belt, knocked my legs out from under me and knocked my head on the ground" He had lost consciousness

He had laid a charge as "I gave them no reason to assault me"

The hearing continues on June 24

Mr A S McCarthy was the magistrate. Mr P Mostert prosecuted. Mr E R van Zyl, instructed by the State Attorney, appeared for the defence

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(25) SM 19/6/87

Police probe alleged beatings during raid

By Montshiwa Moroke

Police are investigating a complaint that members of a Soweto family were beaten up by security forces in a raid on their home last Thursday.

Captain E Theart, station commander at the Moroka police station, confirmed that a docket had been opened for assault and damage to property.

The Radebe family of Mofolo South are still shocked. Two members of the family showed The Star face and body injuries and broken furniture in one of the bedrooms.

They said the raiders had parked their vehicles away from the house during the operation and that it was difficult to say what type of vehicles they were using.

Mr Tsietso Radebe said the family was preparing to sleep at about 9 pm when there were loud bangs on the front and back doors.

A voice outside ordered in Afrikaans "Maak julle oop" (open up)

Mr Radebe gave details of the interrogation and alleged assault of members of the family living in the house.

Verdict today in teargas report case

By MIKE LOEWE,
Port Elizabeth

JUDGEMENT is expected today in the Police Act trial in which *Weekly Mail* journalist Jo-Ann Bekker and the *Eastern Province Herald* are charged with publishing untruths about the police.

Editor-in-chief of the *Herald*, *Evening Post* and *Weekend Post*, JC Viviers and former *Herald* reporter Bekker are charged in the Port Elizabeth Regional Court with a report on unrest in Cradock published in the *Herald* in February 1985. A third accused, reporter Debbie March, who put allegations collected by Bekker to police for comment, was acquitted at the end of the state's case last week.

At issue is the accuracy of part of a front page report.

An important aspect of the defence case hinges on the verbal agreement between the Newspapers' Press Union and the Minister of Police — in terms of which police undertook not to charge newspapers under Section 27B of the Police Act, provided allegations of police misconduct were put to the police and their response was published.

The Regional Court President, G Steyn, said although he did not doubt the undertaking, the court had only hearsay evidence of the terms of the agreement.

The maximum penalty for contravening Section 27B of the Police Act is a fine of R10 000 and 10 years' imprisonment.

Cape Times 20/6/87 (257)

Police Act. Reporter, paper fined

PORT ELIZABETH — A former Eastern Province Herald reporter, Miss Jo-Ann Bekker, was fined R200 (or one month) and the newspaper's owners, South African Associated Newspapers, (now Times Media Ltd) R100 by the PE Regional Court yesterday following their conviction under the Police Act

Both sentences were suspended. Miss Bekker's for three years and that of the company (which was represented by the Editor-in-Chief of the Eastern Province Herald, Evening Post and Weekend Post, Mr J C Viviers) for a year.

Miss Debbie March, also employed as a reporter on the Herald, was initially charged as well but was acquitted at the end of the State case due to lack of evidence against her.

All three pleaded not guilty at a previous hearing in the Cradock Magistrate's Court on March 31 this year.

The case follows a report in the Herald on February 4, 1985, in relation to action by the SA Police in a Cradock township.

They were alleged to have published statements without reasonable grounds for believing them to be true.

Passing judgment yesterday, the president of the Regional Court, Mr G Steyn, found that some of the statements in the report were untrue.

He said Captain Gouws, the district officer in charge of unrest matters who also testified on events that gave rise to the teargas incident at the church, was an exceedingly convincing witness who appeared to be honest, fair and sincere.

His evidence was corroborated by

the Cradock station commander, Lt Goosen, who also appeared credible.

It was clear from Capt Gouws's evidence that none of the three teargas cannisters fired into the air to disperse the crowd had entered any building. However, teargas had entered the church buildings quite extensively.

After full consideration of the evidence, the court found that the police had not attacked the church, but had acted against a crowd that gathered near the church after the arrest of Mr Madoda Jacobs.

The court therefore found the implication from the report that the church had been the target of a deliberate police attack, had been a complete fabrication, Mr Steyn said.

In mitigation of sentence, Mr Wim Trengove, for the defence, submitted that Miss Bekker had been working under great pressure at the time and that this report which had been found lacking had been one of many she had done on the unrest situation in the Eastern Cape at the time.

In this context, the carelessness the court found she had been guilty of paled into relative insignificance, he said — Sapa

CAPR Times 20/10/74

Half police force is black

Political Staff

HOUSE OF ASSEMBLY. — Nearly half of police force members are black, coloured or Indian, according to figures released yesterday by Mr Adriaan Vlok, Minister of Law and Order, in reply to questions from Mr Mahmoud Rajab, PRP Springfield.

Out of a force of 59 558 members, 27 039 were black, coloured or Indian. Of these more than 20 000 were black. Of the total figure, 3 759 were women

Mr Vlok said. "Members of the SAP may on an equal basis, irrespective of race or sex, participate in promotion examinations to the rank of sergeant, warrant officer and lieutenant"

CALL TIGHT 20/10/80 P

Govt denies child torture allegations slams ANC

Political Staff

MR ROELF MEYER, the Deputy Minister of Law and Order, yesterday strongly denied allegations that child detainees were being tortured

In a speech at the opening of a Johannesburg symposium on Children and Violence, the text of which was released in Cape Town, Mr Meyer said a "calculated campaign" had been waged against the authorities in recent months to portray it as "insensitive" and "cruel and careless" and as a government which allowed child torture

"At present only a handful of children under the age of 16 are being held, and there are not a great number between 16 and 18 in custody," said Mr Meyer

However, the reasons for detaining children were being conveniently and deliberately ignored while child detention had become a "sensitive and mighty weapon in the propaganda onslaught against this country"

He quoted foreign news reports about "innocent" children being held in prison under the most "horrific" conditions

"Not only are the allegations completely false, unfounded or exaggerated but the figures are so far-fetched and distorted that it clearly reveals the sinister motives of those who so desperately want to destroy this country," said Mr Meyer

Hacked to death

A foreign report had said that children as young as 12 years old had been tortured and that incidents of "arbitrary killings" and "unlawful imprisonment of children" continued unabated since the declaration of a second state of emergency

It claimed that at least 10 000 children had been detained and 1 000 shot dead while others were being tortured

"This is the type of hair-raising report which is being sent into the world and any person in his right mind would find such actions, if true, horrendous and inexcusable," he said

"The truth is that children are subjected to killings and torture, but not by the authorities

"They have become the instruments best used by the callous revolutionaries and radicals in their ill-founded bid to overthrow Christian democratic rule in South Africa and replace it with Marxist rule"

Backed by the ANC and the Communist Party, these people had found children indispensable and a very powerful weapon in attempting to divorce South Africa from its allies

He said he had seen video film of children being forced to participate in killings and how others, who had refused, were hacked to death

"They are being forced to participate in necklacing. They are forced to sing and dance around the burning bodies. They are forced to rejoice in barbaric acts dating back to medieval times"

The authorities had been forced to act, and in the process children had been arrested, some charged and convicted, others released because of lack of evidence and others had been held in connection with serious charges or for their own protection

Children were not held for longer than absolutely necessary but, because of fear of intimidation, it was often difficult to obtain evidence

MINISTER MUST PAY

TEACHER DAMAGES

By MONK NKOMO

25
H. J. M. M.
19/10/82

THE Minister of Law and Order, Mr Adriaan Vlok, was on Friday ordered to pay R3 000 damages to a high school teacher who was wrongfully arrested and maliciously prosecuted in Ateridgeville, Pretoria, two years ago.

Mr Joseph Dau, a teacher at the DH Peta High School in Ateridgeville, brought the civil action against the Minister and Constable Leslie Tebogo Mokgosi in the Pretoria Magistrate's Court

Mr Dau submitted in an affidavit that before his arrest on July 16, 1985, Const Mokgosi wrongfully, maliciously and unlawfully pulled him with his belt before a large number of students near Hlahla and Maunde streets.

He and a number of teachers were supervising students during a marathon competition when the incident occurred Mr Dau said he went to the local police station later that day to lay charges against Const Mokgosi

The court heard that he was arrested and detained by Const Mokgosi on arrival at the police station The policeman preferred a charge of resisting arrest against him Mr Dau was later acquitted

The magistrate, Mr J M de Beer, ruled on Friday that the Minister of Law and Order pay Mr Dau R3 000 damages after finding that the policeman had acted wrongfully He also ordered the Minister to pay legal costs

Mr Dau submitted in court that his dignity and self-esteem had been injured because of Const Mokgosi's actions

Mr Dau submitted in court that his dignity and self-esteem had been injured because of Const Mokgosi's actions

Awarded R62 500 by judge

MONEY

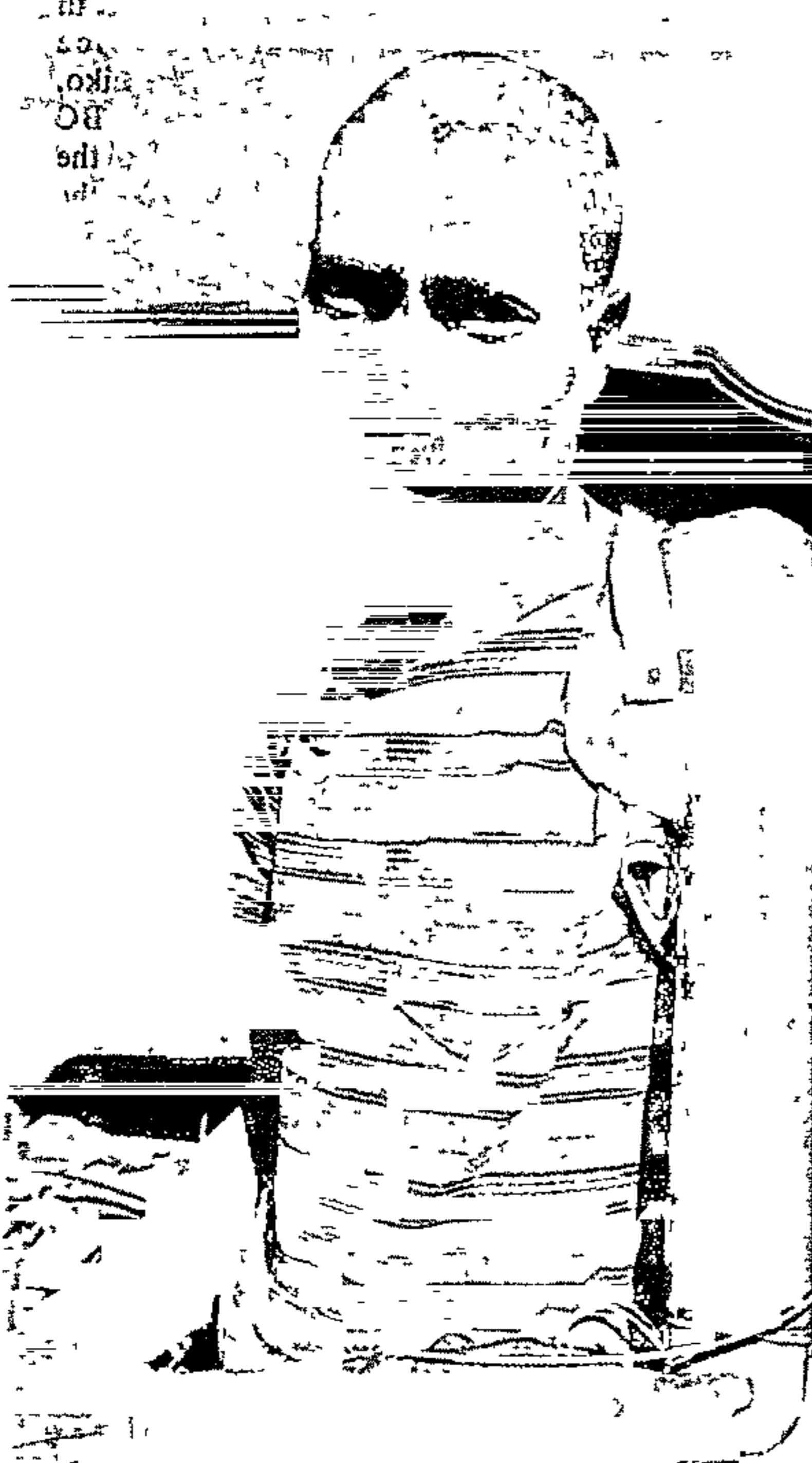
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Sowetan
23/6/89

CANNOT

BUY MY

ARM

Man was shot by SADF soldier



MR SAMUEL Mbongo . . . artificial arm.

A SOWETO man who has been awarded R62 500 by a Supreme Court judge yesterday said the money could never replace the arm he lost after being shot by an SADF soldier.

Mr Samuel Mbongo (26), of Naledi Township was shot on his way from work last October

The soldier who shot him claimed in the Pretoria Supreme Court that he was trying to effect an arrest. He said Mr Mbongo grabbed the barrel of the gun, a struggle ensued and a shot went off.

The bullet entered Mr Mbongo's palm and exited through his upper arm. The arm was amputated.

Mr Mbongo's version was that on his way from work he was chased in a street in Naledi by a soldier called Laubscher. He said he had taken fright and had run away from an SADF vehicle that stopped near him.

The presiding judge, Mr Justice R Goldstein, found that the soldier had shot Mr Mbongo intentionally and without good reason. The judge said the soldier's version was unlikely and believed Mr Mbongo's

By NAT DISEKO

version of what happened.

Mr Mbongo, who was represented by a lawyer from the Legal Resources Centre, yesterday said that although he would find the money useful, he felt "bad" that he had lost his arm.

Unfair

He said "I will never have my arm back. I am unemployed but I used to make a little money from fixing cars in our backyard. All that has now come to an end. My father is elderly and is employed as a casual worker. It is unfair that I am now going to be his burden."

Mr Mbongo, who is unmarried, has a 16-month-old son. He said

To Page 2

Man paid for arm

From Page 1

he wondered how he would be able to support the child and see it through school.

Mr Mbongo's lawyers had originally filed a claim for R35 000 but increased it after receiving an actuarial report.

The Minister of Defence had relied on a regulation absolving security force members from liability for actions done in good faith and with an intention to protect the public.

guessing, and I would therefore not try to guess at this point

Attorney's Fidelity Guarantee Fund

*18 Mr D J DALLING asked the Minister of Justice

- (1) Whether his Department recently held discussions with the officers of the Attorneys' Fidelity Guarantee Fund, if so, when,
- (2) whether he intends introducing any legislation arising from such discussions during the current session of Parliament, if not, why not?

†The MINISTER OF LAW AND ORDER (for the Minister of Justice)

- (1) Yes, 4 November 1986
- (2) Yes if time and circumstances so permit

Staff establishment

*19 Mr C W EGLIN asked the Minister of Law and Order

What was the (a) actual and (b) authorised staff establishment of the secretariat of the State Security Council as at the latest specified date for which information is available?

†The MINISTER OF LAW AND ORDER

The hon member is referred to the answer to Question No 2 on 23 June 1987

Non-Whites at hostel

*20 Mr F J LE ROUX asked the Minister of Economic Affairs and Technology †

- (1) Whether members of more than one population group are permitted to reside at a certain hostel, particulars of which have been furnished to the Minister's Department for the purposes of his reply, if so, (a) why, (b) (i)

members of which population groups are so permitted and (ii) from what date in each case, (c) how many (i) Whites and (ii) non-Whites are residing at the hostel at present, (d) what is the name of the hostel and (e) to whom or what body does the hostel belong,

- (2) whether the decision to admit non-Whites to the hostel concerned was taken with the approval of his Department, if so, (a) by whom was the decision taken and (b) what bodies or persons were involved, if not, what are the relevant particulars,
- (3) whether he will make a statement on the matter?

†The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY

- (1) According to my information members of more than one population group were allowed, as an interim emergency measure, to reside at the particular hostel for a limited period
- (a) Due to a shortage of suitable accommodation, as well as transport problems encountered by the five persons concerned. They are highly qualified and experienced. Two of the persons have obtained BSc degrees with the aid of ISCOR bursaries
- (b) (i) Asiatics
- (ii) The first person was allowed into the hostel on 2 February 1987 and the last person left on 31 March 1987
- (c) (i) 570
- (ii) None
- (d) Huis Edelstaal, which is a hostel for apprentices
- (e) The South African Iron and Steel Industrial Corporation Ltd

- (2) (a) and (b) No. Iscor made the arrangement on its own responsibility as an interim measure in view of the circumstances mentioned in (1) (a)
- (3) No

Witbank police station building

*21 Mr W J D VAN WYK asked the Minister of Law and Order †

- (1) Whether there is a shortage of space in the present police station building at Witbank,
- (2) whether it is the intention to erect a new police station building at Witbank, if not, why not, if so,
- (3) whether building plans for a new police station have been drawn up, if not, why not, if so, (a) when are the building operations expected (i) to commence and (ii) to be completed and (b) what is the estimated cost of the project?

†The MINISTER OF LAW AND ORDER

- (1) Yes
- (2) Yes
- (3) No, but architects were already appointed to start with the planning thereof

(a) and (b) A building complex with accommodation for the uniform branch, criminal investigation department, security branch, not unit and district garage as well as a mortuary and single quarters for members of the Force, at an estimated cost of R22,5 million is being planned and is expected to be completed towards the end of 1992

Aids: mineworkers tested

*22 Mr W J D VAN WYK asked the Minister of National Health and Population Development †

- (1) Whether workers from other African countries coming to work in South African mines are medically examined with a view to Aids, if so, (a) how many cases have been tested positively and (b) what action is taken in respect of such cases, if not, why not,
- (2) whether he contemplates applying a medical test for all such workers from other African countries, if not, why not, if so, (a) what test and (b) as from when?

†The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

- (1) Yes. All recruits undergo physical examination
- (a) 7 cases of clinical Aids have been diagnosed. 940 persons were found to have positive blood tests for Aids
- (b) Cases are handled like any infectious disease appropriately treated and hospitalised when indicated. This corresponds to international practice. Persons with positive blood tests are initially hospitalised, clinically examined (including immunological assessment), rigorously counselled on individual basis regarding the prevention of spread of the disease and followed up on six monthly basis. This holds for foreign as well as South African miners. As far as possible sexual contacts are traced and tested. The mines have launched an extensive educational campaign on Aids.

The Cabinet has requested the Chamber of Mines to repatriate all foreign miners with positive blood tests

- (2) No. The responsibility for medical tests on mineworkers lies with the mines
- (a) and (b) Fall away

†Mr J H VAN DER MERWE Mr Chairman, arising from the hon Minister's reply I should just like to ask him if he intends to consider submitting legislation in order to make it compulsory for that class of workers to whom the second part of the question refers—that is the workers who are already here—to undergo these tests as well

†The MINISTER Mr Chairman, for the information of the hon member for Overvaal, I can mention that at this stage we have already examined 45 000 mineworkers and we are still attending to these examinations. What ought to put the hon member's mind at rest too, is the fact that mineworkers who

23/6/87

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| | (a) | (b) (i) | (ii) | (c) | (d) |
|-----------|-----|-----------|---------|-----|-----|
| Mamelodi | | Pretoria | 1 7 86 | " | " |
| Etomoleng | | Alexandra | 1 10 86 | " | " |

- (3) *Whites, Asians and Coloureds*
- No
- (a) and (b) Fall away

Blacks

Yes

- (a)
- (i) Avril Elizabeth protective workshop for mentally handicap
- (ii) Rietgat
- (b)
- Soweto
- Pretoria

Independent states: dual citizenship

*25 Mrs H SUZMAN asked the Minister of Home Affairs

- (1) Whether any consideration is being given to granting dual citizenship to all persons living in the four independent Black states, if not, why not, if so
- (2) whether a decision has been taken on this matter, if not, why not, if so, (a) what is the decision, (b) when was it taken and (c) what action has been taken to implement this decision.
- (3) whether any citizens of these states have been granted dual South African citizenship, if so, how many as at the latest specified date for which information is available?

The MINISTER OF HOME AFFAIRS

- (1) and (2) If so requested by the governments of the TBVC countries, the Government will give the matter its consideration. No decision has been taken and the matter is still under consideration
- (3) In terms of the Restoration of South African Citizenship Act, 1986 (No 73 of 1986), South African citizenship is being restored to citizens of the TBVC countries residing permanently in South Africa. No statistics in this regard are being kept

†Mr J H VAN DER MERWE Mr Chairman, arising from the reply of the hon Minister, will he inform the House whether

HOA

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- (b) A senior officer appointed by the Commissioner of the South African Police
- (c) and (d) Because the investigation is not yet completed and may possibly be the subject of a judicial process, I am not prepared to reveal any information which may anticipate the legal process or prejudice anyone

- (2) No, because the investigation is of an extensive nature, it is not possible at this stage to indicate when the investigation will be completed
- (a) to (c) Fall away
- (3) No

Stellenbosch, death in custody

*27 Mr S S VAN DER MERWE 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, died while in Police custody in Stellenbosch on or about 9 May 1987, if so, (a) (i) on what date, (ii) in terms of what statutory provision and (iii) for what alleged offence and (b) where was he held and (c) what (i) was the cause of and (ii) were the circumstances surrounding his death,
- (2) whether this person was moved to other police cells or to a prison following his arrest, if so, (a) where and (b) why was he moved,
- (3) whether this person requested access to a lawyer, if so, on what date,
- (4) whether this request was granted, if not, why not, if so, on what date,
- (5) whether this person (a) requested and (b) received and (i) medical treatment and/or (ii) medication while in Police custody, if so, (aa) what treatment and/or medication, (bb) what was the reason for this treatment and/or medication in each case, (cc) what were the results and (dd) on what dates did he receive treatment and/or medication?

The MINISTER OF LAW AND ORDER

- (1) No, but in the Stellenbosch prison (a) to (c) The hon member can obtain this information from the hon the Minister of Justice

- (2) Yes, on 2 April 1987
- (a) Allandale prison, Paarl
- (b) By virtue of a warrant for detention, issued by the magistrate's court of Stellenbosch
- (3) No, not while in police custody
- (4) Falls away
- (5) (a) and (b) No not while in police custody
- (aa) to (dd) Fall away

Note The attention of the hon member is drawn to the fact that the deceased was initially arrested for the contravention of sections 4 and 36 of the Arms and Ammunition Act, 1969 and that afterwards the charge was changed to one of housebreaking with the intent to steal and theft

KTC squatter camp: police action

*28 Mr J VAN ECK asked the Minister of Law and Order

- (1) Whether any plain-clothes members of the South African Police were involved in a police action or patrol in the KTC squatter camp near Cape Town at about noon on 5 May 1987, if so, (a) how many policemen were involved in this action or patrol, (b) what is the rank of each of the policemen dressed in plain-clothes on this occasion and (c) what was the (i) purpose and (ii) nature of the action taken by the Police on this date,
- (2) whether all such plain-clothes members were full-time members of the South African Police, if not, (a) by whom were they employed, (b) (i) in what capacity and (ii) for what purpose were they accompanying the Police on this occasion and (c) under whose direct command did they fall,
- (3) whether any of these plain-clothes members were approached by a mem-

The MINISTER OF LAW AND ORDER

- (1) Yes

(a) 3 June 1987

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SAP 'to serve, protect despite the danger'

Political Staff

THE SA Police have been plagued by a spate of violent deaths in recent months, but this would never destroy their will to protect and serve the people of the country, said Law and Order Minister Mr Adriaan Vlok today.

He was speaking at a passing-out parade of police students at Bishop Lavis

In a prepared text of his speech released by his office, Mr Vlok said the SA Police, like most successful police forces in the world, often came under severe attack from various quarters.

These attacks were normally two-fold — either a physical attack such as which took place in the Peninsula last night when seven policemen were injured by a grenade thrown at their patrol, or a far-more-sinister, psychological and propaganda attack.

Mr Vlok said both forms came from those who did not like the police, either because they stood for law and order, or because they were a stumbling block to revolutionary ideologies.

Mr Vlok said "The physical attack on the police force is a burden with which we can cope. We are saddened by the loss

of our colleagues who are often brutally killed in gun-fights, bomb blasts or even beaten or stoned to death

"But, what we really have to guard against are the psychological and propaganda attacks being launched against us. These are very real and extremely well-planned and executed

Attacked violently

"Those who stand for revolution realise that as long as the police are there to stop them they will never achieve their goal

"Physically they will never be able to destroy the force, even although sometimes we are attacked violently.

"Their strongest weapon is to attack our credibility, to tarnish us with the public we must protect, and serve"

Mr Vlok said the police had information that a new attack was soon to be launched against the force with the emphasis on so-called torture

Everything possible was to be done to create an impression that the police were a brutal, callous force

Faceless "witnesses"

"We are again to be made out as torturers, vicious and violent

"To try and prove their case so-called 'witnesses' will again be produced, most of them faceless by untested and one-sided allegations

"It is a pity these false, unfounded or exaggerated stories are spread into the world, but even more so that it is often done by well-meaning people who are unwittingly used to propagate this cause."



Mr Adriaan Vlok

Policemen

CAPE TOWN
face 25/6/87

assault charges

Court Reporter

A FORMER railway policeman kicked a woman "because he wanted me to be quiet", the Wynberg Regional Court heard yesterday.

Ms Beauty Mahlabani was giving evidence in the trial of Warrant Officer Andre Willem Swart and Constable Andre Johan Smit, both of Belcon Road, Bellville. Both men are now in the regular police force.

They pleaded not guilty to three counts of assault.

The State alleges that they assaulted Mr Welkom Mtyotywa, with intent to do grievous bodily harm, on December 4.

At a previous hearing Mr Mtyotywa said he had been travelling in a minibus. As the bus reached a corner in Langa, a police vehicle pulled up in front of it. Two policemen got out and ordered the passengers out of the bus.

Mr Mtyotywa said that as he got out, he was hit in the face by Constable Smit.

He was frisked and said that as Constable Smit "searched me, he hit me with his fist in my mouth, back and behind my left ear".

To protect himself he had climbed back into the bus and was grabbed by the belt and collar and pulled out. W/O Swart "then picked me up by the belt, and knocked my head on the ground". He had lost consciousness.

Ms Mahlabani said W/O Swart hit her with a flat hand "and told me to be quiet. I was screaming and shouting in the passenger seat".

The hearing continues today.

Mr AS McCarthy was the magistrate. Mr P Mostert prosecuted. Mr ER van Zyl, instructed by the State Attorney, appeared for the two policemen.

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Court Reporter
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Court told of assaults on minibus passengers



Picture: DOUG PITHEY, The Argus

RAFFLED FEATHERS: Getting the treatment from Coco is Alta Steenkamp of Bellville, publicising an animal anti-cruelty "black and white" fund-raising party at the Raffles discotheque on July 18 and organised by the South African Association Against Painful Experiments on Animals.

Court Reporter

A WOMAN on her way home from work by minibus in the early hours of the morning was assaulted by two policemen who stopped the bus, it was alleged in the Wynberg Regional Court

Mrs Beauty Mothlabane, an employee at the Space Odyssey, Salt River, was giving evidence in the trial of Warrant Officer André Willem Coenraad Swart and Sergeant André Johan Smit, who have pleaded not guilty to charges of assaulting Mr Welcome Mtyotwya on December 4 last year

Warrant Officer Swart is also charged with assaulting Mrs Mothlabane

They have pleaded not guilty

Mrs Mothlabane said the minibus in which she was a passenger was stopped by a police van at the corner of Zone 5 and Washington Avenue, Langa

Two policemen assaulted a colleague, Mr Mtyotwya. She screamed and Warrant Officer Swart slapped her face while ordering her to keep quiet

When she did not stop screaming he struck her on the cheek with his fist and kicked her out

She fell to the ground and as she tried to get up Warrant Officer Swart kicked her again

Raised hands in air

Mr Sandile Joni said he was a passenger in the minibus. When the policemen ordered the male passengers out to search them he raised his hands in the air after being ordered to do so

He said Mr Mtyotwya, who did not understand Afrikaans, remained motionless. When he did not raise his arms Warrant Officer Smit slapped him in the face, saying "I'll teach you not to play with the police"

Mr Joni added "Welcome jumped back into the combi and Warrant Officer Smit dragged him out. Warrant Officer Swart came round and helped him

"They dragged him towards the tarred road and when he fell down Warrant Officer Swart kicked him"

Mr Joni said Warrant Officer Swart picked up Mr Mtyotwya by his belt and banged his head repeatedly against the tarred road

He then went back to the minibus where Mrs Mothlabane was screaming and assaulted her.

Answering Mr P Mostert, for the State, Mr Joni said he did not see anyone hit the policemen with a bottle

The hearing continues

Apartheid rules at new squad HQ

By MOIRA LEVY

THE new riot squad headquarters in Maitland, to be completed within the next couple of months, is to have racially segregated facilities and offices, according to the bill of quantities

According to the documents there will be separate toilets and rest rooms for black and white personnel

Toilets are also to be segregated according to rank. There will be separate toilets for officers and staff of other ranks.

However signs are that integrated toilets will be built for women.

Name plates to be fixed to the doors will also identify the race group of the staff member

The name plates will read "staff officer — white", "staff officer — non-white", "white duty officer" and "non-white duty officer", according to the plans

Hefty sum

Latest estimates disclose that the complex, situated in the triangle formed by Jan Smuts Drive, Sunrise Circle and Avonduur Avenue, will span some 40 000 square metres of land.

It is expected to cost the taxpayer a hefty R4 million.

Security measures will be stringent.

According to the bill of quantities, the Director-General, Chief of the SADF or the Commissioner of the SAP can demand that the building contractor subject his administrative staff and labourers to a security

check

And the contractor has to remove any person from the building site if requested to do so by the police or army chief

The report also states that the contractor "shall thereafter ensure that such person or persons are denied access to the works and the site and/or to any document or information relating to the works"

The tenderer must also get the permission of the unit commander or any other responsible officer to obtain permits for anyone wanting to enter the site for tendering purposes.

It also states "as the works falls within a security area the contractor shall obtain entrance permits from the SADF or SAP for his personnel and workmen entering the area".

No checks

This week the SOUTH team visited the building site and walked through the vast complex. No visible security checks were in force

There was no evidence of segregated facilities, but a worker who did not give his name said that there were separate dining and sleeping halls for white and "coloured" personnel in the completed unit adjacent to the building site.

A spokesperson for the SAP division of public relations in Pretoria refused to confirm additional information in SOUTH's possession about the complex and said the matter was "classified"

25-2016/87

Two youths 'shot in back'

By CHRIS GUTUZA

TWO youths claim they were shot in the back by police while walking to a house in KTC

Martin Rodolo, 15, and Wiseman Yusumzi, 17, claim they were shot while walking from the Nyanga taxi rank to towards KTC. A third youth, Michael Apollis, was not injured.

"They just came at us from behind and opened fire"

Rodolo, a standard five pupil at Vukukhanye Higher Primary School, said from his hospital bed he had been blinded in his right eye by pellets. Pellet wounds were also visible on his back, neck and the back of his head.

His friend, Futshane, was also shot with pellets. It penetrated his buttocks, testicles, upper left leg and his arms. Futshane is unemployed.

Rodolo said he and Futshane fell to the ground after being hit and that the third youth was surrounded by the police.

Apollis was left behind at the police station while the other two youths were taken to a Pinelands hospital early the next morning. Futshane was taken into police custody after being treated the same day. Rodolo is still in hospital.

The Police Public Relations Division said three people were shot at during an incident of public violence near the KTC bus terminus and that two were wounded by birdshot.

Charges of public against Futshane and Apollis were withdrawn in the Athlone Magistrates Court. But the SAP Public Relations Division said the three will be recharged.

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ANT TOMS
27/6/87 251

Youth dies by hanging in cell

Staff Reporter

A 17-YEAR-OLD Bonte-
heuvel youth, arrested
for suspected theft from
a car, died soon after
police found him hang-
ing from a rope in a cell
at the Pinelands police
station yesterday

Lieutenant Attie
Laubscher, a police liai-
son officer for the West-
ern Cape, said the sta-
tion commander at
Pinelands police station
found the youth hanging
from a length of cord
during a routine check
at noon

Police cut the cord,
found the boy had a very
slow pulse and applied
mouth-to-mouth resusci-
tation and heart mas-
sage, but the youth died
soon afterwards, said Lt
Laubscher.

He said the youth and
another man were ar-
rested in Thornton at
10 40pm on Thursday
when they allegedly
tried to break into a car

The boy's family had
been notified of his
death, Lt Laubscher
said.

He said the name of
the dead youth could not
be released because he
was a minor, charges
had not yet been with-
drawn against him and
because there was an-
other suspect in the case
under investigation.

□ The body of an un-
identified man with a
stab wound in the chest
was found in Rosehope
Street, Woodlands, Mit-
chells Plain, at 7 last
night. No arrest had
been made but police
opened a murder docket

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CP Correspondent

Police captain in trial surprise

THE judgment in the trial against a South African Police captain was reserved in the Fort Beaufort Magistrates' Court this week.

Former Fort Beaufort station commander Captain Gerrit Grobbelaar is accused of assaulting eight township residents during the first week of the state of emergency in 1985. He pleaded not guilty.

In a surprise move, Gideon Huisamen, for the defence, closed his case without calling the accused to the witness stand.

In argument, he said the fact that the defence felt free to close its case without calling Grobbelaar

after hearing the evidence of 10 State witnesses, was an indication of "the type of case we have here".

Huisamen accused the witnesses of lying to the court, stating that the evidence against Grobbelaar was "part of a conspiracy" to implicate him in the incident.

He said all the witnesses responded to rumour in the

township that legal advisors would be available in the township for anyone who had wanted to lodge complaints against the police.

Referring to the evidence given by one of the complainants, Leontin Thamsanqa, at a previous hearing, Huisamen said the evidence was unreliable and full of discrepancies.

Dave Damerell, for the State, submitted that the accused's failure to testify strengthened the State's case.

He also submitted that each count should be judged on merit.

The trial was postponed to August 7. - Albany News Agency.

Man's body exhumed

CP Correspondent

THE BODY of an alleged guerrilla shot dead by Transkei police on the Lesotho border has been exhumed and reburied by his family in Pedie

The extraordinary story of the death of Ngwenduna Vanda emerged this week when the family's lawyer released the details.

King William's Town attorney TM

Mdlalana said the family was never officially notified of their son's death and only heard of it when they received an anonymous telephone call on May 1 this year

The caller told them Ngwenduna had been shot dead at the Telle Bridge border between Transkei and Lesotho on December 21 last year - almost six months ago

Colonel Welsh Majibi would not give any further details - Elnews

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UPress
28/6/87



Family to file damage claim against Vlok

Adriaan Vlok

By STAN MHLONGO

A FAMILY in the Vaal has instituted a claim for damages against Law and Order Minister Adriaan Vlok.

An attorney with the Legal Resources Centre this week confirmed that the Mzizi family in Sebokeng, Zone 7, is claiming for damages from the Minister.

The Mzizi family said the lawyer is to sue for an amount still to be decided for the death of Leonard Jabulani Mzizi, 18, who was allegedly shot dead by a kitskonstabel on November 15 last year, the 14-day arrest of Leonard's mother, Nelly, and the assault of Abraham, the father of the family with a gunbutt on the same day.

Nelly was locked up for allegedly assisting the comrades burning policemen's houses in Sebokeng.

In a dramatic trial that lasted six months, Nelly was charged with arson.

Magistrate James Johnston, however, found her not guilty and acquitted her last month.

The Legal Resources Centre lawyer said an inquest into Leonard's death is to be conducted sometime next month.

~~CONFIDENTIAL~~

Senior detectives on fraud charges

CAPT. T. J. S.
30/6/77

Court Reporter

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THE commander of the detective branch of a Cape police station and his deputy have appeared in the Magistrate's Court in connection with fraud and theft charges

Detective Warrant Officer Peter Johannes Viljoen, 42, of La Rochelle Park, La Rochelle, and Detective Sergeant Arno Stofberg, 32, of Reyger Street, Melkbosstrand, were not asked to plead and no formal charges were put to them

The two, who are attached to the Table View branch, were released on warning on condition that they refrain from communicating with each other or interfering with or contacting State witnesses

The matter will continue on August 26

Mr H L Muller was the magistrate Ms L Scholtz prosecuted The two were not represented

Boy, 15, shot from Casspir, court hears

Court Reporter

A 15-YEAR-OLD Mitchells Plain boy was shot in the eye from a Casspir on his way home from school, the Wynberg Civil Court heard yesterday.

The boy's father is suing the Minister of Law and Order for R5 000 for injuries, pain, suffering, disfigurement and loss of amenities of life.

The boy lost his sight but is rapidly regaining it.

The court heard that he was returning from school when he was shot on August 30, 1985. He and an eyewitness, Mrs Muriel Jaftha, said members of the police and the army were on the Casspir.

The advocate for the Minister of Law and Order, Mr D Uys, said the police had no record of the incident and suggested that one of the army members had shot the boy.

The acting officer commanding the Western Province Command, Colonel Barend Cronje, said it was normal practice for the army to accompany the police in a "protective role and

not to get involved in the situation as such".

He said he could only guess the boy had been shot by the police and it was highly unlikely that he was shot by a SADF member.

He said there was no record of the army operating in Mitchells Plain on that day. "I doubt that there would have been action without our knowledge, but there may have been human error".

Col Cronje said the army did not use Casspirs but used Buffels. The control of unrest situations was a police task and the army only helped out, but the police could have asked for help via headquarters.

He said that in "abnormal" situations the army used rubber bullets and teargas and if they acted in an operation it would have been on the instructions of the police.

The matter was adjourned to September 7.

Mr W Schagen was the magistrate. Mr Uys was instructed by the State Attorney Mr D Potgieter, instructed by Mr A Dodson of Mallinck, Ress, Richman and Closenbergh Inc, appeared for the boy's father.