

PUBLIC SECTOR - CONT. - PRISONS

1991

SEPT. — NOV.

TWO jailed ANC guerrillas, Mthetheleli Mncube and Euclid Nondula, may soon find themselves at the centre of a political prisoner swop with South Africans presently being held in Zimbabwe

However, according to family sources, the ANC appears unwilling to become involved in such a deal

The South African whites being held at Chikuburu Maximum Prison in Zimbabwe are David Woods and Robert Smith. Another prisoner is Barry Bawden, a Zimbabwean.

They are serving jail terms ranging between 25 and 40 years each

Meanwhile, two SADF soldiers, Johannes Basson and Theodore Hermensen, who are serving 10 years each in Botswana, are prime candidates for a swop but it is not yet known if they are being considered

### Secret talks

Mncube's mother Winfred said ANC president Nelson Mandela recently told her that her son might soon be freed following high-level secret talks between the ANC and senior government officials

Mandela was not available for comment

Johannesburg attorney Peter Harris, who is representing the prisoners' families, confirmed that discussions between the ANC and the government were underway but could not reveal details.

He said: "All I can reveal at the moment is that we have returned to Justice Minister Kobie Coetsee to ask him to relieve Mncube and Nondula with the aim of finally setting them free

"We are still waiting for the Minister's response"

However, Mncube said Mandela told her that the authorities were trying to convince the ANC to accept a deal which might lead to the

prisoner swop, but the ANC had declined the offer

Mncube and Nondula have been on Death Row for more than three years after they were sentenced in May 1988. They are among the four remaining political prisoners on the row

The others are Alex Seheri, sentenced in December 1988 for two murders, and Bongani "Bobo" Zwane, sentenced last year for six murders and several attempted murders

Mncube and Nondula were sentenced for planting several Soviet-made landmines near Messina in the Northern Transvaal in 1986

The mine exploded, killing several people, including SADF personnel

### Death sentences

Mncube received two additional death sentences for murdering two security policemen after his apprehension in 1987

Earlier this year the Appellate Division upheld one of his death sentences, and all of Nondula's

According to Mthetheleli's sister, Dudu Mncube, the two guerrillas are in high spirits and are hoping to go free any day

"They are strong and Mandela, Chris Hanu, Andrew Mlangeni and other national executive committee members have been visiting them quite often"

By THEMBA KHUMALO

# SWOP TOP FRONTLINE PACKAGE DEAL NOT UP

11/9/91  
253



**UK envoy's report contradicts hunger-strike health claims**

**PRODDEN OVER THE**

**DEATHS**

By GUS ST LEGER and PETA KROST

A BRITISH diplomat who visited right-wing hunger striker Henry Martin, reported to be at death's door on the 55th day of his fast, said he was sitting up in bed, smoking cigarettes and talking clearly.

Mr Norman Ling, British deputy consul-general in Johannesburg — who saw Martin in the HF Verwoerd hospital in Pretoria on Friday — also said the hunger striker was drinking water.

The diplomat said that from what he had heard and read, he had expected Martin, 49, to be in a far worse condition than he was.

Mr Ling's description of the hunger striker directly contradicts statements by Martin's lawyer, Mr Wim Cornelius. He said yesterday his client had drunk no water since Thursday and was close to death.

**Afraid**

The Department of Correctional Services will not disclose when the right-wing hunger strikers began their fast, nor will it comment on their condition.

Mr Cornelius, who saw Martin and fellow hunger striker Adrian Maritz, 43, yesterday, said afterwards, "They look like victims of a concentration camp."

Their eyes are sunken and black. Their skin is a chalky, yellow colour because their kidneys are failing.



DYING or not? There are conflicting reports about Henry Martin's condition

**MY LOW**  
by ex-Miss

By PETA KROST

FORMER Miss South Africa Janine Botbyl is six months' pregnant with her "love child"

Janine, 25, who is also the sister of the current Miss SA, Diana Tilden-Davis, will not name the father.

But she said she had been seeing her mystery lover, a Johannesburg businessman, for almost a year and they were "nearly in love". They have no plans to marry.

Janine kept her pregnancy secret because she did not want to create a controversy in the run-up to

the Miss South Africa finals on August 3. She kept low profile and disguise her figure by wearing baggy clothes.

In an exclusive interview this week, the 198 Miss South Africa said she had no regrets and was excited at the prospect of becoming a mother.

Sister Diana and the rest of her family are full behind her. Janine said, "The pregnancy wasn't planned, but my boyfriend is as excited

**Inkatha leads**

BY TERRY VAN DER WALT

ASSASSINS have killed an



Cornelius, 35, said yesterday his client had drunk no water since Thursday and was close to death.

## Afraid

The Department of Correctional Services will not disclose when the right-wing hunger strikers began their fast, nor will it comment on their condition.

Mr Cornelius, who saw Martin and fellow hunger striker Adrian Martz, 43, yesterday, said afterwards, "They look like victims of a concentration camp."

Their eyes are sunken and black. Their skin is a chalky, yellow colour because their kidneys are giving in and they are so thin you can see detail of every bone. They are dehydrated. They haven't drunk since Thursday night.

"Martin is smoking to stay awake because he's afraid of going into a coma. He can hardly talk and to hear him I have to put my ear to his mouth. I'm sure there'll be a death within hours. They are in desperate need of medical attention."

But Mr Ling, who visited British citizen Martin in his room where he is under police guard, said, "I wouldn't say his death is imminent. He confirmed to me that he was drinking water. He's very weak, he has obviously lost a lot of weight (from 105kg to about 70kg) but he's still conscious. He needs oxygen from time to time to build up his strength."

## Difficult

"He can talk. He is not in a coma. He certainly was not when I was there. We talked for about an hour."

"Martin's main problem is sleep. When you haven't taken food for a length of time, you drift off to sleep very easily. He smokes to keep himself awake."

"The effort of keeping his eyelids open is difficult for him, hence he closes his eyes when he talks. As far as I could see, his eyesight wasn't impaired. He could certainly register my presence."

"I didn't know Martin before his hunger strike, but my impression is that he was a very fit man."

"He said he was very fat when he went in (to prison). My impression as a non-medical man is that, although he is a very sick man, and very weak — there's no denying that — he is going to last some time yet unless he has a heart attack. He prides himself on not

# Fast riddle

□ From Page 1

having a bedpan, but he may still have to be carried. I don't know" (1/9/91)

Another contradictory description came from Orde Boerevolk leader Nic Strydom, father of Wit Wolf Barend Strydom, who saw Martin on Wednesday, two days before Mr Ling.

Mr Strydom also claimed Martin had stopped drinking. He said Martin's eyesight had almost gone, he spoke incoherently and slipped in and out of a coma. He was too weak to walk and nurses carried him to the toilet.

Martin and the two other right-wingers — Martz, said to be on day 51 of his fast, and Lood van Schalkwyk, 55, said to be on day 42 — went on hunger strike to protest against the government's refusal to treat them as political prisoners.

The descriptions of their condition also contrast sharply with Irish hunger striker Bobby Sands who died, aged 27, on the 66th day of his strike 10 years ago. He was on a water and salt diet.

By day 43 Sands had trouble standing. By day 46, he had difficulty keeping down water, was extremely weak and had trouble with his vision. He slipped in and out of a coma on day 51.

The next day, he was going deaf. By day 59, weighing 41kg, his eyesight had gone, his memory was fading and he had lapsed into incoherence. So dry

was his skin that the bones of his elbows and knees threatened to pierce it.

He went into a coma again on day 64 and died two days later.

Mr Cornelius visited the men yesterday with Transvaal Deputy Attorney-General Paul Fick to discuss bail.

Mr Cornelius said Van Schalkwyk and Martin reacted strongly.

"Van Schalkwyk was given a morphine injection because he got so excited his heart couldn't take it. Martin screamed, 'I want to see my leader. I want to see my leader.' He became so frenzied he had to be strapped down."

Mr Cornelius said the three men were not prepared to accept bail under any conditions, but their main objection was the condition that they would not be permitted to speak to the media.

## Oxygen

There was further confusion yesterday when the Department of Correctional Services denied that Martin had stopped breathing several times.

Mr Cornelius said Martin required oxygen because he stopped breathing regularly.

A spokesman for the department, Major Dave Smut, said the allegations that Martin had stopped breathing were not true.

"According to the latest medical report, the prisoner's condition is stable although worrying."

ANC president Nelson Mandela will visit the men tomorrow. Mr Mandela could persuade the strikers to change their minds, said Mr Cornelius.

Conservative Party leader Andries Treurnicht, accompanied by CP secretary Andries Beyers, Bethal MP Chris de Jager and MP for Losberg Fanie Jacobs, visited the hunger strikers yesterday.



# Mandela to visit hunger strikers

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Sowetan 2/9/91

ANC president Mr Nelson Mandela will today visit three rightwing hunger strikers at HF Verwoerd Hospital in Pretoria.

Mandela has called for the immediate release of the three - Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk - so that they may give full details of allegations of army and police involvement in their crimes.

The three, who have been refusing food for at least five weeks while awaiting trial on charges linked to two bomb blasts which killed one and injured 13 people last year, are in a serious condition.

They are demanding immediate and unconditional release as political prisoners in terms of an agreement reached between the Government and the ANC

Addressing a dinner in Pietersburg on Saturday, Mandela said the three had said the crimes they were being held for were commissioned by the police and military intelligence

"The State President went on record to say that he wants all stones turned on perpetrators of violence within the security forces.

By ISMAIL LAGARDIEN  
Political Correspondent

"What we are saying is, here are these men who say they were given assignments by your army and police to kill. Let them come out and say who authorised the killings De Klerk is refusing," said Mandela

He said the call for the Government to free the hunger strikers did not contradict his organisation's stand on violence perpetrated by rightwing elements.

## Misguided

"If we have spoken to De Klerk, whose party has been responsible for the murder and oppression of our people for the last 42 years, why not speak to these misguided people who are victims of the present Government's propaganda throughout the years?" he asked

In another development, spokesman for the Department of Correctional Services Major DH Smith said on Saturday that the medical treatment of the three was the responsibility of

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## Hunger

● From Page 1

the district physician, who could decide whether to refer them to another doctor or not.

Smith was commenting on allegations by the three rightwingers lawyer Mr Wim Cornelius that a private doctor was denied access to the fasting men.

AWB leader Mr Eugene TerreBlanche yesterday travelled on horseback to the hospital to attend a prayer service for the three. 2/9/91

Hunger strikers await ANC visit

# Mandela to raise question of CCB links

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B/Day 2/9/91

JONATHON REES

ANC president Nelson Mandela will today question three hospitalised right-wing hunger strikers on allegations that they worked for Military Intelligence (MI), and on the role of the right wing in the CCB

ANC sources said at the weekend it was vital the three be kept alive so they could disclose information on their alleged links to the intelligence community.

Sapa reports Mandela told a function in Pietersburg yesterday the three had said the crimes they were being held for were commissioned by the police and military intelligence.

Mandela will visit the men — who are all critically ill — in Pretoria's H F Verwoerd Hospital today

In another development, the mens' lawyer Wim Cornelius said Health Minister Rina Venter offered the prisoners free hospital treatment if they accepted bail conditions offered to them

He said this indicated government's desperation to resolve the issue. However, government sources yesterday ruled out any chance of government giving way on the issue

Briton Henry Martin, 49, Adrian Maritz, 43, and Lood van Schalkwyk, 53, are under armed guard in separate wards. Since being refused indemnity last week, their formerly unlimited visiting hours have been restricted to two 30-minute periods

The three are awaiting trial on charges of murder and attempted murder. They refused to stand trial and vowed to starve to death if not granted indemnity

Orde Boerevolk chief of staff Leonard

Veenendal reportedly confirmed allegations that Martin and Maritz were National Intelligence Service and MI members respectively

It is 57 days since Martin last ate. Maritz has refused food for 50 days and Van Schalkwyk for 43 days

A successful bail application made on Van Schalkwyk's behalf by his pro deo counsel, Advocate Charles More, was rejected by the prisoner on Friday night

Cornelius said Transvaal Deputy Attorney-General Paul Fick, security police Major Roelf Venter and three pro deo advocates had all witnessed the three prisoners verbally refusing any bail offers

Fick said yesterday he was in daily contact with counsel for the prisoners to convince them to bring bail applications on behalf of their clients. He was trying yesterday to extend their visiting hours

About 60 AWB supporters gathered outside the hospital yesterday morning for a short church service, which was interrupted by the arrival of three armed police vehicles with wailing sirens

AWB leader Eugene Terre'Blanche arrived on horseback a short while later and was asked to disperse his followers

After a short visit to the prisoners, he said their condition was "shocking"

British acting consul-general Norman Ling yesterday denied reports that Martin was sitting up in bed. The prisoner was propped up with pillows and was smoking to stay awake and stave off a coma



# How long can they live?

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A YOUNG healthy person can survive for up to 65 days on a starvation diet provided he drinks sufficient fluids, according to a physician with the University of Pretoria.

The physician, in the university's faculty of medicine, said past experience of hunger strikers, such as Bobby Sands and fellow Irish Republican Army prisoners who died in 1981, had shown that the human body can tolerate a starvation diet for 60 to 65 days.

However, the Irish hunger strikers were all under 30 years old and in robust health before refusing to eat, noted the physician, who asked not to be named.

By contrast, the three Orde Boerevork hunger

**Just how long can the fighting hunger strikers last? Sowetan Correspondent CLAIRWYN REILLY asked a medical expert for his views.**

Strikers at HF Verwoerd Hospital are all older than 40.

Mr Henry Martin (50), has been fasting for 59 days, Mr Adrian Maritz (44) for 49 days and Dr Lodewyk van Schalkwyk (53) has not eaten for 43 days.

Moreover, it is reported all three have been refusing to drink water since Thursday, apparently in protest of curbs on visiting rights.

If this is the case, their prognosis is extremely poor. The intake of suf-

ficient fluids is a key factor in the life expectancy of a hunger striker, who needs between one and one-and-a-half litres of fluids a day to maintain vital bodily functions.

Failure to take in fluids would speed up the body's deterioration by causing a build-up of toxic wastes, resulting in kidney failure.

Once kidney failure reaches a certain point, body chemistry becomes deranged. Certain electrolytes, such as potassium, could build up to dangerous levels, causing cardiac arrest.

However, should the hunger strikers take in sufficient fluids, but continue to refuse food, they could eventually experience total metabolic failure once all avail-

able energy resources have been exhausted.

Describing the effect of starvation, the physician said the body initially adapts to the absence of food by drawing on glucose reserves in the liver.

These reserves become depleted within six to 24 hours of refusing food.

For a short period, the body will draw on its high-quality protein reserves. Between the second and fourth day of starvation, the body begins mobilising its fat stores.

As long as fluid intake is adequate, fat stores are sufficient to keep the vital organs and the basic processes necessary for life functioning. Even the brain can

continue to function from energy drawn from fat, but an exception is the retina, which depends almost entirely on glucose to function.

As the trio will have exhausted their glucose stores, it is likely they are experiencing problems with their vision.

For every day without food, a hunger striker can expect to lose 300gm. In the case of Bobby Sands, he had lost one third of his original body weight at the time of his death.

It is not known just how much weight the three rightwingers have lost, but they have been described as "skin and bones" and resembling concentration-camp inmates.

Once all available fat supplies have been

depleted, the body switches to its last resort - protein reserves.

This is the most harmful phase of starvation and their condition could deteriorate drastically from this point.

When all energy reserves are exhausted, the body cannot continue to function and total metabolic failure can be expected.

The specialist said it was impossible to say when the hunger strikers would reach a point of no return, or whether their bodies had been damaged irreversibly.

As long as their hearts were beating, there was hope, he said.

Should they give the "yes-word", they would have the best medical attention at their disposal.



# Hunger strike trio

## 'agents of the State'

Star 2/9/91

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Staff Reporters

Claims that right-wing hunger strikers had launched a terror campaign on behalf of the State became the central issue today in the fast, which threatens to trigger violent reaction should any of the men die

Unlikely bedfellows Nelson Mandela and Orde Boerevolk leader Nic Strydom, father of mass killer Barend Strydom, were due to visit the three men at Pretoria's HF Verwoerd Hospital later today

The ANC president said his organisation's call for the release of the three was to allow them to disclose details of their alleged links to State security organs

The hunger strikers face trial on charges including murder and attempted murder

They are accused of the theft of explosives from a mine and the subsequent placing of two bombs at a taxi rank in Pretoria. One bomb exploded, injuring 13 people. They are also charged with planting a bomb in a computer, which killed a technician when he switched it on.

The three have refused offers of bail and have demanded indemnity

Mr Mandela claimed the three men had stated that they had worked for the NIS and MI and urged President de Klerk to indemnify them from prosecution.

SADF headquarters has denied the allegations

The men's lawyer, Wim Cornelius, said only the hunger strikers themselves could disclose the truth

They were prepared to do this before the commission on violence in South Africa, on condition the Government granted them the indemnity that they had been demanding since the start of their protest, said Mr Cornelius

He was unable to disclose any information on the issue since he had taken an oath of secrecy when he had appeared before the State President's advisory committee on political indemnity last month.

The condition of the three men remained "extremely serious" today as Dr Lood van Schalkwyk (53) entered the 43rd day without food, Adrian Maritz the 50th day and South Africa's longest hunger striker, Briton Henry Martin, the 57th day

Last night British diplomat Norman Ling denied a Sunday Times report that quoted him as saying Mr Martin had been sitting up at the weekend. His statement that Mr Martin was "a very fit man" did not refer to his present condition

Stressing that he could not offer a medical opinion on Mr Martin's condition, Mr Ling said, "He was lying on his bed - he was not sitting up. Clearly we are very concerned about his case. He is obviously not fit now - but had been (before he embarked on the fast). One

● To Page 2

### Hunger trio 'were agents of the State'

Star 2/9/91

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● From Page 1

would expect him to be in a bad way."

Reminded today that Irishman Bobby Sands had died on the 66th day of his protest, Mr Cornelius said although Sands was only 23, the key appeared to be weight

Mr Martin was a big man with a paunch. The body could feed on its own fat for a considerable time. A major concern was that he had turned "ice cold".

Both Mr Martin and Mr Maritz are smokers who now light up a cigarette to keep awake

Speaking in Pietersburg yesterday, Mr Mandela said the crimes the men were being held for were commissioned by the police and military intelligence, adding the ANC call to free the trio did not contradict the ANC stand on right-wing violence

Orde Boerevolk chief Leonard Veenendaal told The Star "It is going to make a hell of a stink if this goes to trial, and I wonder if the Government doesn't just want them to die"

Boerestaat Party leader Robert van Tonder said "Whatever Government tries, if they want to talk they will"

He said the Government's obstinate refusal to release the men "seems as if they want to force us into a confrontation"

Political parties yesterday reacted cautiously to the statements.

Conservative Party chief secretary Andries Beyers said his party did not exclude the possibility but did not have any "technical" information on the men's claims to have been involved with State security organs.

"But such a possibility strengthens the need for their release," he added

Asked about the men's condition, the Department of Correctional Services again said yesterday it was not policy to give details of individual cases



Stille and bustle of the Spring Festival in Rhodes Park yesterday

### Arms - report

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the control tower and blocked the airport roads in an apparent effort to secure the cargo. Three people are said to have died

The Sunday Times report, by Louise Branson in Belgrade, says the arms were accompanied by a Croatian-born Canadian who had taken delivery of them in South Africa

The pilot, who had been told he was carrying "technical equipment", said later "I feel deceived. It was only after we landed that inspection of the cargo showed we were carrying an extremely dangerous and explosive cargo"

● Plan accepted - Page 4

### Unravelling our sporting knots

How far is South African sport along the road to unity? Where are the hold-ups preventing sports from qualifying for Olympic or international participation? And who are the power players dealing with the complexities of a situation brought about by years of isolation and fragmentation as a result of the country's apartheid policies?

To find out some of the answers, buy The Star tomorrow



# Mandela to quiz hunger strikers on secrets

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2/9/91

JOHANNESBURG — Mr Nelson Mandela will today question three hospitalised right-wing hunger strikers on allegations that they worked for Military Intelligence, and on the role of the right-wing in the CCB.

ANC sources said at the weekend it was vital the three be kept alive so they could disclose information on their alleged links to the intelligence community.

Mr Mandela told a function in Pietersburg yesterday the three had said the crimes they were being held for were commissioned by the police and military intelligence.

Mr Mandela will visit the men — who are all critically ill — in Pretoria's H F Verwoerd Hospital today.

In another development, the men's lawyer, Mr Wim Cornelius, said the Minister of Health, Dr Rina Venter, offered the prisoners free

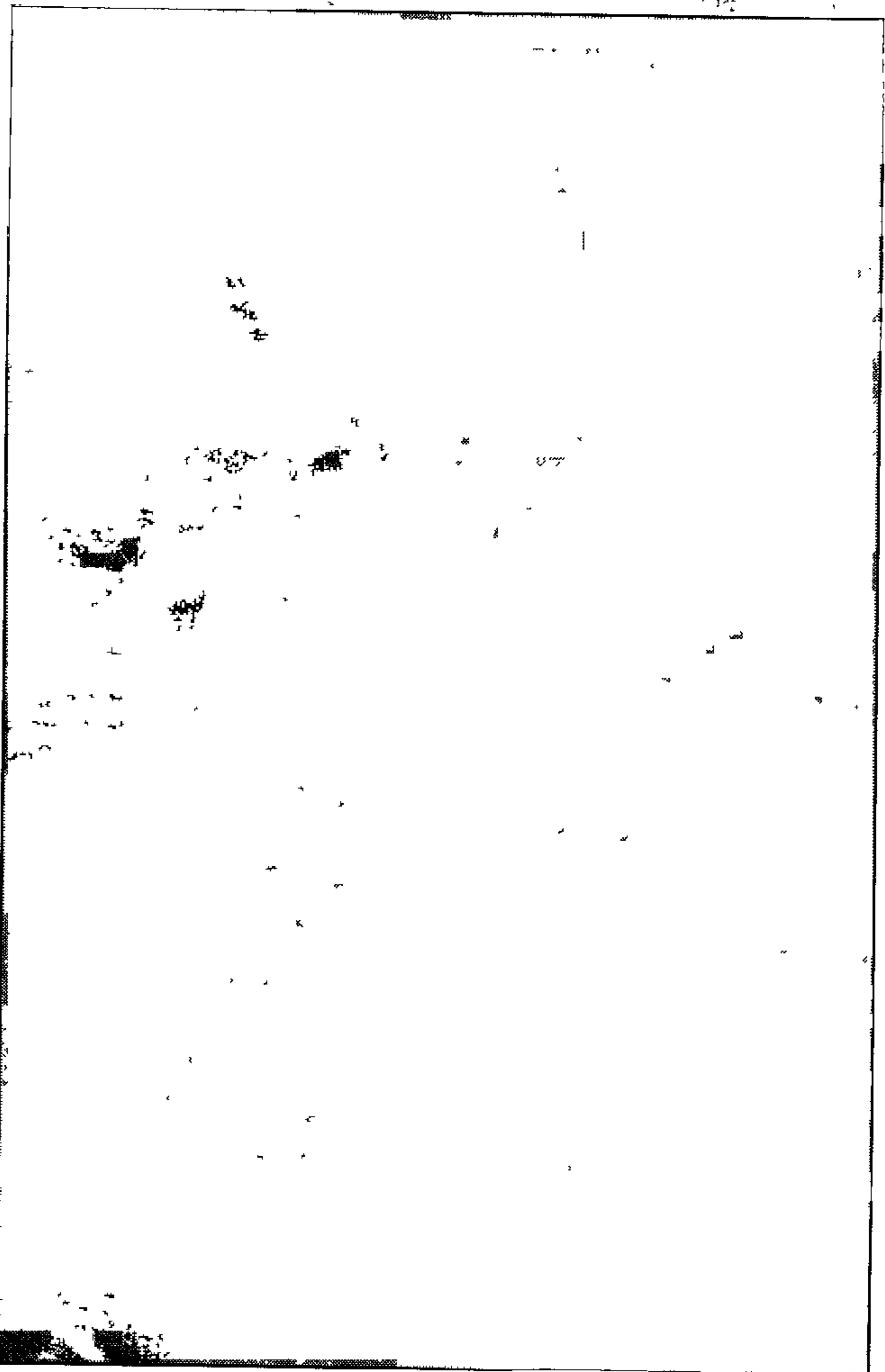
hospital treatment if they accepted bail conditions offered to them.

However, government sources yesterday ruled out any chance of government giving way indemnity for the hunger strikers.

Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk are under armed guard in separate wards. Since they were refused indemnity last week, their formerly unlimited visiting hours have been restricted to two 30-minute periods.

The three are awaiting trial on charges of murder and attempted murder. They have refused to stand trial and vowed to starve to death if not granted indemnity.





On his high horse . . . AWB leader Eugene Terreblanche rides to visit right-wing hunger strikers at H F Verwoerd Hospital yesterday. Mr Terreblanche and about 100 other AWB members then attended a special prayer service. Picture. Reuter

# Ex-hunger 253 striker not

## at hearing Sept 2/9/91 Court Reporter

Orde Boerevolk member Leonard Veenendal, suffering from kidney problems after his recent hunger strike, was unable to appear in the Johannesburg Magistrate's Court on Friday

Mr Veenendal (34), Daryl Stoforth (27) and German national Horst Klenz (52) face possible extradition to stand trial in Namibia for the alleged bombing of a United Nations base in 1989

They were granted bail of R1 000 after several months in custody, and ended their hunger strike on August 1

Mr Veenendal was in hospital, undergoing medical tests which would be completed by September 9, the court was told on Friday

The State applied for a postponement to allow Justice Minister Koble Coetsee time to respond to an application by the rightwingers for indemnity in terms of the Pretoria Minute. The extradition hearing was postponed to November 1.



### Background to the news

## Karin sleeps outside Maritz's door — scared he might die

PRETORIA. — A wife of one of three rightwing hunger strikers said she was spending last night sleeping in a corridor next to her husband's room, as she had been given limited access.

Mrs Karin Maritz, wife of Adrian Maritz, said she feared her husband would die before she would be able to reach him in hospital.

Since indemnity from prosecution was refused to Maritz, Briton Henry Martin and Lood van Schalkwyk last week, their formerly unrestricted visiting hours have been limited to two 30-minute periods a day.

Maritz and Van Schalkwyk have been refusing food for 50 and 43 days respectively and Martin has been fasting for 56 days, making his the longest hunger strike recorded in South Africa.

Maritz and Van Schalkwyk have been refusing water since Thursday in protest against the restrictions on visiting.

Their wives are demanding the right to remain at their bedside to prevent them from slipping into a coma

The men are refusing food in a bid to gain political status and amnesty from charges linked to two bomb blasts which killed one and injured 13 people.

Lawyer Mr Wim Cornelius said Maritz was "very dehydrated" and "looked like a skeleton". — Sapa.

# To starve or to live: The lawyer in the middle

### The Argus Correspondent

WIM Cornelius is the man who may have to make the final decision whether the three Orde Boerevolk hunger strikers languishing in Pretoria live or die

He is the lawyer representing the dying trio — Briton Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk — who have been without food for 55, 48 and 41 days respectively

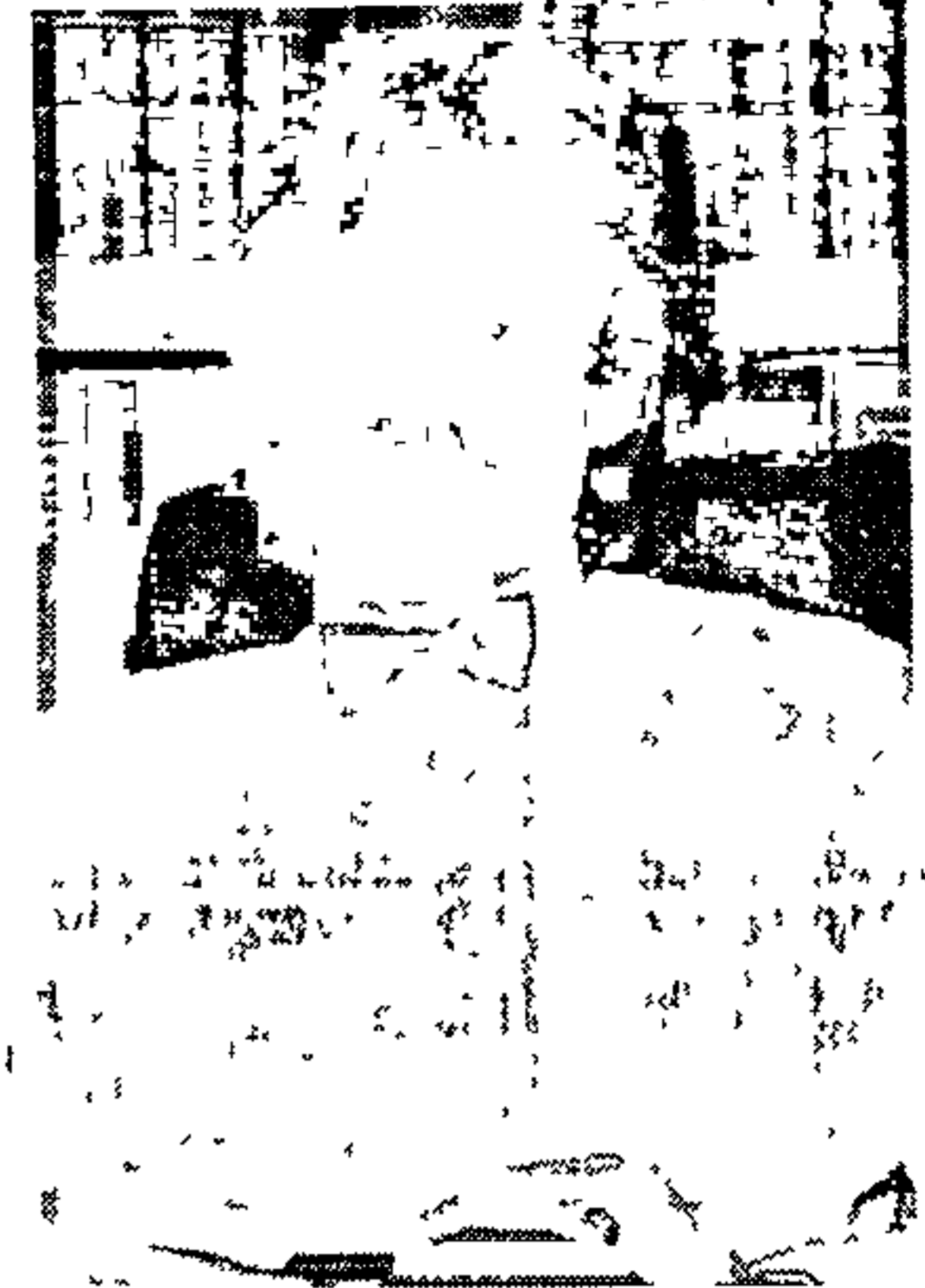
The men who have resigned themselves to the slow death of starvation have given Mr Cornelius the authority to decide if they may be revived once they slip into coma

Their conditions for revival are stringent — they may be force-fed only if they are granted indemnity. It will be up to Mr Cornelius to evaluate further offers which may come from the government and to give them the yea or nay.

He must also ensure that no attempts are made to force-feed the men anyway. It would be a violation of their rights under the Tokyo Convention which South Africa subscribed to, he said

Even if the men's families begged him to revive the men, he said he could not do so — he was firmly bound by the mandate they had given him

By now he has had plenty of experi-



Mr Wim Cornelius

ence in dealing with hunger strikers. He has represented "Wit Wolf" killer Barend Strydom, and Orde Boerevolk members Leonard Veenendal and Daryl Stopforth — all of whom embarked on hunger strikes.

He insists he is not a "right-wing" lawyer. He is a member of Lawyers for Human Rights and has also represented left-wing organisations

## Fluid key to starvation survival, says expert

### The Argus Correspondent

PRETORIA — A young, healthy person can survive for up to 65 days on a starvation diet — provided he drinks enough water, says a specialist physician of the University of Pretoria's Faculty of Medicine

He said past experience of hunger strikers, such as Bobby Sands and fellow Irish Republican Army (IRA) prisoners who died in 1981, had shown that the

human body could tolerate a starvation diet for 60 to 65 days

But they were all under 30 years old and in robust health before refusing to eat, he said.

By contrast the three Orde Boerevolk hunger strikers at the H F Verwoerd Hospital are all older than 40

Mr Henry Martin, 50, has been fasting for 56 days, Mr Adrian Maritz, 45, for 48 days, and Dr Lodewyk van Schalk-

wyk, 53, has not eaten for 42 days

Moreover it is reported that all three have been refusing to drink since Thursday — apparently in protest against curbs on visiting rights

If this is the case their prognosis is very poor. The intake of sufficient fluids is a key factor in the life expectancy of a hunger striker, who needs between one and one-and-a-half

litres of fluids a day to maintain vital bodily functions.

Failure to take in fluids would speed body deterioration by causing a build-up of toxic wastes, resulting in kidney failure.

Once kidney failure reaches a certain point body chemistry becomes deranged. Certain electrolytes, such as potassium, could build up to dangerous levels and cause heart failure

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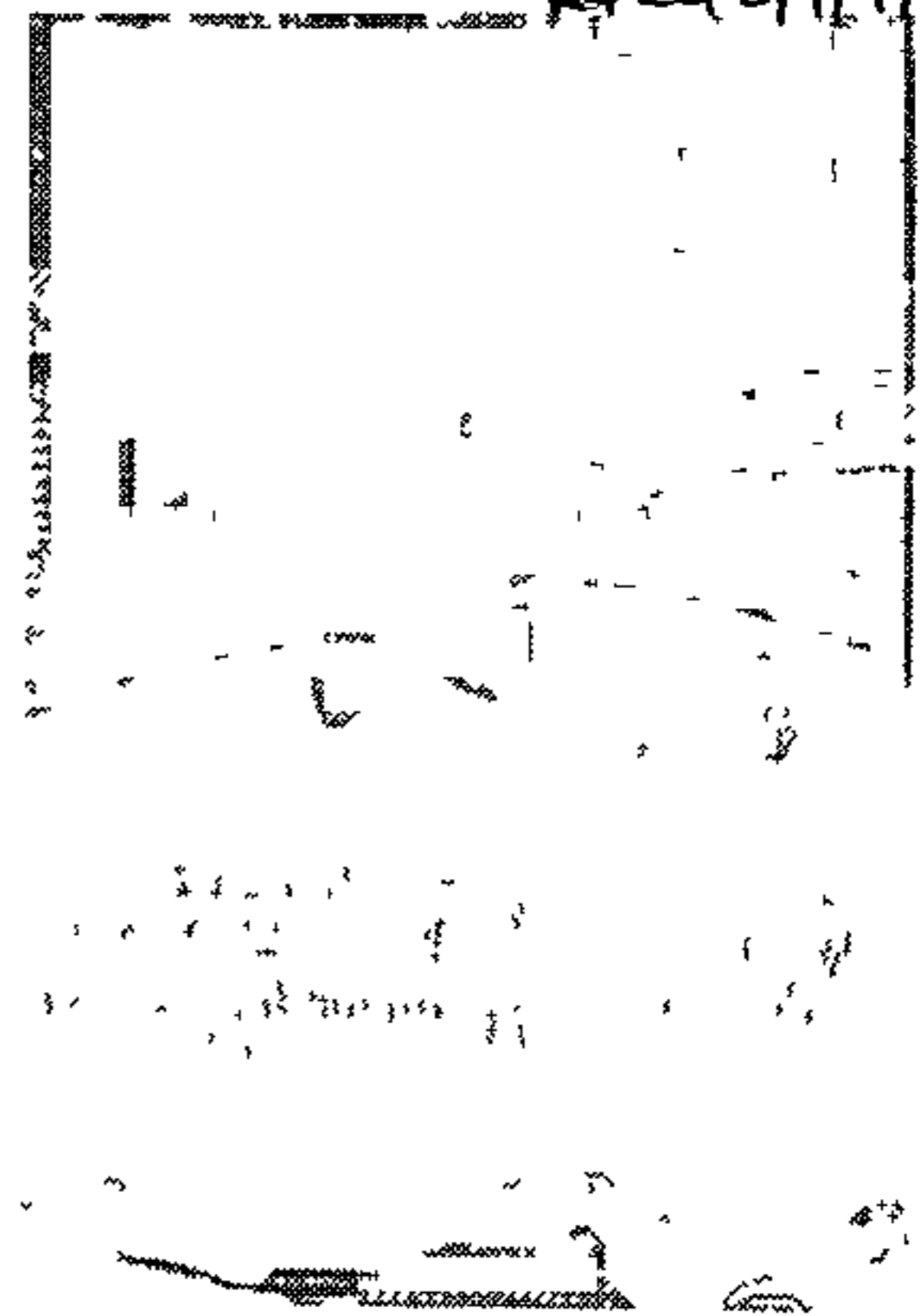
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Their conditions for revival are stringent — they may be force-fed only if they are granted indemnity. It will be up to Mr Cornelius to evaluate further offers which may come from the government and to give them the yea or nay

He must also ensure that no attempts are made to force-feed the men anyway. It would be a violation of their rights under the Tokyo Convention which South Africa subscribed to, he said.

Even if the men's families begged him to revive the men, he said he could not do so — he was firmly bound by the mandate they had given him

By now he has had plenty of experi-



Mr Wim Cornelius

ence in dealing with hunger strikers. He has represented "Wit Wolf" killer Barend Strydom, and Orde Boerevolk members Leonard Veenendal and Daryl Stopforth — all of whom embarked on hunger strikes

He insists he is not a "right-wing" lawyer. He is a member of Lawyers for Human Rights and has also represented left-wing organisations

# Fluid key to starvation survival, says expert <sup>(253)</sup> ARG 2/9/91

## The Argus Correspondent

PRETORIA — A young, healthy person can survive for up to 65 days on a starvation diet — provided he drinks enough water, says a specialist physician of the University of Pretoria's Faculty of Medicine

He said past experience of hunger strikers, such as Bobby Sands and fellow Irish Republican Army (IRA) prisoners who died in 1981, had shown that the

human body could tolerate a starvation diet for 60 to 65 days

But they were all under 30 years old and in robust health before refusing to eat, he said

By contrast the three Orde Boerevolk hunger strikers at the H F Verwoerd Hospital are all older than 40

Mr Henry Martin, 50, has been fasting for 56 days, Mr Adrian Maritz, 45, for 48 days, and Dr Lodewyk van Schaik-

wyk, 53, has not eaten for 42 days

Moreover it is reported that all three have been refusing to drink since Thursday — apparently in protest against curbs on visiting rights

If this is the case their prognosis is very poor. The intake of sufficient fluids is a key factor in the life expectancy of a hunger striker, who needs between one and one-and-a-half

litres of fluids a day to maintain vital bodily functions

Failure to take in fluids would speed body deterioration by causing a build-up of toxic wastes, resulting in kidney failure

Once kidney failure reaches a certain point body chemistry becomes deranged. Certain electrolytes, such as potassium, could build up to dangerous levels and cause heart failure



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AGS 2/9/91



Mr Mandela

**TOS WENTZEL, Political Staff and The Argus Correspondent**

MR NELSON Mandela is due to visit right-wing hunger strikers Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk in Pretoria today.

Mr Nic Strydom, leader of the rightwing Orde Boerevolk and father of murderer Barend Strydom, and Mr Wim Cornelius, the legal representative of the hunger strikers, will be there to meet him.

Mr Strydom said he did not have a formal appointment with Mr Mandela but he hoped to be able to meet the ANC leader.

Speaking from his home at Heidelberg in the Transvaal, he said he wanted to express appreciation for Mr Mandela's gesture in seeing the hunger strikers

Mr Strydom dismissed the suggestion that a meeting between him and Mr Mandela would be a case of "strange bedfellows"

He said that, although his movement differed sharply from the ANC ideologically, they agreed on other issues such as the granting of indemnity to political prisoners

Also the Orde Boerevolk was willing to talk to movements such as the ANC There would have to be peaceful negotiations

While it was true that the hunger strikers had not yet appeared in court there were other issues which would make it impossible for them to tell their stories in public. It was not only about the planting of bombs, he said

The men were not prepared to give evidence in court because this could endanger their families

There have been suggestions that the hunger strikers had something to do with the security forces.

Mr Strydom said Mr Mandela had asked to visit the men as the Orde Boerevolk had "obviously not asked for the visit"

**'Receiving attention'**

Mr Mandela said in Pietersburg yesterday that the ANC's call for the release of the three men was to enable them to give full details of allegations of army and police involvement in their crimes

The Department of Correctional Services said today that Mr Mandela's application for the visit was "receiving attention"

Meanwhile, the Minister of Justice, Mr Kobie Coetsee, has reiterated that the government will not give in to pressure to release the men

He said today the government was not willing to do something that would lead to a chain reaction and the collapse of the legal system

He hoped that common sense would prevail and that disaster could be averted

The three did not correspond to the definition of political prisoners. The government could not allow itself to be blackmailed by hunger strikers and their advisers

The government had provided the best medical facilities and the men had throughout been warned to act sensibly

As uncertainty grew over the nature of the condition of the men, Mr Paul Fick of the Attorney-General's office visited the men yesterday, Mr Cornelius said

**'Conditions very weak'**

Mr Martin, Mr Maritz and Dr Van Schalkwyk have now respectively been on hunger strike for 56, 50 and 42 days, and their conditions at the weekend were "very weak", Mr Cornelius said

He dismissed reports in Sunday newspapers that there were questions about the seriousness of the men's conditions

British diplomat Mr Norman Ling demed that he said Mr Martin had been sitting up during Mr Ling's visit at the weekend or that his statement that Mr Martin was "a very fit man" referred to his present condition

Emphasising that he could not offer a medical opinion on Mr Martin's condition, he said "He was lying on his bed - he was not sitting up Clearly we are very concerned about his case He is obviously not fit now - but had been before he embarked on the fast One would expect him to be in a bad way

"It would be wrong if the impression were created that he was a fit man," Mr Ling said

Mr Cornelius said it was possible that Mr Martin and Mr Maritz were again taking water although he had not seen them do so. Mr Ling had said that Mr Martin was drinking water

Mr Cornelius said there was no contradiction between Mr Ling's and his own reports

# WIT WOLF'S FATHER TO SEE MANDALA

Mr Strydom

The Department of Correctional Services said yesterday it was not policy to give details of individual cases  
Mr Cornelius said on Saturday that, while he was present, a nursing sister conveyed a message to each of the men from the Minister of Health, Dr Rina Venter  
"The sister told the men that Dr Venter said they need not worry about any medical bills should they accept bail. At the moment they are not responsible for medical costs but they would be if they accepted bail"

More reports page 2.

# Meeeting over hunger strikers

*Sowetan*  
3/9/91.

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**ANC president Mr Nelson Mandela is to meet President FW de Klerk today to ask for the immediate release of three rightwing hunger strikers on humanitarian grounds.**

Mandela, after his visit to the three men at Pretoria's HF Verwoerd Hospital, said he had an appointment to discuss the release of ANC prisoners with De Klerk and would also take up the indemnity application for the three rightwingers - Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk.

And the deputy leader of the Orde Boervolk,

Mr CJB Vermaak, yesterday resigned from the organisation, saying he objected to plans for Mandela and the South African Council of Churches to visit the three hunger strikers in hospital

**Vermaak resigns**

Vermaak said he had decided to resign after learning that the rightwingers' legal representative, Mr Wim Cornelius, had announced that Mandela and the SACC would be allowed to visit the men "on so-called humanitarian grounds".

"True rightwing freedom fighters see Mandela as part of the enemy and would never allow a person such as Mandela to speak to prisoners in detention," Vermaak said in a statement

Meanwhile, Mandela told journalists after the

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# ANC to appeal to F.W.

(253) CT 3/9/91

**PRETORIA.** — Mr Nelson Mandela will ask President F W de Klerk during a meeting today to release the three right-wing hunger strikers immediately on humanitarian grounds.

Mr Mandela visited the three men at the H F Verwoerd Hospital here yesterday. He said he had told them the ANC would do everything in its power to have them indemnified.

Mr Mandela said the men — Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk — had impressed him as being "very sincere".

"I am convinced they have very valuable information to give about the role of the National Intelligence Service (NIS) and Military Intelligence (MI) who had instructed them to commit some heinous offences," he said.



**HOSPITAL VISITOR . . .** Mr Nelson Mandela speaks to the press after visiting the three Orde of Boerevolk hunger strikers in a Pretoria hospital yesterday.

● The deputy leader of the Orde Boerevolk, Mr C J B Vermaak, resigned because of the visit by Mr Mandela and the South African Council of Churches.

Mr Mandela said the hunger strikers had recognised him and had been excited by his visit. He said he appreciated having been able to meet members of the right-wing and was encouraged by the development.

He had not asked the men to end their fast, and afterwards refused to comment on their condition.

The striker's lawyer, Mr Wim Cornelius, who visited the men with Mr Mandela and Orde Boerevolk leader Mr Nic Strydom, said the trio had thanked Mr Mandela for his humanitarian gesture in visiting them.

He said that after struggling to wake Mr Martin

## CALL FOR DOCTORS TO VISIT HUNGER STRIKERS

See PAGE 2

These matters had to be brought "into the open" for a lasting settlement to be reached, he said.

In further developments yesterday

● A Justice Department spokesman said the three hunger strikers could disclose any alleged connections to the security forces during their trials.

If their information was unconnected with their trials they could ask to give evidence before the proposed commission on public violence and intimidation.

● The National Party's newly appointed secretary-general, Dr Stoffel van der Merwe, said the government might consider some form of concession for the three right-wingers once the trio had been tried.

They had to stand trial as the process of law should not be undermined, he said.

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## Plea to FW

(253) (17)  
from a stupor, the prisoner had held Mr Mandela's hand throughout their conversation, clasped his jacket to pull him closer and told him he was a gentleman.

The lawyer admitted there had been objections from certain right-wingers to Mr Mandela's visit, but he believed the visit was in the men's best interests.

"This is the first time that both the left-wing and the right-wing are in total agreement on one specific issue."

"It is important to note that the men expressed their interest and willingness to participate in future constitutional talks," Mr Cornelius said. CT 3/1/91

Mr Strydom told journalists it was possible that the government would like to see the men die, and have their alleged involvement with the NIS and MI kept secret.

Both the NIS and the MI have denied the men's involvement in the state's intelligence community.

Mr Martin is alleged to have worked for the NIS, while Mr Maritz worked for MI.

● Two hunger striking Orde Boerevolk members detained at Durban's Westville Prison enter the 16th day of their fast today.

Mr Piet Botha and Mr Adriaan Smuts are facing charges of murder for their alleged roles in a bus massacre which left seven people dead near KwaMashu last year. Sapa and Own Correspondent



# Mandela to see FW on hunger trio

Sowetan 3/9/91

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visit "These men impress me as being very sincere and I am convinced that they have very valuable information to give about the role of the National Intelligence Service and Military Intelligence who had instructed them to commit some heinous offences."

"We feel that it is important to have all these matters in the open if we are going to have a lasting settlement."

Mandela said he had not asked the men to end their fast as it had merely been his duty to see that they were released immediately.

He exchanged pleasantries with several members of the rightwing organisation the men represent - the Orde Boerevolk.

Mandela said the meeting was pleasant and the men were excited and encouraged by his visit.

He was impressed by their serious medical condition.

"I do not think that what they say they have to tell us is a pretence. I sincerely believe that these men have the information they claim they have."

"I believe what they told me. There is no doubt that these men have that information."

Asked whether he viewed the men as political prisoners, he said it was his immediate concern they be released on humanitarian grounds.

Their lawyer Cornelius, who accompanied Mandela on his visit together with Orde Boerevolk leader Mr Nic Strydom, said the three men thanked Mandela for the humanitarian gesture he displayed by visiting them.

"Mandela said the condition of these men was very grave, and told them he would ask for their immediate release during his visit to De Klerk today," Cornelius said.

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## Orde will talk to ANC

CT 3/9/91 (253)

JOHANNESBURG. — The father of Wit Wolf killer Barend Strydom, Mr Nic Strydom, says he is prepared to negotiate with the African National Congress and any other political party in the interests of the Boer nation.

Mr Strydom, who is also leader of the Orde Boerevolk, accompanied Mr Nelson Mandela when the ANC president visited the three right-wing hunger strikers yesterday.

Mr Strydom said the ANC could

not be wished away. "People have been trying to do that since 1912, but it's impossible," he said.

Mr Strydom said he appreciated Mr Nelson Mandela's visit to the three right-wing hunger strikers in the H F Verwoerd Hospital.

Earlier, the deputy leader of the Orde Boerevolk, Mr C J B Vermaak, resigned because of the visit by Mr Mandela and the South African Council of Churches

Mr Vermaak said "True right-

wing freedom fighters, see Mandela as part of the enemy and would never allow such a person to speak to prisoners in detention."

He said the three hunger strikers were in such a weakened state that they had no choice over the visits. Mr Mandela was also being allowed to score cheap political points from the "tragedy" of the hunger strikers.

Mr Vermaak was distancing himself from the Orde Boerevolk's leadership because of contact with "left-wing enemy elements". — Sapa



ANC to press FW for reprieve

# We were state agents, trio tells Mandela

B/day  
3/9/91  
253

ANC president Nelson Mandela is expected to urge President F W de Klerk today to grant indemnity to three right-wing hunger strikers who yesterday told him state intelligence units had instructed them to commit acts of terror.

After meeting the prisoners briefly in Pretoria's HF Verwoerd Hospital, Mandela said he had told them the ANC would do everything in its power to have them indemnified.

He said the three had told him they had important information implicating themselves and others in Military Intelligence (MI) and the National Intelligence Service (NIS) operations.

MI and the NIS had apparently instructed them to commit "some of their heinous crimes", Mandela said. Orde Boerevolk chief of staff Leonard Veenendaal confirmed yesterday that Henry Martin had been a member of MI and that Adrian Maritz had worked for the NIS.

JONATHON REES

Mandela said the ANC was gravely concerned about their plight.

Orde Boerevolk members Martin, 49, Maritz, 43, and Lood van Schalkwyk, 53, are awaiting trial on charges of murder and attempted murder and have vowed to starve to death if not indemnified.

Mandela said the hunger strikers had recognised him and been excited by his visit. Their lawyer Wim Cornelius said that after struggling to wake Martin from a stupor, the prisoner had held Mandela's hand throughout their conversation, clasped his jacket to pull him closer and told him he was a gentleman.

Cornelius described the visit as the most humanitarian gesture he had seen.

Mandela said state involvement in right-wing acts had to be exposed, adding that the hunger strikers had "very valuable information".

The Justice Department said last night the men would not have to be indemnified for them to give evidence before the proposed Commission on Public Violence. They could ask to give evidence to the commission if their information was not connected with their court case. Such evidence could not be used against them.

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ANC president Nelson Mandela at Pretoria's H F Verwoerd Hospital after visiting the three Orde Boerevolk hunger strikers yesterday. With him is ANC national executive member Terror Lekota and the men's lawyer Wim Cornelius. Picture ROBERT BOTHA

## 'State agents'

A Justice statement added they would have an opportunity to disclose their alleged links with security forces during their trial.

And NP secretary-general Stoffel van der Merwe said yesterday government might consider some form of concession for the three once they had been tried, Sapa reports.

Mandela said he would meet De Klerk today. A spokesman for De Klerk was last night unable to confirm the meeting.

Cornelius said the the hunger strikers were "in a terrible condition". He said he and the wives of Maritz and Van Schalkwyk would meet new Correctional Services Minister Adriaan Vlok today in an attempt to resolve the dispute over restricted visiting rights.

Mandela visited ANC prisoners before seeing the right-wingers, and said he had informed them of ANC discussions with government regarding their release.

A large police contingent with automa-

tic weapons was deployed in and around the hospital before and during Mandela's visit to the hunger strikers.

Orde Boerevolk leader Nic Strydom met Mandela yesterday and thanked him for his efforts on behalf of the hunger strikers.

Strydom said it seemed it was in government's interest to let the men die as they were in possession of "incriminating" evidence. The Orde Boerevolk had renounced violence and reformed its executive council with an "eye to possible negotiations".

But some elements of the right wing were reportedly opposed to Mandela's visit, saying it smacked of political opportunism.

Veenendal said Orde Boerevolk deputy leader Coen Vermaak had resigned from the organisation and been replaced by former Section 29 detainee David Rootenberg. Right-winger Darryl Stopforth, wanted with Veenendal by Namibia to stand trial for an attack on a UN base in 1989, took over as Orde Boerevolk security chief.

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# Call for doctors to visit hunger three

By BARRY STREEK

AMID conflicting reports about the state of health of the three right-wing hunger strikers, the Democratic Party yesterday called for private medical practitioners to visit the men.

The public had been left confused and alarm was spreading, rightly or wrongly, as a result of the many versions of their state of health, DP spokesman on correctional services Mr Peter Gastrow said.

"Understandably the public will only have confidence in the views of competent medical people and the public hasn't had them."

"There have been so many contradictory reports that I think it is counter-productive — both as far as the Department of Correctional

Services is concerned and as far as the possible consequences — to let the public's view of their health be formed by laymen, such as lawyers," said Mr Gastrow, the MP for Durban Central.

He said that regardless of prison regulations, a private medical practitioner as well as the district surgeon should be allowed to visit the three men and, if necessary, issue a joint report about their health.

Meanwhile, the Conservative Party MP for Losberg, Mr Fanie Jacobs, who was part of the delegation — led by CP leader Dr Andries Treurnicht — that visited the three men, yesterday, gave an account of his impressions. Mr Jacobs, who emphasised he was not a medical person, said his impression was that

Mr Henry Martin and Mr Adrian Maritz were very weak but for him, Dr Lood van Schalkwyk was "definitely in better shape".

He had difficulty in following Mr Martin, who spoke quietly and with his eyes closed, "but Mr Martin had said: 'It is either freedom or death.' I could follow that."

The confusion about their state of health follows various statements by their lawyer, Mr Wim Cornelius, including one at the end of last week when he said all three men had stopped drinking water after they had been denied indemnity.

The British vice-consul in Johannesburg, Mr Norman Ling, was then reported as having said Mr Martin was drinking water and had been sitting up during his visit last week.

He confirmed yesterday that Mr Martin, a British citizen, had been drinking water and was smoking, but denied he had been sitting up. He also had not seen the other two hunger strikers.

"Clearly we are very concerned about Mr Martin's case. He is obviously not fit now — but he had been before he embarked on the fast. One would expect him to be in a bad way," Mr Ling said. He also pointed out that 72 hours had passed since he had seen Mr Martin and it was likely that his condition had deteriorated since then.

Mr Cornelius said yesterday, after Mr Nelson Mandela visited the three men, that only Mr Maritz was refusing to drink water.

'I no don't need indemnity'

# Govt still refuses to give way

Star 3/9/91

Staff Reporters

253

The Government has maintained its hardline stance on the three right-wing hunger strikers after an unprecedented visit to the Orde Boerevolk men yesterday by Nelson Mandela.

Saying the three alleged bombers must be released so their actions on behalf of State security organs could be exposed, the ANC leader said he would make a personal appeal to President de Klerk.

Reacting to Mr Mandela's announcement, the Ministry of Justice issued a statement saying that Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk did not need political indemnity to give evidence about their alleged security force links.

And the National Party's secretary-general, Dr Stoffel van der Merwe, reiterated that the men must go on trial for the bombing attacks they are accused of.

The Government would consider concessions — but only after the three had stood trial.

Dr van der Merwe said se-

rious criminal charges had been made against the three, and the process of law should not be undermined.

They face charges including murder and attempted murder after the bombing of a taxi rank in Bloed Street, Pretoria and a bombing in Durban which led to the death of a technician.

The three had been charged after the expiry of the date by which applications for amnesty had to be made.

And a Ministry of Justice spokesman said in a statement the three rightwingers did not need indemnity to give evidence about their supposed security forces connections.

The spokesman said the hunger strikers "would have the fullest opportunity to disclose any alleged connections to the security forces during their trial".

The evidence could be valuable as it would have been tested in a court of law, and the Government "will then be in a position to take such steps as necessary".

If the hunger strikers' information was unconnected with their trials however, they could ask to give evidence before the proposed commission on public violence and intimidation.

This evidence could not be used against them in court and it was therefore not necessary to receive indemnity in order to testify before the commission.

Mr Mandela is appealing for their release on the grounds that they have information about activities of the National Intelligence Service and Military Intelligence "which have been instructing them to commit the most heinous offences".

"In order to have a lasting settlement in this country, these issues must now be exposed," he said after visiting the three at Pretoria's H F Verwoerd Hospital.

Claims of State involvement in the crimes the three are accused of have also been made by Orde Boerevolk chief-of-staff Leonard Veenendaal.

## More blacks seek 'white' mine homes

Star 3/9/91

Own Correspondent

Two more black employees of Palabora Mining Company have applied for houses in Phalaborwa amid rising tension and threats by right-wingers to stop blacks moving in.

This brings to three the number of employees who have applied for houses in the Conservative Party-controlled town in the past months.

PMC estate manager Tony Moore also disclosed yesterday that a coloured mechanic would move into a previously whites-only block of flats this week.

The applications followed

desegregation of the company's housing policy.

After the company's announcement of the new policy in July the town council passed a resolution by five votes to three on July 30 calling on white residents to reject integration and defend "First World standards and good order".

An opinion poll by the council last month had a poll of less than 20 percent of the 6 700 registered voters in the town, only 1 328 took part, 1 280 voting against blacks moving in.

The AWB interpreted the result as a mandate to stop blacks moving into PMC houses.

## 7 killed in horror smash

East Rand Bureau

Seven people were killed in a collision between a minibus, a truck and two cars on the R21 at Jan Smuts airport yesterday evening.

Police said the driver of the truck lost control of his vehicle which ploughed into the two cars and then careered across the highway and collided head-on with the minibus.

Rescue workers used hydraulic jaws to free the dead and the injured from the minibus.

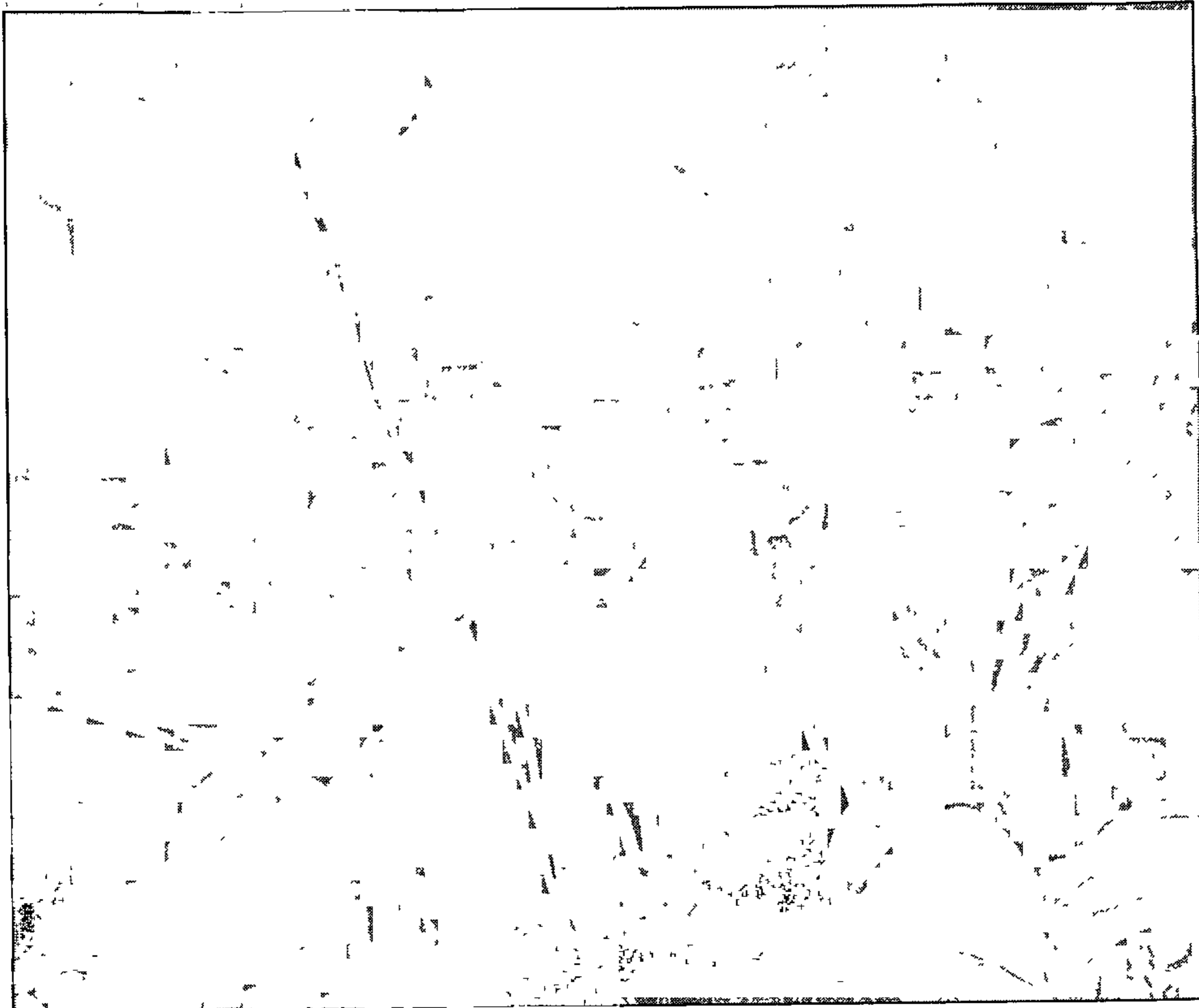
Two occupants in one of the cars were also injured in the crash.

The injured were taken by ambulance to the Kempton Park and Tembisa hospitals.

A police spokesman said the driver of the truck had been arrested and would appear in court soon.

P.T.O.





Eleventh-hour visit . Nelson Mandela leaves hospital yesterday after seeing the hunger strikers. Picture Alf Kumalo

## Govt will not give ground on trio's indemnity pleas

● From Page 1 **253**

According to Mr Veenendal, Adrian Maritz was attached to Military Intelligence and Mr Martin to NIS — and the booby-trap bomb which killed the Durban computer technician last October had been a State-directed operation

NIS and SADF have issued strenuous denials

Orde Boerevolk (OB) leader Nic Strydom, father of convicted mass-murderer Barend Strydom, said the men would supply information about their "State activities" only after they had been indemnified

The information was such that it would put their families in danger if there was no indemnity granted, he said

Mr Strydom said all three hunger strikers remained "very weak" and real fears were being expressed about the condition of Adrian Maritz (43) who entered the fifth day without water today

*star 3/9/91*  
Briton Henry Martin enters the 58th day without food today, Mr Maritz the 51st day and 53-year old Dr Lood van Schalkwyk is on the 43rd day of his protest

The three, now in separate wards, received Mr Mandela for only a few minutes each

"They (the hunger strikers) were very excited and encouraged by my visit. They recognised me," Mr Mandela told a large media contingent

Mr Cornelius told the press afterwards that a very weak Mr Martin had taken Mr Mandela's hand and held it

He (Mr Martin) had spoken very softly and said the ANC leader's visit was "the biggest humanitarian action since the hunger strike began"

It was the first time there had been solidarity between the Left and the Right and it was a very hopeful sign for pending negotiations, Mr Cornelius said

TI

The Black Sash calls for clarity on political prisoners

PRIEST  
REV D  
TEL

# Amnesty or travesty?

253  


Star 3/9/91

**T**HE Black Sash calls upon the Government to make emphatically clear its policy on the release of political prisoners.

Among those released since the Pretoria Minute are people from the Left and the Right and people who in no circumstances could be regarded as political (eg Le Grange and Van der Merwe)

Many political prisoners whose cases would have appeared to have been clearly of a political nature have applied for indemnity and yet have been refused. Some of these have been released on parole while many still languish in jail.

Despite comprehensive definitions of what constitutes a political crime (Government Gazette November 7 1990) the nature of the crime does not seem to influence the release process. Some people convicted of necklacing have been released while others are still in jail, some MK members involved in incidents where civilians died have been released

while others have not, some political trials have been suspended while others continue.

Though the negotiations between the Government and the ANC on the release process have been up-front and documented, it is not clear if these agreements are applicable to other political parties. Have, for example, any right-wing groups come to arrangements with the Government? Have the right-wingers who have been released been through the process of applying for indemnity and has this been granted or were they released unilaterally?

Is the cut-off date as given in the November 7 Government Gazette applicable across the board and should it not be adhered to stringently?

Aggravating an already confusing situation are the general amnesties that have been declared since last December and though these might have assisted in the release of a number of first of-

fenders they have not helped many genuine political prisoners who do not fall into these categories.

These amnesties have served to create anger and frustration for a large percentage of the prison population, while the lack of preparation for the release of thousands of common law prisoners has resulted in enormous problems for the prisoners themselves, their families and society. Moreover, they have undermined the justice system and the idea that criminals have a debt to society.

To resolve the conflict surrounding political prisoners and to prevent manipulation of the process of the release of political prisoners by groups who are not committed to the process of negotiation and a "new South Africa", the Government needs to urgently clarify many of these issues.

● This article was written by Laura Pollecutt for the Transvaal regional council of the Black Sash □



# Desertion charge probed

By Guy Jepson  
Crime Staff

Star  
3/19/91  
253

in Pretoria Central prison on July 31, a spokesman for the Department of Correctional Services has confirmed.

A charge of desertion is being investigated against a young police constable who disappeared from the H F Verwoerd Hospital with his awaiting-trial prisoner on Friday night.

Northern Transvaal police spokesman Lieutenant-Colonel Frank Alton said Richard Barry Nel was scheduled to appear on 58 counts of fraud in the Pretoria Regional Court today.

He was arrested in September last year.

Colonel Alton said Mr Nel was transferred from prison to the H F Verwoerd Hospital on August 16.

He had begun a hunger strike

The constable, who disappeared with Mr Nel shortly after 9 30 pm on Friday, has yet to be named by the police.

He was stationed at the Pretoria Central police station.

The policeman and the prisoner were missing from a ward during a visit to guards at the hospital, Colonel Alton added.

Members of the public with information on the whereabouts of the two men have been asked to contact Lieutenant Danie du Toit of the Commercial Crime Unit at (012) 437-345 during office hours or (012) 323-8596 after hours.

## Wife says hunger striker had a fourth heart attack

PRETORIA — Rightwing hunger striker Dr Lood van Schalkwyk complained of chest pains yesterday and was given the necessary treatment, a spokesman for the Department of Correctional services said

The statement was an answer to claims by Dr van Schalkwyk's wife and the wife of another hunger striker that the rightwinger had suffered a fourth heart attack at Pretoria's H F Verwoerd Hospital.

Mrs Heather van Schalkwyk and Mrs Karen Maritz said Dr van Schalkwyk had required 90sec of defibrillation to re-start his heart at 9 30am.

The women also said they believed attempts had been made on Sunday to force-feed Briton Mr Henry Martin, who yesterday began his 57th day without food

Mr Martin was not drinking much

water as he had lost interest, they said

(253) Aug 3/9/91  
In reaction, the prisons' spokesman, Col Dame Immelman, said Mr Martins was in fact taking liquids, "and the allegation that on Sunday he was forced to take in food is untrue"

Both wives said they intended visiting the new Minister of Correctional Services, Mr Adriaan Vlok today

They planned to discuss the problems they were experiencing visiting their husbands, they are allowed two half-hour visits a day

Col Immelman said there were no restrictions on the prisoners' wives during normal visiting hours

"The hunger strikers are being dealt with in a responsible manner in terms of internationally-acceptable medical standards," Col Immelman said — Sapa



# Mandela to ask FW for strikers' release

The Argus Correspondent

JOHANNESBURG — Mr Nelson Mandela is to appeal to State President FW de Klerk today for the release of three rightwing hunger-strikers — a move which has won him unexpected praise from the right.

After visiting the fasting trio at THR Verwoerd hospital yesterday, Mr Mandela said the ANC was going to do "everything in its power" to secure their release.

Information about their release activities could then be made available in different

ways, received Mr Mandela for only a few minutes each.

Orde Boerevolk leader Nic Strydom, chief of staff Leonard Veendal, and Mr Wim Cornelius, the men's attorney, also attended.

"They (the hunger-strikers) were very excited and encouraged, by my visit," Mr Mandela said.

Mr Cornelius said that a very weak Mr Martin had taken Mr Mandela's hand and held it under the blanket.

Mr Martin, speaking softly, had said the visit was "the biggest humanitarian action since the hunger-strike was embarked on".

Mr Martin had to be administered oxygen during the visit. Mr Maritz was in a critical condition and Dr van Schalkwyk was too ill to speak to Mr Mandela.

It was the first time there had been solidarity between the left and the right, and it was a very hopeful sign for pending negotiations, Mr Cornelius said.

## Patients leave sick-beds to watch media show

The Argus Correspondent ARG 3/9/9 (253)

PRETORIA — The hive of activity at Pretoria's H F Verwoerd Hospital over three rightwing hunger-strikers has aroused strong curiosity in patients, some of whom leave their sick beds to see what is happening outside.

Yesterday the hospital grounds were alive with excited black nurses toyi-toying and ululating as ANC leader Mr Nelson Mandela was driven to the casualty entrance, where he alighted with fist raised.

Wide-eyed pyjama-clad patients were seen on the periphery of a mob of camera-wielding journalists pushing to get closer to Mr Mandela after his visit to the fasting trio.

Only the previous day, patients saw AWB leader Mr Eugene Terre'Blanche and a group of supporters riding on to the hospital property on horseback, where they attended a church service in honour of the three hunger-strikers.

The rightwingers were then dispersed by police, who said they would not allow speeches at the hospital.

Throughout last week, patients fortunate enough to have access to a facade window witnessed a small contingent of placard-wielding khaki-clad protesters and journalists walking for hours around the entrance grounds — watched by a number of police.

Since media attention to the three hunger-strikers has increased, journalists have been ordered not to enter the hospital, with the result that they group en masse at the entrance.



# FW says no to Mandela on strikers

By MONK NKOMO and ISMAIL LAGARDIEN

PRESIDENT FW de Klerk yesterday turned down a request by ANC president Mr Nelson Mandela to grant indemnity to three rightwing hunger strikers.

Mandela emerged from a three-hour meeting with De Klerk at the Union Buildings, Pretoria, about 12.15pm and said: "We had very serious differences on some of the issues we discussed."

Accompanied by the ANC's deputy secretary-general, Mr Jacob Zuma, Mandela said in rejecting his request to grant the three rightwingers indemnity, De Klerk had told him the three had already been given an option of being released on bail.

Mr Henry Martin, Mr Adriaan Maritz and Dr Lood van Schalkwyk are on hunger strike at HF Verwoerd Hospital as awaiting-trial prisoners.

They allegedly planted a bomb at a taxi rank in Bloed Street, Pretoria, which injured scores of civilians. They are also alleged to have sent a parcel bomb that killed a Durban computer technician.

Mandela said he had asked De Klerk to grant the three indemnity on humanitarian grounds. However, he fully understood the State's position in refusing to

● To Page 2

# FW turns down Mandela

● From Page 1

accede to this request

In Bloemfontein, Justice Minister Kobie Coetsee said the Government would not be "blackmailed" into freeing the three before justice had run its course.

He said giving in to the hunger strikers would encourage common law criminals to embark on similar ventures, and this would make a mockery of the country's judiciary.

Speaking at the National Party's Free State congress, Coetsee said justice must not be "weakened" by what he called misguided humanitarian feelings.

The principle of justice was greater than any individual, people who thought they were blackmailing the Government were in fact blackmailing justice, he said.

"Everyone will agree that blackmail, the moment that you give into it, opens doors for more blackmail," Coetsee said.

The Government has said it would consider a bail application.

While the Government had freed political prisoners on the left, more than 20 rightwing prisoners were freed, "including Mr Piet Rudolph and his friends".

He stressed, however, that no cases were withdrawn nor were any indemnities granted in instances where human lives were taken.

He said Mandela did so only to further his own agenda and that Mandela wanted to "reap what he had not sown" and "scavenge where he smelt a carcass".

The Government's Bloemfontein mouthpiece *Die Volksblad* carried the same sentiments on its front page and its editorial comment and called Mandela "opportunistic".

Commenting on claims that the three hunger strikers had valuable information about security force collusion in the violence sweeping the country, Coetsee said all evidence in this regard must be brought to the courts and justice must be done.

Enlarging on his meeting with De Klerk, Mandela said other issues discussed included the release of political prisoners in ANC-related crimes who were presently on Death Row.

"I also raised the question of ANC-related political prisoners in Bophuthatswana and requested the State President to intervene in releasing them," said Mandela.

Sowetan 4/9/91 (253)

Sowetan 4/9/91

253

WEDNESDAY 07 SEPTEMBER 1991

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LOOK! SN T We! DRIP D



# Right-wing trio to review stand

PRETORIA — President F W de Klerk yesterday rejected a plea by Mr Nelson Mandela to pardon the three right-wing hunger strikers, but the three could decide on their own future tomorrow.

Mr Mandela said Mr De Klerk had reaffirmed at their meeting in the Union Buildings yesterday that he was not prepared to consider indemnity.

However, the strikers' lawyer, Mr Wim

Cornelius, said the men were expected to take a decision about their situation tomorrow.

Mr Henry Martin, who has fasted the longest, today enters the 58th day of his hunger strike, Mr Adrian Maritz his 51st day and Dr Lood van Schalkwyk his 44th day.

Mr Mandela and Mr De Klerk met for two hours yesterday and, according to Mr Man-

deia, also had "serious differences" on three other issues.

These were the release of ANC-related political prisoners on death row, the release of ANC related political prisoners in Bophuthatswana and current violence.

Mr Mandela said he was "very concerned" that time was running out for the three hunger strikers.

He said Mr De Klerk's view was that they

had been offered bail and could make use of this offer.

He and Mr De Klerk had agreed to continue discussing the three other issues soon at another meeting. He did not expect their differences on these issues to affect the negotiation process.

Mr Mandela said he was not prepared to discuss the question of political prisoners in Bophuthatswana with President Lucas

Mangope. "That is for Mr De Klerk to sort out," he said.

Mr De Klerk's office confirmed that the president had explained the government's standpoint on the three hunger-strikers to Mr Mandela.

"There were also important differences of opinion on other matters that had been

To page 6

From page 1

discussed, and it had been decided that further discussions were necessary.

In Bloemfontein the Minister of Justice, Mr Kobie Coetsee, said the government would not buckle to "blackmail" by the hunger strikers.

In a hardline speech at the opening of the National Party's Free State congress, Mr Coetsee, who is leader of the party in the province, said the government dare not allow justice to be weakened by "misplaced humanitarian feelings" when it came to the hunger strikers.

Mr Coetsee accused the hunger strikers and groups on the left and the right calling for their indemnity of harbouring "hidden agendas" and attempting to undermine the entire criminal justice system.

The moment the authorities gave in to blackmail, it could open the door to further cases of "blackmail," he said.

Meanwhile, the three right-wing hunger strikers, who are expected to take a decision about their situation tomorrow, have started drinking copious amounts of water.

Their morale was raised after Mr Martin and Mr Maritz were moved into the same hospital room yesterday afternoon and their wives' visiting rights were restored.

The Conservative Party said yesterday that it had "irrefutably established" that a member of the security forces had indeed been involved with the political activities of the three hunger-strikers.

In a statement, CP spokesman on justice and correctional services Mr Chris de Jager said this person was not at present being charged with the trio — Sapa and Own Correspondent



# Mandela fails to alter FW's indemnity stand

GOVERNMENT yesterday refused to bow to ANC demands that three right-wing hunger strikers be indemnified

ANC president Nelson Mandela said that, during a two-hour meeting, President F W de Klerk told him he was not prepared to consider indemnifying the three Orde Boerevolk members.

After the meeting at the Union Buildings in Pretoria, Mandela said he had had serious differences with De Klerk in discussions on the hunger strikers, ANC-linked prisoners in SA and Bophuthatswana, and violence in Natal and on the Reef

Mandela said he was very concerned that time was running out for the hunger

B 10cy 4/9/91. (253)  
JONATHON REES

strikers De Klerk had told him government would grant them bail but would not indemnify them

Mandela said he recognised government's predicament, but had insisted that they be released on humanitarian grounds

Briton Henry Martin, 49, Adrian Maritz, 43, and Lood van Schalkwyk, 53, are in a critical condition in Pretoria's H F Verwoerd Hospital

Full visiting rights were restored to them yesterday, and Maritz began to take water again

Mandela said he would not raise the

question of political prisoners with Bophuthatswana President Lucas Mangope "That is for Mr de Klerk to sort out"

In another development, the CP said yesterday it had indisputable evidence that a security force member had assisted in crimes allegedly committed by Martin, Maritz and Van Schalkwyk last year. He had been involved with the trio since July last year, but it was not clear whether it was in an individual or official capacity

This had been confirmed by police at the highest level, said CP justice and correctional services spokesman Chris de Jager

Martin, Maritz and Van Schalkwyk are

□ To Page 2

## Indemnity B 10cy 4/9/91. (253)

awaiting trial on charges of murder and attempted murder, but have vowed to starve themselves to death unless granted political prisoner status and indemnity

Boerestaat Party leader Rob van Tonder, who visited the prisoners yesterday, said their condition had deteriorated terribly since he saw them eight days ago. He said it appeared Martin was dying. His speech was almost inaudible, he could hardly hear and could not open his eyes

Van Schalkwyk, who is on a heart machine, had a hollow face and had complained of loss of memory, Van Tonder said

□ From Page 1

He said he could not understand government's "cruel and callous" stand on the issue when it had so many avenues to release the men without losing face

Health Minister Dr Rina Venter yesterday appealed to the hunger strikers to end their fast in their own interest, saying they held the key to the "termination of these dismal circumstances"

Sapa reports the men's lawyer Wim Cornelius said yesterday they would take a decision on their situation tomorrow

● Comment: Page 14



BILLY PADDOCK

**BLOEMFONTEIN** — Government would not be held to ransom by right-wing hunger strikers, Justice Minister Kobie Coetsee said yesterday at the opening of the NP Free State congress

Awaiting trial and other prisoners were using blackmail to get themselves freed, he said, referring to the three hunger-strikers in Pretoria's H F Verwoerd Hospital

Referring to ANC president Nelson Mandela and a host of organisations, Coetsee said the hunger strikers were getting support in "the most unexpected circles. Everyone in this case has their own agenda. We have to keep our eyes open for these hidden agendas."

Blackmail of the entire criminal justice

## Hunger strikers

using blackmail

8/Day 4/9/91  
system and the country by a group of individuals could not be tolerated, he said

The minute government gave in, it would open the flood gates to further blackmail from prisoners, and this would subvert the legal system (253)

Government had to draw the line somewhere and internationally accepted norms were agreed upon as parameters within which to operate. Coetsee was adamant that this line would not be crossed.

If government did not keep to the parameters, then it might as well have de-

□ To Page 2

## Hunger strikers

3/Day 4/9/91  
clared a general amnesty and ceased all prosecutions for murder and manslaughter and other capital offences

The NP's aim was to build a new SA with the legal system as a cornerstone, and this system could not be "adapted and violated to suit the individual, and not principles"

Every case for indemnity was looked at with the utmost care, with fairness and justice as the key elements. Justice could not be weakened by misplaced humanitarian feelings. The principles were far greater than the individual in this case.

He said no prisoners who were convicted of murder or other heinous crimes against innocent civilians had been released without serving part of their sentences, and they were then released with very stiff parole conditions.

Where there were still cases pending of people on charges of serious common law offences, such as murder or serious injury, these would continue.

Coetsee, the NP's Free State leader, also

253 □ From Page 1

attacked people who disrupted political meetings by using "brutal acts of violence" and signalled that government was prepared to take firm action.

If such activities were allowed to continue, any future referendum or election in the country would be won by the group most adept at intimidation.

A clear distinction had to be drawn between freedom of speech, which was a political issue, and intimidation, which was clearly a security issue.

He said there was no objection to people heckling and opposing speakers at meetings. But when this was by people heavily armed and intent on achieving their aims with brutal violence, as in the Ventersdorp confrontation, it was unacceptable.

It was unacceptable, too, for the right-wing to think it could walk into any organised meeting, take over the chair and put forward its own resolutions.

● See Page 3

# Mandela visit praised

*Sowetan 4/9/91*  
MOST callers to the Sowetan/Radio Metro Talkback Show commented favourably on Mr Nelson Mandela's visit to three rightwing prisoners on hunger-strike

Hlupheka Khoza of Orkney said he supported Mandela's visit to the prisoners as a Christian and peace-loving South African.

## Prisoners

Joe Mthimkhulu of Sebokeng said Mandela had made a wise move in visiting the prisoners. He



said this contrasted with the rightwing's failure to recognise black political opinion.

Archie of Tembisa said he was grateful to Mandela for getting information from the three prisoners and for forgiving the rightwingers. He had proved that he was a leader for all people.

Walter of Newtown said he hoped that Mandela's move would

*(253)*  
prove to all people that he is a good leader.

"He did the right thing," Walter said.

He was also in favour of Mandela visiting Barend Strydom in prison.

Julian of Pietersburg said the visit was unfortunate in view of the current political climate in the country. He said there was no rationale for the visit.

## Leader

Mzwakhe Tshabalala of Dlamini expressed his appreciation to Mandela for proving to the world and peace-loving South Africans that he was a true leader of all people in the country.

●See today's Talkback topic on Page 6.

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Star 4/19/91 (253)

# De Klerk stands firm, hunger strikers to take final decision

Staff Reporters

The right-wing hunger strikers were to decide today whether to fast to the death while President de Klerk made clear the country's criminal law would not be bypassed by granting indemnity to such awaiting-trial prisoners

Lawyer Wim Cornelius said he would meet Dr Lood van Schlakwyk, Briton Henry Martin and Adrian Maritz in Pretoria's H F Verwoerd Hospital to "discuss alternatives" after the Government's steadfast refusal to grant the men indemnity.

Their decision would be announced tomorrow

Addressing the National Party Federal Congress in Bloemfontein today, Mr de Klerk said the Government was not prepared to emas-

late and violate the country's system of criminal law

"We would be doing this by not allowing the legal process to take its course in the case of serious common law offences," he said

Every South African wishing to avoid chaos and lawlessness would do well in supporting the Government in this matter, he said

"There dare not be any political expediency here. The Government is not obstinate. It is striving for maximum reasonableness and regard for humanity in handling these tricky issues

"We are deeply aware of our responsibility towards God and no decision which could involve human life is made lightly," President de Klerk said.

The three Orde Boerevolk hunger strikers have a Gov-

ernment offer to apply for bail or they can starve to death

Robert van Tonder of the Orde Boerevolk described the condition of the three men today as "shocking"

"The men are still very determined and insisting that if they will suffer permanent damage, they will rather fast to the death," he said

The three men have been taking "copious" amounts of water since restrictions on visits to them by their wives and bachelor Mr Martin's mother were lifted yesterday after representations to new Correctional Services Minister Adriaan Vlok

Orde Boerevolk leader Nic Strydom said he had appealed to the men to stop their hunger strike every time he had visited them in the H F Verwoerd Hospital

"Now we are faced with the options that they eat and go to court or that we seek loopholes"

Mr Strydom said the appeal by Nelson Mandela to President de Klerk yesterday to free the men on humanitarian grounds and so that they could make public allegations that they had been connected to State security organs had been the "end of the road"

The right-wing organisa-

## Pornography: Martin summonsed

Pretoria Bureau

Hunger striker Henry Martin has been summonsed to appear in court next month on a charge of possession of pornographic material

The Pretoria Magistrate's Court yesterday received a police docket on the charge, which relates to Mr Martin's alleged possession of computer programs depicting

highly explicit pornography

Senior prosecutor Gerrit Roberts said Mr Martin either had to pay an admission of guilt fine of R300 or appear in court on October 14

The programs were allegedly discovered after police began their investigation into Mr Martin's possible involvement in the computer bomb that killed a technician in Durban last October

● To Page 3 ■



# De Klerk won't budge over trio 253

● From Page 1

Star 4/9/91

tion would now try to "work out a strategy" to resolve the matter

He indicated that of the three hunger strikers, Dr van Schalkwyk might be the only one to consider ending his fast

What was needed now was not political but humanitarian solutions, he said

Mr Mandela's appeal to Mr de Klerk yesterday was the most significant drive for the men's release yet and hopes among rightwingers that such high profile pressure might change the Government's mind were shattered

Following the two-hour meeting with Mr de Klerk at the Union Buildings, Mr Mandela said the leaders had had "serious differences" over the issue, as well as ANC prisoners on Death Row and Bophuthatswana political prisoners

"One does appreciate the position of the Government when people are trying to force it to comply with their demands. Nevertheless, on humanitarian grounds, I have insisted that they should be released," said Mr Mandela.

Justice Minister Kobie Coetzee, in a clear reference to Mr Mandela's intervention, said yesterday the hunger strikers were "receiving support from unexpected circles"

"Everyone has his own agenda. Some are trying to reap where others have sown and to scavenge where there is a smell"

● No further details have been released by the Conservative Party on its claim yesterday that it had "irrefutably established" that an unnamed security force member had been involved in the activities of the three Orde Boerevolk men

# Doubts about hunger trio's claims

By CHRIS BATEMAN

253 CT 4/19/4

A LEADING local physician who oversaw the treatment of hunger-striking Robben Island prisoners in Somerset Hospital earlier, this year yesterday expressed scepticism at claims made by the Orde Boerevolk hunger-strike trio

Professor Roy Keeton, head of UCT's Department of Medicine at Somerset Hospital, said claims that the three — Mr Henry Martin, Mr Adrian Maritz and Dr Lodewyk van Schalkwyk — had fasted for 57, 50 and 43 days respectively without slipping into a coma were "hard to believe."

With the Robben Island hunger strikers, several things had gone wrong in a much shorter time. After taking nothing but water and glucose, the first of them had slipped into a profound "low-sugar" coma in just over three weeks, and doctors had great difficulty extracting him from it.

"When people say they've gone for two months without anything I have serious doubts about their having stuck closely to nothing but water." A very well-felt person might last five weeks, he said. Hunger strikers who took no fluids at all would die, probably of renal kidney failure within 10 days.

Meanwhile, Sapa reports that in a statement issued yesterday the Minister of National Health, Dr Rina Venter, appealed to the three men to end the hunger strike "in their own interest."

Sapa reports that the Minister of Correctional Services, Mr Adriaan Vlok, yesterday restored full visiting rights to the men's wives. The men have also stopped their water boycott and are drinking fluids again.

Meanwhile two right-wing hunger strikers in Natal, Mr Piet Botha and Mr Adriaan Smuts, have been moved to hospital from Westville prison.

## Angela Davis applies to visit hunger striker

US civil-rights activist Ms Angela Davis has applied for official permission to visit a woman hunger striker who yesterday entered the 19th day of her fast in Pollsmoor Prison.

The African National Congress and its Women's League said Ms Davis would take up the campaign for the release of Phyllis Fante, the only woman "political" jailed in the Western Cape.

Ms Davis was waiting for permission to visit Fante, who has launched a second hunger strike to force authorities into giving her political status and indemnity.

Ms Davis, a prominent feminist, academic and executive member of the Communist Party of the USA, toured Cape Flats townships yesterday — Sapa



# F'W rejects Mandela appeal on strikers

253

The Argus Correspondent

HUNGER STRIKE: DAY 59 ARG 4/9/91

PRETORIA. — Frantic efforts were being made by the Orde Boerevolk (OB) to solve the issue of three rightwing hunger-strikers after President De Klerk's reiteration yesterday that no indemnity would be granted

Mr De Klerk, on hearing an appeal from ANC leader Mr Nelson Mandela for the release of the three, said he would not budge.

OB leader Mr Nic Strydom said Mr Mandela's appeal had been the "end of the road" and the organisation would now try to "work out a strategy" to resolve the matter. He indicated that of the three hunger-strikers, Dr Lood van Schalkwyk might consider ending his fast

Late yesterday Health Minister Dr Rina Venter appealed to the men to suspend their fast. She said that while the best care was being made available, the strikers themselves "hold the key to the termination of these dismal circumstances"

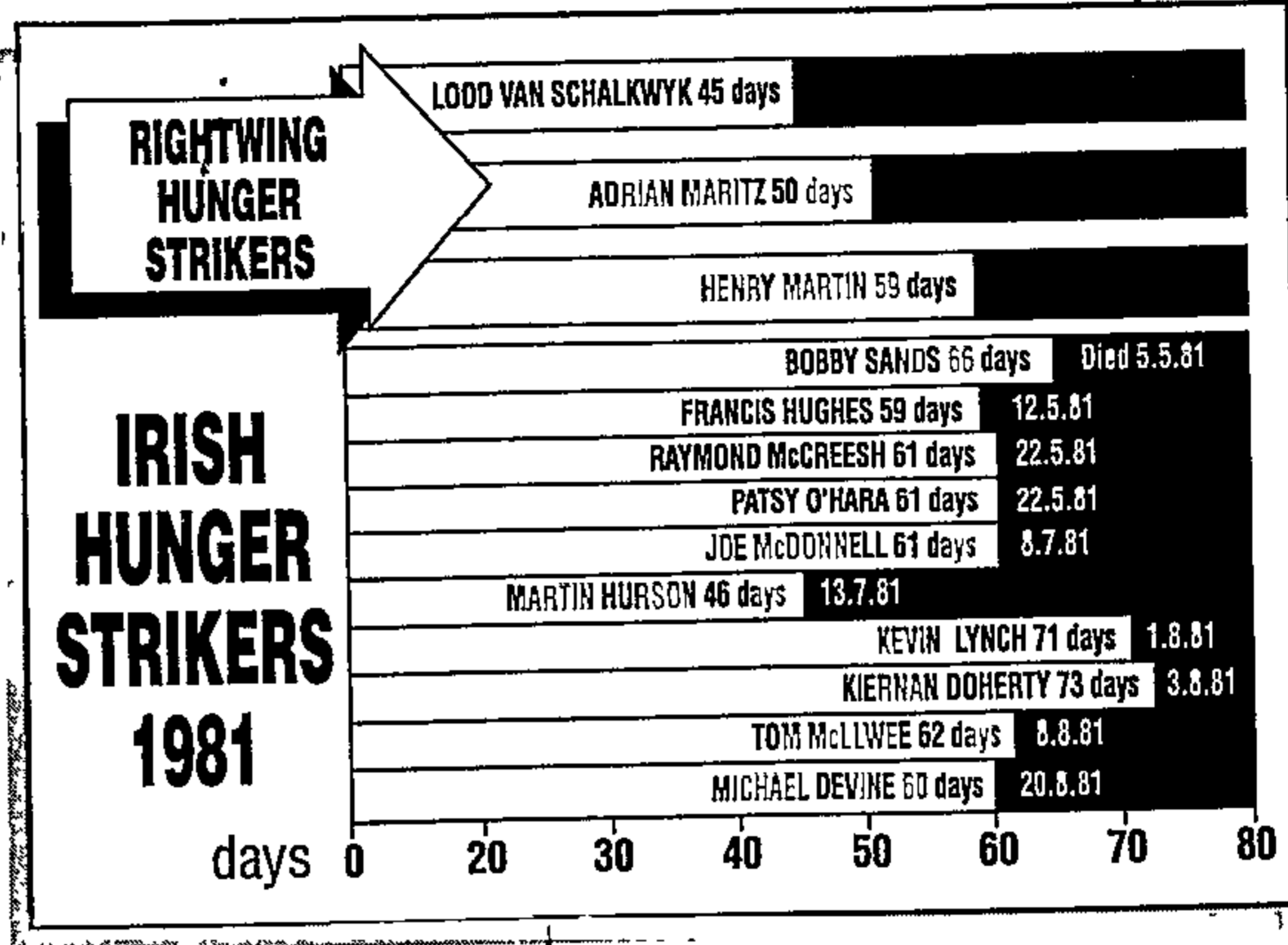
Mr Mandela's appeal to Mr De Klerk yesterday was the most significant drive for the men's release, but hopes among rightwingers that high-profile pressure might change the government's mind were shattered

After the two-hour meeting with Mr De Klerk at Pretoria's Union Buildings, Mr Mandela said the leaders had "serious differences".

"The State President said he is not prepared to consider indemnification of the three. He said that if the men wanted bail they could get it

"One does appreciate the position of the government when people are trying to force it to comply with their demands. Nevertheless, on humanitarian grounds, I have insisted they should be released," said Mr Mandela.

Meanwhile, the wives of two hunger-strikers — Mr Martin is single — have again been granted free access to their husbands by the Department of Correctional Services, which also agreed to having Mr Martin moved back into the same ward as Mr Adrian Maritz



Mr Robert van Tonder, leader of the Boerestaat Party, visited the trio yesterday and reported their condition as "shocking"

Mr Mandela's visit to the hunger-strikers on Monday has caused anger among some rightwing groups. Yesterday a group called Boere Kommando said it distanced itself from Mr Strydom's comments at the H F Verwoerd Hospital that his organisation would negotiate with the ANC in the interests of the "Boer nation"

The Conservative Party claimed yesterday it had "irrefutably established" that someone from the security services was involved in the activities of the hunger-strikers.

"This person is not being charged with them but would be used as a State witness against them in the trial," a CP spokesman said

● In a bizarre twist, Mr Martin has been summonsed to appear in court next month on a charge of possession of pornographic material on computer programmes

Mr Martin is a computer "fundi", according to his friends

The discovery of the computer hardware containing the pornographic visuals was apparently made after police began their investigation into Mr Martin's alleged involvement in the computer bomb which killed a technician in Durban last October.

## Durban rightwing hunger strikers taken to hospital

DURBAN. — Two Durban rightwing hunger strikers on their 17th day of fasting on Wednesday have been admitted to Westville hospital, according to a close friend and official sources.

Mr Das van Wyk said Orde Boerevolk members Mr Piet Botha and Mr Adriaan Smuts, being held for their alleged role in the KwaMashu bus massacre last year in which seven people died, were admitted to hospital on Monday night.

They were "weak and deteriorating daily" and both had lost about 10 percent bodyweight, he said.

A Department of Correctional Services spokesman confirmed the men had been admitted to hospital.

Mr Van Wyk said he was having difficulty arranging visits and had been told to liaise through the police in Durban.

Mr Van Wyk added that as far as he was concerned his two close friends would distance themselves from Monday's visit by ANC leader Mr Nelson Mandela to the three fasting rightwingers in Pretoria.

The Durban hunger strikers were detained in Richards Bay a week after the Kwamashu shooting in terms of Section 29 of the Internal Security Act and are expected to appear in court later this month.

Afrikaner Weerstandsbeweging member Mr Eugene Marais was sentenced to death in April after he was found guilty of killing seven people travelling on the bus on October 17 last year.

The men are demanding indemnity as political prisoners. — Sapa.

ADULTS OK HEA

## Lawyer meets govt on Pretoria three

JONATHON REES (253)

THE lawyer representing three hunger-striking right-wingers will meet senior government officials today for confidential talks aimed at resolving the issue.

Wim Cornelius said last night that despite government's hardline stance, he would "leave no stone unturned" in his bid to save the lives of Henry Martin, Adrian Maritz and Lood van Schalkwyk.

Cornelius said he was exploring three options, which involved meetings today and tomorrow with government and non-government organisations. He declined to disclose details.

Cornelius said unofficial medical reports indicated that Martin, who reportedly has not eaten for 60 days, would be in a coma by tomorrow. Martin has signed documents stating he is not to be woken from a coma. Maritz has not eaten for 53 days and Van Schalkwyk for 46.

BILLY PADDOCK reports that President F W de Klerk said in Bloemfontein yesterday government had gone as far as it could to get the hunger strikers to stop their protest, but it was "not prepared to emasculate and violate the system of criminal law." Bloemfontein

Government was not obstinate, but was striving for maximum reasonableness and a proper regard for humanity in handling the very tricky issue. "We are deeply aware of our responsibility towards God, and no decision which could involve human life is made lightly," De Klerk said.

# Right-wing strikers may decide today on fast

(253)  
CT.S/9/91

Own Correspondent

PRETORIA — The three right-wing hunger strikers are expected to decide later today whether they will starve themselves to death or abandon their fast in favour of undisclosed alternatives, their lawyer said yesterday.

Mr Wim Cornelius said his clients were disappointed that President F W de Klerk had rejected ANC president Mr Nelson Mandela's appeal earlier this week to release them, and now accepted that the government was not going to grant them indemnity.

He said he was negotiating possible alternatives to resolve the matter but declined to say what these were or with whom he was holding discussions.

All three hunger strikers — Mr Henry Martin, Mr Adrian Maritz and Dr Lodewyk van Schalkwyk — have refused government offers of bail, vowing to starve themselves to death unless they were recognised as political prisoners and granted indemnity.

Mr Martin, 50, entered the 59th day of his hunger strike today while Mr Maritz, 43, entered his 52nd day and Dr Van Schalkwyk, 53, began day 45 of refusing food.

Mr Cornelius said the hunger strikers were running out of time.



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78  
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# Breakthrough expected

# Bid for deal to call off trio's fast

Star 5/9/91. (253)

By Shirley Woodgate  
and Helen Grange

The three right-wing hunger strikers have agreed to testify before the Government's proposed commission on public violence and intimidation — where supporters expect them to claim they worked for State security departments.

But in saying today that the three had decided to testify, lawyer Wim Cornelius did not announce the end of their fast.

Mr Cornelius said the longest of the strikers, Henry Martin, who is in the 60th day of his fast, is losing his eyesight and is expected to die before the weekend.

Announcing the men would testify before the commission, initiated by President de Klerk as part of a clean-up operation in the wake of the Inkatha secret funding scandal, Mr Cornelius said talks with "various parties" were going ahead to work out a deal to end the hunger strike.

Anticipating a breakthrough later today, he said he was negotiating with officials over the "political" dilemma, and had been assured by the Government that it did not want to see any of the men die.

"If we manage to reach agreement, Henry Martin is in such a poor state that it will be extremely difficult to speak to him to try to convince him to give up the fast," said Mr Cornelius.

Adrian Maritz and 53-year-old Dr Lood van Schalkwyk are experiencing tunnel vision which they have described as "falling into a deep, black pit and coming round before they hit the bottom".

Dr van Schalkwyk has not eaten for 44 days and Mr Maritz for 51 days.

The Orde Boerevolk men, who are in Pretoria's H F Verwoerd Hospital, have been offered bail.

They are awaiting-trial prisoners held on a charge of murder and allegations of attempted murder following two bomb blasts.

Rightwingers including the AWB and Conservative Party, as well as ANC leader Nelson Mandela, who visited the men this week, claim they have information about both the National Intelligence Service and Military Intelligence.

Nic Strydom, Orde Boerevolk leader, said the main problem lay in convincing the three to stop the strike. Mr Martin and Mr Maritz appeared most determined to continue in the light of the Government's refusal to grant them indemnity.

"I don't think Martin is going to last even until the weekend. We are treating the issue with extreme urgency," he said.

Asked whether any of the men had already suffered permanent physical damage, Mr Strydom replied "I think so. I certainly think Martin has been permanently damaged, but we are nevertheless hoping we won't lose any of them."

Mr Strydom said the men had expressed the wish "to continue to the end" if they were permanently damaged.

The trio's drive to get indemnity ran into a cul de sac this week when the State President rejected appeals for their release.

The Government would not by-pass the process of law.

H F Verwoerd Hospital was quiet yesterday, and only the wives of two of the strikers, Mr Maritz and Dr van Schalkwyk, came to visit their husbands.

The hospital until yesterday was abuzz as prominent leaders, including Eugene TerreBlanche, Mr Mandela and Dr Andries Treurnicht, visited the men.

The National Union of Metalworkers of SA yesterday added its voice to the growing chorus demanding the release of the men so they could make "further revelations of the State's involvement in public violence."

# Hunger striker (253) missing

PRETORIA — A hunger striker and his police guard disappeared from H.F. Verwoerd Hospital here on Friday night.

The prisoner, Mr Richard Barry Nel, is not one of the three right-wing hunger strikers who have been in the news lately.

The policeman guarding Mr Nel, Constable Riaan Slabbert, is also missing.

Warrants of arrest for both men have been issued.

Mr Nel was scheduled for a court appearance on several charges of fraud. It is believed he is a member of the national "Boeremafia" crime syndicate.

Anyone with information about the whereabouts of the two men can contact the investigating officer, Lieut Dame du Toit at (012) 43 7345 (w) or (012) 323 8596 (ah) — Sapa

● Right-wing strikers may decide today —

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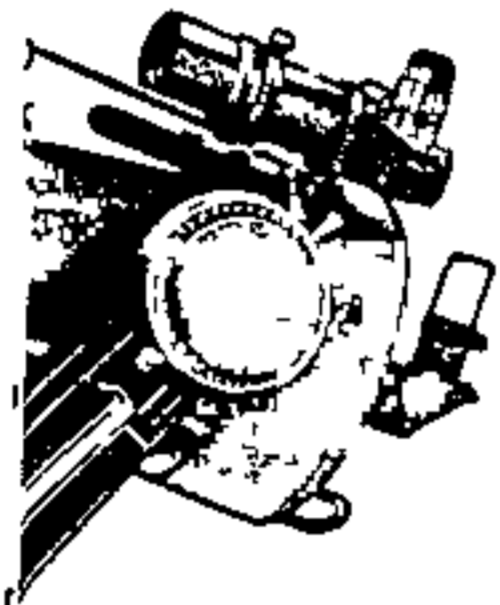


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# Shotgun victim points out scene of shooting

JACQUELYN SWARTZ, Staff Reporter (253)

AN inspection in loco has been held at the scene of an alleged police shooting over which the Minister of Law and Order is being sued for nearly R30 000.

Mr Nigel van Niekerk, 20, yesterday pointed out the site near the Grand Parade where he was wounded on February 11 last year — the day Mr Nelson Mandela was released from prison

\* The action against the minister was instituted by Mr Van Niekerk's father, Mr David Marcus

The young man still has about 150 shotgun pellets in his body. ARG 5/9/91

A police video of events at the Grand Parade that day was also presented to the court as evidence

It showed proceedings from a vantage point at the Castle and included a view of the bridge which leads from Cape Town station to the bus terminus

Mr Van Niekerk claims he was shot just after alighting from the bridge on the Golden Acre side of the road

He testified that he was on his way to buy a soft-drink because he had to wait for 30 minutes for a train.

The video showed hundreds of people streaming over the bridge towards the Parade. It showed activity there before Mr Mandela's speech and one scene of an actual shooting

Although the shootings only started after 5pm, the policeman who took the video, Sergeant Derek Huebsch, said it was possible shots fired earlier could have been disguised by the noise of the crowd

This would therefore not have been recorded, the court heard

He also said policemen might have been moving among the crowd, although they were to have been stationed only at the castle and the Golden Acre.

(Proceeding)

## 'Heart drugs lead to violent deaths'

WASHINGTON. — Men who take drugs to lower blood pressure or cholesterol to prevent heart disease are more likely to die violently than men taking no such medication, according to a 15-year study, which suggests the drugs could cause aggressiveness — Sapa

ALSO: HUGE RANGE OF WELL-KNOWN BRAND NAMES





HUNGER STRIKE: DAY 60

## Hunger strikers face their final life or death decision today

The Argus Correspondent

(253) ARG 5/9/91

PRETORIA — Today is D-day for the three rightwing hunger strikers to decide whether to face death — or life with possibly permanent physical damage.

Mr Henry Martin, Mr Adrian Maritz and Mr Lood van Schalkwyk, all rapidly nearing death in Pretoria's H F Verwoerd hospital, were the topic of urgent discussions yesterday among Orde Boerevolk leaders and their lawyer, Mr Wim Cornelius.

Mr Cornelius expected to have a decision this afternoon on the hunger strikers' next move.

Each of the three was reported to be in a very serious condition yesterday. Mr Cornelius said Mr Martin might not live to the weekend.

Mr Cornelius said he wanted to discuss the options with his clients and be given a decision quickly. If Mr Martin fell into a coma Mr Cornelius had to obey orders not to resuscitate him.

A tired Mr Nic Strydom, the Orde Boerevolk leader, said the main problem was convincing the three to stop the strike. Mr Martin and Mr Maritz appeared the most determined to continue.

Asked whether any of the men already had permanent physical damage, Mr Strydom said: "I think so. I certainly think Mr Martin has been permanently damaged, but we are nevertheless hoping we won't lose any of them."

Mr Martin could no longer see or hear, Mr Cornelius said.

Mr Strydom said the men had said they wanted to continue to the end if they were permanently damaged.

The trio's drive to get indemnity ran into a hopeless cul de sac this week when State President F W de Klerk rejected appeals for their release, including a plea from ANC leader Mr Nelson Mandela.

# 'Forgotten', and still behind bars

VETERAN hunger striker Litha Mlahleki is still in isolation at Pollsmoor Prison — long after most political prisoners have been released.

Mlahleki was sentenced to 108 years' imprisonment in 1978 after being found guilty of several politically-related crimes. His sentence was later reduced to 42 years.

Born in 1959 in kwaZakhele township outside Port Elizabeth, Mlahleki, the fourth of the six children, was in Standard 8 at the time of his trial.

His political consciousness was moulded by the 1976 Soweto uprising and the death in detention of Black People's Convention leader Steve

Biko in 1977

A former member of the Pan-Africanist Congress, he is now non-aligned

Mlahleki, who was initially held in Robben Island, was transferred to Brandvlei prison in Worcester, where he allegedly endured regular beatings and teargassing inside his cell.

He was returned to the Island after he embarked on a marathon hunger strike to secure his transfer.

Presently held at Pollsmoor prison, he has staged a series of hunger strikes after the expiry of April 30 deadline for the release of prisoners to secure his freedom.

## Strike diary



Rafiq Rohan

Rafiq Rohan, SOUTH's new deputy editor, recalls his 20 days on hunger strike:

"TODAY is Workers Day, the anniversary of my wedding day and the day I commence my hunger strike to try to secure my release from prison.

"The weeks and months of uncertainty have finally come to an end. I now know that I am not going to be released in terms of the Pretoria Minute agreement.

"My release from this bleak and depressing island jail is now dependent on me and me alone. The only way to get out of this hell-hole alive or dead is via the starvation method. My mind is made up. Death or release."

This was my diary entry on May 11, 1991, the day the remaining political prisoners on Robben Island began the hunger strike. This was the only way we could highlight our plight.

"It's the third day of the hunger strike. The pangs of hunger become more severe.

"The boers did not break my spirit during my detention in terms of Section 29, during my year in solitary confinement at Westville Prison, during my trial and after my conviction. They are not going to do it now.

"I dreamt last night that I was on my death bed, that my darling daughter, Shahista, was weeping over my grave. I must not let dreams like these get to me.

"God, how I want to die!"

"The seventh day of the hunger strike. I suddenly woke up at 4am after a bad dream that I was drowning. It was a weird and scary feeling. My entire body felt lame.

"At 7am, feeling very, very weak I crawled out of bed to have my breakfast — a glass of water! In spite of the distaste of the water, a bit of life seeped back into my body.

"Later in the afternoon my stomach ulcers started playing up.

"Oh God, please let me die now — I cannot take this torture much longer!

"After the seventh day I became nauseous at the thought of food or even when I saw photographs of food.

"Day 12, I went to bed early last night, but I fought against falling asleep. I have reached the point where I am petrified at falling asleep for fear of not waking up alive the following day. I did, however, wake up this morning feeling very disorientated

and with stomach cramps and severe ulcer pain.

"I am experiencing great difficulty in taking in water — I'm so tired of the tasteless fluid. Weighed myself and found that I've lost 12 kilograms.

"I'm called for a medical examination and the results show there is blood in my urine. I'm told that I'm to be transferred to Somerset Hospital.

"Escorted by heavily-armed warders to a hospital ward and on entering saw five of my comrades all shackled to their beds. They told me that they had been in shackles for the past five days. I was told to lie down on a bed so that I could be shackled.

I protested to the warder saying that the shackles represented a violation of the Tokyo Declaration governing the rights of hunger strikers. I was told by the warder that he was under instructions to put on shackles.

"By the eighteenth day I was completely bed-ridden. Doctors had detected an abnormality in my kidneys and I was still passing blood through my urine.

I firmly believed by the eighteenth day that I would be released in a body-bag.

It's Sunday today, the nineteenth day of starvation. I'm feeling weak and dizzy. My sister, Charmaine, flew in from Durban to visit me. I pretended to be strong, but I don't think I was too successful.

The twentieth day was the last day of my strike. One of my lawyers told me that my bid for release would only be heard from June 11, 1991.

By that date I would have been on hunger strike for 43 days and probably dead. The head of the committee to hear release applications had indicated that there was nothing he could do to speed up the process.

It was at this point, too, that I realised that my struggle was not merely one for my release from prison, but a struggle for my life.

Yet, there seemed to be no hope at all for survival.

"From about 8pm there seemed to be a lot of activity around the ward telephone.

At about 9pm one of the doctors whispered: 'Tomorrow night we are having supper together at my place'.

I did not know whether to take him seriously or whether this was his idea of a joke.

At exactly 11pm a high-ranking officer came up to me and said: 'I have pleasure in informing you that you are to be immediately and unconditionally released'."

# Hunger strikers 'prepared to compromise'

BjD ay 6/9/91

JONATHAN REES

THE three right-wing hunger strikers are prepared to compromise on their demands for full indemnity and end their fast if government offers a viable solution in high-level talks with lawyer Wim Cornelius today

Cornelius said last night he would continue to meet government Ministers and other political groups today in a bid to end the hunger strike

Government clearly would not grant full indemnity, Cornelius said, adding that his clients were prepared to compromise on their demands

Henry Martin, 49, Adrian Maritz, 43, and Lood van Schalkwyk, 53, are awaiting trial

on charges of murder and attempted murder after two bomb blasts last year.

Cornelius said only if a solution could be reached in talks today were the men prepared to testify before government's standing commission on violence on claims that they had been acting on instructions from security forces

Cornelius would not disclose details for fear of prejudicing the "sensitive talks".

Martin has reportedly been without food for 61 days, Maritz for 54 days and Van Schalkwyk for 47 days — the three longest

hunger strikes known in SA

Attempts to persuade Martin and Maritz to accept an intravenous glucose drip to stabilise their condition during the talks with government were unsuccessful yesterday, Cornelius said.

Van Schalkwyk is on a drip with a low glucose content for his heart condition. Cornelius said this was necessary to prevent another heart attack, it did not mean he had suspended his hunger strike

The men underwent a full medical examination yesterday by the district surgeon and the H F Verwoerd Hospital superintendent, the results of which would be given to Cornelius today, the lawyer said

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# Life or death decision for 3

OWN Correspondent

JOHANNESBURG — The three right-wing hunger strikers met their lawyer, Mr Wim Cornelius, last night to discuss whether or not to abandon their fast, and are expected to announce their decision later today.

Mr Cornelius said the men had agreed to testify before the government's proposed commission on public violence, but that alone did not mean they would end their hunger strike.

Mr Henry Martin is alleged to have worked for the National Intelligence Service, while Mr Adrian Maritz is believed to have been a member of Military Intelligence. The government has denied any intelligence link with the men.

Mr Cornelius said he had spent the past couple of days exploring three options with government and non-government organisations in an attempt to end the hunger strike. He declined to disclose details.

Sapa reports that the men — Mr Martin, 50, Mr Maritz, 43, and Dr Lood van Schalkwyk, 53 — were examined by a district surgeon yesterday morning and his findings would affect their decisions.

If the tests show they have suffered permanent physical damage, all three men have indicated a wish to continue fasting to the death.

Mr Cornelius said Mr Martin, who enters the 61st day of his hunger strike today, was not expected to survive the weekend. Mr Maritz (54th day) and Dr Van Schalkwyk (47th day) are reported to suffering from tunnel vision and painful muscles.

# Angela Davis turned down

Staff Reporter

AMERICAN civil-rights activist Ms Angela Davis has been refused permission to visit the only remaining ANC female prisoner, Nontuthuzelo Fante, who ended a 19-day hunger strike this week

ANC Women's League executive member Mrs Hilda Ndude said prison authorities had refused as Fante's single visit credit for the month was for her mother

Mrs Ndude said Ms Davis had been asked take up the campaign in the US

for Fante's release

Fante was sentenced to 15 years imprisonment in 1987 for attempted murder arising from a claimed political conflict in Zolani township near Ashton

Asked to comment yesterday, a spokesman for the Department of Correctional Services said "Visits to prisoners are allowed primarily to enhance family ties

"It is furthermore the prerogative of the head of the prison to allow visits to prisoners within the guidelines prescribed by prison regulations"

253 6/9/91 or

## Hunger trio to decide today?

Own Correspondent

JOHANNESBURG —

The three right-wing hunger strikers are expected to make known today a decision on ending the fast. (253)

Last night they met their lawyer, Mr. Wim Cornelius, to discuss their plans. CT 6/9/91

Mr Cornelius said the men had also agreed to testify before the government's proposed commission on public violence, but that alone did not mean they would end their hunger strike.

● Full report — Page 6



# Maritz slates rumours of broken fast

By Peter Davies <sup>Star</sup> 6/9/91

Right-wing hunger striker Adrian Maritz, on his 55th day without food today, rejected reported rumours that the three Orde Boerevolk hunger strikers had taken food as "bare-faced lies".

Speaking yesterday from his bed at the Hendrik Verwoerd Hospital in a recorded interview with the Vrye Weekblad newspaper, which was broadcast on Radio 702 Newstalk yesterday, Mr Maritz said such rumours were part of the "constant

psychological warfare being waged against us and the massive intimidation not just against us but (against) our families too". (253)

Speaking in a low, strained voice, Mr Maritz said he was so weak it was difficult to raise his head from his pillow. He said "Thank God I manage to remain mentally strong".

Mr Maritz said the recent visit by ANC president Nelson Mandela had lifted the rightwingers' spirits immensely.

"Dr Mandela's visit was an enormous boost to us and, I suspect, a great shock to the Government."

He said he spent a lot of time trying to bolster the courage of the other hunger strikers, Henry Martin and Dr Lood van Schalkwyk, while "trying to hang on to my own sanity".

Mr Maritz also paid tribute to his wife's steadfastness during the past two months. "That lady of mine is a girl. a giant. ours truly is a marriage made in heaven."

Deal may be too late - attorney

# 'I don't want to be pulled out of coma'

Star 6/9/91.  
By Helen Grange  
Pretoria Bureau (253)

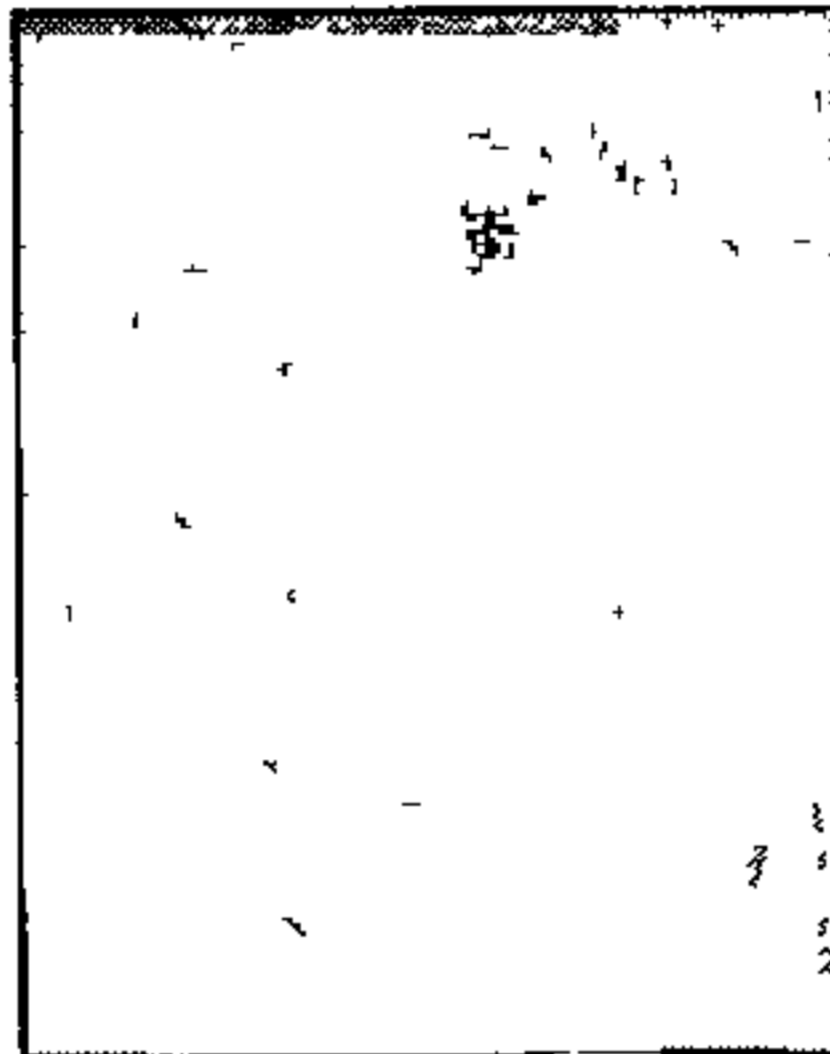
Hopes faded last night that right-wing hunger striker Henry Martin — on the verge of a coma and suspected of suffering from permanent physical damage — could be persuaded to end his fast

Mr Martin and his fellow hunger strikers, Adrian Maritz and Dr Lood van Schalkwyk, were given a medical examination yesterday and indicated that if the tests showed permanent physical damage, they wished to fast to death

Mr Martin has further instructed lawyer Wim Cornelius that if he entered a coma, he should not be resuscitated under any circumstances

The men's decision on whether or not to continue fasting is expected to be made public by Mr Cornelius today. Yesterday was Mr Martin's 59th day, Mr Maritz's 54th day and Dr van Schalkwyk's 47th day without food

Last night Mr Cornelius was frantically trying to ne-



Suspected of having suffered permanent physical damage . . . Henry Martin

gotiate an acceptable deal for the men with senior Government officials and other parties.

The men have been offered bail, but have so far rejected it, insisting on full indemnity in terms of the Pretoria Minute

The Government has strongly rejected their appeals on the grounds that they do not qualify for political indemnity.

Mr Cornelius expressed deep concern that he would not be able to get a proposal ready in time to canvass Mr Martin and convince him to end his fast

The other two hunger strikers were still lucid, but were suffering from muscle pains and tunnel vision which they have described as "falling into a deep, black pit" and coming round before they hit the bottom

Dr van Schalkwyk is on a heart monitor and a saline drip to provide him with minerals

The three men have agreed to testify before the Government's proposed Commission on Public Violence and Intimidation as former agents of the State security apparatus

Orde Boerevolk chief of staff Leonard Veenendal said, however, that the crimes with which the men were charged had not been directed by the State, as the men had by that time broken off their ties with the security forces.

The three are charged with murder and attempted murder relating to the Blood Street, Pretoria, bomb blast and a computer explosion which killed a technician in Durban last year.

Mr Martin was allegedly a former National Intelligence Service agent and Mr Maritz claims he was a member of Military Intelligence.

FM 6/9/91

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rightwingers has given them an effective publicity window

What seems strange is that the men are not being considered for release in terms of government's own indemnity programme for political offenders. They are charged with offences which were committed two months *before* the October 8 1990 cut-off date for indemnification — though they were charged after that date.

Others have committed offences in which people died, yet they have been indemnified and released, with and without convictions. According to a Department of Justice list, those indemnified after convictions include (names not given)

□ "Murder (killed six people by burning down a home while they were inside during unrest), date of release April 25 1991, Baviaanspoort prison", and

□ "Murder (stoned a child and mother — killed the baby of three years old during unrest), released April 24 1991, Baviaanspoort prison"

The three men on hunger strike in the H F Verwoerd Hospital allegedly bombed Pretoria's Bloed Street taxi rank on August 8 last year, injuring 13 people (there were no deaths). And a Durban computer technician died when he opened a parcel-bomb allegedly sent by the three on October 2 last year.

According to a department spokesman, rightwinger Piet "Skiet" Rudolph — who

was allegedly involved in bombings, and also went on a hunger strike — was indemnified and released (without being charged or tried) because he had caused no deaths. The spokesman could not explain why Orde Boerevolk "chief of staff" Leonard Veenendal, who was allegedly involved in the death of an Untag soldier and a policeman in Namibia before that territory became independent, had also been indemnified and released. Veenendal was detained twice in SA and was wanted by Namibian authorities who unsuccessfully applied for his extradition.

ANC president Nelson Mandela and deputy secretary-general Jacob Zuma last Monday visited the three Orde Boerevolk hunger strikers, Henry Martin, Adrian Maritz and Lood van Schalkwyk. Martin had apparently entered his 57th day without food, Maritz his 50th day and Van Schalkwyk his 43rd (In 1981, IRA hunger striker Bobby Sands died after 66 days without food.)

The trio's lawyer, Wim Cornelius, said "I think this was an excellent gesture by Mandela. It shows that political groups can work toward peaceful reconciliation. It is the first time there has been solidarity between Left and Right on an issue. Maybe this can help us with constitutional issues later." Nic Strydom, head of the Orde Boerevolk and father of convicted mass killer Barend Strydom, also announced for the first time that the

#### HUNGER STRIKERS

FM 6/9/91  
**My enemy's enemy**

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The Right and Left have realised they have common ground — they both want to embarrass the government. The hunger strike by

continue

FM 6/9/91

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organisation was prepared to enter multi-party constitutional talks. Strydom met Mandela briefly at the hospital.

Rightwingers outside the hospital were suspicious. A khaki-clad man told the FM he felt Mandela was making a fool of the Right. "Why are blacks made free and not us? If these people die we must go forward with violence."

Mandela claimed his intervention was humanitarian — but his emphasis was rather different. "They have very important information that implicates the National Intelligence Service and Military Intelligence, who instructed them to commit some of the most heinous activities in this country. These issues must be exposed." The FM twice asked Mandela if he would have asked for the indemnification of the men if he did not think they had information about covert activities. He avoided the question.

The Right appeared to be interested in playing along with Mandela, as long as more pressure was placed on government.

Cabinet was apparently taking the view that criminal justice would be endangered if the men were set free or indemnified. There were also fears that giving in to hunger strikers would set off other prison fasts.

But the record indicates that government has already been inconsistent and confused in applying the criteria for indemnity. It has certainly failed to explain its approach. ■



**T**HE government appears to have won the battle of wills with the three right-wing hunger strikers, who were expected to end their action on Friday.

Their lawyer, Wim Cornelius, told *The Weekly Mail* on Thursday that the trio — Henry Martin (49), Adrian Maritz (43) and Dr Lood van Schalkwyk (53) — had accepted the government would not grant them indemnity.

"There is a strong possibility that the strike could be called off tomorrow," he said. "They don't want to lose lives and the government doesn't want to lose lives either. We are now negotiating at the top level to reach a solution and they are prepared to testify before a commission of inquiry."

What seems likely is that the men will accept lenient bail conditions and once their health improves, give evidence about their claims to be state agents to a judicial commission of inquiry. The three Orde Boerevolk members are accused of the murder of Durban computer technician Nicholas Cruse and injuring 13 people in the bombing of a Pretoria taxi rank. Martin was also served a summons at his hospital bedside on Wednesday, ordering him to appear in court next month on charges of possessing pornographic material. Thursday was Martin's 60th day of fasting, Maritz's 54th and Van Schalkwyk's 46th.

# Right-wing trio lose battle of wills

W/Mail 6/9-12/9/91

The three Orde Boerevolk hunger strikers have accepted the government will not grant them indemnity, says their lawyer **GAVIN EVANS** reports

Amid growing speculation that they may not be on a total hunger strike, Cornelius said Martin's condition was "extremely critical" and that he had tunnel vision, had difficulty hearing and was unable to speak more than three sentences at a time. He said Martin was still able to smoke cigarettes, but denied reports that he was able to sit up. Cornelius expressed concern that if an agreement was reached to call off the hunger strike, Martin's condition may be so bad that it would

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be impossible to convince him to end the fast. "The other two are very weak but much more lucid," he said. "They are both in excruciating pain. If they try to move they cringe."

Van Schalkwyk had suffered three angina attacks — not heart attacks, as previously reported — and he was on a drip, the lawyer said. A recent visitor, who asked not to be named, said the poor state of the trio's health was "being exaggerated. They were much more perky and awake than had been reported, so perhaps they are receiving nutritional supplements."

One of the country's leading experts on hunger strikes, Dr Aslam Dasso of the South African Health Workers' Congress, said he found it difficult to understand how Martin and Maritz could make informed judgments and appear relatively lucid at this stage of their fast. "By now one would expect them to be pre-comatose or to

have entered a coma," he said. Dasso, who treated many of the United Democratic Front's hunger strikers in 1989, said that any time after 14 to 40 days renal (kidney) failure can begin and that after day 30 the hunger striker enters the danger period when his or her life can be at risk.

"After 40 days the renal failure is major, leading to irreversible kidney damage. This can also have a serious effect on the heart. Other symptoms at this stage can include dehydration, a starvation of the brain in terms of nutrients, anaemia and bleeding."

"After day 48 there is a very high chance of entering a coma and the hunger strikers begin slipping in and out of comas from about this time." Dasso said smoking could result in major ulcers, which would cause serious internal bleeding.

Seven of the 10 Irish hunger strikers who died in 1981 were dead by the 61st day of their fast and the rest were entering a comatose state before their fast, they were all fit and the oldest among them was 30 years.

Cornelius said that while he was not with the three right-wing hunger strikers constantly, it would be "extremely difficult" for outsiders to bring food or glucose supplements to them because of the stringent controls over access to the men.

# ANC and CP back hunger strikers' claims

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By GAVIN EVANS

THE African National Congress and the Conservative Party are adding their weight to claims by the three right-wing hunger strikers that they were agents of South Africa's security forces

Orde Boerevolk members Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk have claimed indemnity on the basis that at the time of their alleged crimes they were agents of military intelligence and the National Intelligence Service

ANC president Nelson Mandela visited the trio at HF Verwoerd Hospital last Friday in order to hear evidence of their links to the state. Afterwards he reiterated the ANC's call for their indemnity, saying he believed the three had "valuable information about national intelligence and security forces in acts of terrorism"

On Tuesday the CP said in a statement it had "irrefutably established" that a member of the security forces had been involved with the political activities of the three men

CP justice and correctional services spokesman Chris de Jager said this person was not being charged, but would be used as a state



Nelson Mandela

witness in the trio's trial. He said the CP was not sure whether the security force member had acted in his official capacity.

A friend of Martin's this week told *The Weekly Mail* that the right-winger had connections with South Africa's security forces since the early 1970s. "Henry was involved in army dog training for the Portuguese in Angola, but left before the MPLA came to power there."

"He was later a senior security adviser for King Mabhiza in Swaziland. Soon after coming to South Africa he was involved with a security company and had no problems getting a National Key Points security clearance," he said.

Fellow right-winger Horst Klentz, who is wanted in Namibia for his part in a political murder, said last month that he was an "unwitting agent" of the South African Defence Force's Civil Co-operation Bureau, which used him for its purposes in Namibia.

Martin, Maritz and Van Schalkwyk have claimed the government is refusing to concede to their demands because it would rather they died than that they revealed their state links.

However, there appears to be little motive for this claim. If the government wished to avoid damaging disclosures, the easiest route to take would be to indemnify the trio.

Furthermore, there now appears to be an agreement the three will end their hunger strike and give evidence of their claims to a judicial commission of inquiry.

### HUNGER STRIKERS

AWAITING-TRIAL member of Umkhonto weSizwe Joseph Koetle has re-embarked on his hunger strike after suspending his previous fast for a week, his lawyer said. (253)

His previous fast lasted 25 days. He was receiving treatment at the Johannesburg hospital when he decided to resume his fast. He is facing a charge, among others, of murdering a security policeman, Thabo Makhalemele, in 1987.

Phyllis Fante, the longest-serving and only remaining woman political prisoner at Pollsmoor prison, is in the third week of her second hunger strike. According to her lawyer, she is demanding immediate release. (w/mcu 6/9-12/9/9)

Fante was arrested with seven others in 1987 and sentenced to 15 years' imprisonment for attempted murder. Five of her co-accused have been indemnified and only Andile Tyenele remains in prison.

Besides the three rightwing hunger strikers in HF Verwoerd Hospital (see report elsewhere), awaiting-trial Orde Boerevolk hunger strikers Piet Botha and Adriaan Smuts were admitted to Westville hospital, in Durban, this week. (sic in)

According to sources, they are in the third week of their fast. (w/mcu 6/9-12/9/9)

They were arrested last year for their alleged role in the kwaMashu bus massacre in which seven people died. (w/mcu 6/9-12/9/9)



# Hunger striker claims 'braai war'

Own Correspondent

**JOHANNESBURG.** — Right-wing hunger striker Mr Adrian Maritz has claimed his guards are waging a psychological war against him and his fellow hunger strikers, including holding a braai in the hospital corridor.

Mr Maritz's allegations were printed yesterday in the Vrye Weekblad newspaper, who received a secret tape recording that Mr Maritz had made in Pretoria's H F Verwoerd Hospital on Tuesday and Wednesday.

In the recording, Mr Maritz alleges that his guards have waged a psychological war in an attempt to break the right-wingers' hunger strike.

"(This) psycho warfare thing that's been going on for the last couple of weeks. They even held a braai, a real physical charcoal meat-braai in the corridor here, about ten, 12 days ago," he is reported as saying.

Police, who last night rejected the allegations as untrue, are investigating the publication in the Vrye Weekblad of a photograph of two of the three right-wing hunger strikers, as well as the broadcast-

ing on Radio 702 of the voice of one of the three.

While critical of the government's handling of the hunger strike, Mr Maritz describes ANC president Mr Nelson Mandela's visit "as an enormous boost" and a great shock to the government.

He also accuses the government of spreading "lies and deceit" about the condition of the hunger strikers.

Mr Maritz says that almost every day he gives pep-talks to his fellow hunger strik-

To page 3

From page 1

## Hunger strikers

ers, Mr Henry Martin and Dr Lood van Schalkwyk, to prevent them "caving in".

Mr Maritz, 43, who enters the 55th day of his fast today, also describes his body as a broken chassis that is bleeding and all bruised.

He adds that he is very cold, has difficulty concentrating and breathing, made even more difficult by a broken rib. He does not say how he broke his rib.

Mr Maritz says he is experiencing tunnel vision and can no longer read, as he is unable to see the print. He says he spends his time looking at his flowers as his waking hours "drag on".

He estimates his weight at about 52kg and describes his appearance as "cadaverous".

"My life, everything's up in smoke," Mr Maritz is reported as saying.

The decision on the hunger strike was still in the balance yesterday as their lawyer, Mr Wim Cornelius, continued talks with the authorities and private organisations.

He met the Minister of Correctional Services, Mr Adriaan Vlok, yesterday but their discussion was confined to the possible release of a medical report, a department spokesman told Sapa.

# Hunger strikers to continue fast

THE three right-wing hunger strikers in HF Verwoerd Hospital, Pretoria, decided yesterday to maintain their fast into next week (253)

Their decision came after talks between the Minister of Correctional Services Adriaan Vlok and the hunger strikers' lawyer, Wim Cornelius, on the possible release of a medical report which will reveal whether the men have suffered permanent physical damage

Informed sources said the report based on an examination of Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk had not been completed

It was not known when it would be available, but it would be given to the hunger strikers. Their permission would be required before it could be made public

Yesterday was Mr Martin's 60th day without food,

## AL-AMEEN KAFAR and OWN CORRESPONDENT

the 55th day for Mr Maritz and the 48th day for Dr Van Schalkwyk

Mr Cornelius refused to discuss details of his talks with "unnamed Government officials"

Late yesterday afternoon said he had heard nothing from the Government

Last night he was away on an overnight camping trip

The wives of two of the strikers, Heather van Schalkwyk and Karen Maritz, said they had heard nothing from the Government but were hoping for a decision on Monday

Speaking after a visit to their husbands, they said they had hoped the matter would be resolved by the end of yesterday

Mrs van Schalkwyk said the men would be continuing

with their hunger strike. They were still very determined, and had said they would hold out to Monday, she added

She said her husband might review his position after hearing the Government's decision. However, she could not say whether he would be willing to accept a compromise

According to Mrs van Schalkwyk, her husband is on a heart monitor and a water drip. She said his hearing was starting to fail, but that he was still strong in spirit

Mrs Maritz said her husband "is not doing very well". She said his hearing and eye sight were starting to fail

They could not comment on Mr Martin's condition as they were not allowed to see him

All three men are in separate rooms

BLACK people should be kept in zoos to preserve peace. They are also unintelligent beings who blow up post offices and fill their hospitals with dead and maimed women and children

The writings of blacks are filled with hatred and they advocate total destruction and annihilation *Open*

These were messages of rightwing hunger-striker Adrian Maritz, sent on the Beltel computer system to Henry Martin, another hunger-striker. The Afrikaans weekly, *Vrye Weekblad* this week published messages sent between the two men in July 1988 *8/9/91*.

Today is the 63rd day Martin has been without food. Maritz has been without food for 56 days and another hunger-striker, Lood van Schalkwyk, has been without food for 49 days.

Martin, in Ward 12 of Pretoria's HF Verwoerd Hospital, has instructed his lawyer that he should not be resuscitated once he entered a coma.

IRA hunger striker Bobby Sands died in Belfast's Maze prison in 1981 in the 66th day of his hunger strike.

Sands entered a coma the day before his death. Doctors say such a coma already indicates that brain and nerve cells have stopped functioning - and that death is close.

The three, who are charged with murder and attempted murder, demand indemnity from the government.

They have been held responsible for the bomb explosion in Bloed Street, Pretoria, in which 13 people were injured, and an explosion in a Durban shop which killed a computer consultant.

The men claim they were operatives of ~~Military Intelligence and the National Intelligence Service~~.

Maritz said in a message to Martin: "A thought for this year: Peace on this continent will be when you have to go to a zoo to see what a negro looks like."

And in a message to a certain "Tony" he says research purportedly done at European universities showed that "the negroid could achieve only limited intellectual development because of anatomical restrictions", adding that blacks were 23 percent less intelligent than whites.

In a message to Tony, Martin says "My kind is one who does not pour his hard-earned cash into the ever open 'Black Hole'. He does not take days off work whenever he feels like it, he does not roll up to work paralytic drunk, he does not skin nurses alive."

■ Following threats of a Orde Boerevolk bombing campaign if the hunger strikers were not given indemnity, police yesterday warned "Any such proposal will be relentlessly opposed by the full resources of the police."

# Hundred of

# men



# A lone voice speaks out

By THEMBA KHUMALO

**EX-CONVICT** Golden Miles Bhudu would be forgiven for thinking that human rights abuses follow South African prisoners beyond the prison walls

Barely two months after his release from jail, Miles — deputy president of the South African Prisoners' Association for Human Rights — has found himself both a highly publicised figure and a homeless person

**Mandela**  
He has met ANC president Nelson Mandela and deputy president Walter Sisulu and has hit the headlines in his campaign to highlight the plight of common-law prisoners. But it has cost him his home in Hillbrow

Miles's landlady evict-

## 'Abuses in our prisons must stop'

253  
CP/PP  
8/9/91

ed him because she objected to the publicity he was attracting

She said she disliked seeing him in newspaper photographs wearing chains and displaying banners in an emotive denouncement of warders' excesses

"I have no place to stay now

"I don't know where my next meal will come from," Miles said

Bhudu said he and other prisoners formed the association at Modderbee Prison near Benoni three years ago

The group, wanted to

put an end to what he alleged was the systematic brutalisation of prisoners — especially black prisoners — by warders

He says nothing is done about it "We even wrote letters to Nicro (National Institute for Crime Prevention and Rehabilitation of Offenders) requesting their help

"They hardly bothered to acknowledge receiving our letter," he said

"This showed us that unless we former prisoners stand up and fight for our brothers, we left-behind nothing will come right for them," he said

Bhudu claims most convicts in South Africa are blacks who have been stripped bare of their social and economic rights

Their crimes, he claims, were forced by the need to survive

The recent violence at Barberton Prison during which six inmates died prompted him to take to the streets to stage his protest outside the ANC's headquarters, forcing Mandela and Sisulu to come down and speak to him

"They told me that the ANC was concerned about the prison violence Mandela even said he would take up the matter with (Minister of Justice) Kobie Coetsee

"I was very excited to speak to these two leaders, whom I have admired since my childhood," he said

"They struck me as reasonable men I was

really impressed," he said

Bhudu was jailed in 1987 for six years for housebreaking and theft. He served four years and six months

Yet, he does not regard himself a criminal

"I'm a victim of circumstances and racism. Otherwise I'm a decent family man I love my family, especially my son, Ray St Richard, very much," he said

### Golden City

Bhudu, who hails from Nigel on the East Rand, said despite his accommodation problems, he had no intention of leaving Johannesburg to rejoin his family in Nigel

He preferred to suffer in the Golden City than to go "to an obscure place like Nigel where it will be difficult to fight for my former fellow inmates", he said

**MILE FROM NOWHERE . . . ex-convict Golden Mile Bhudu strikes a deep chord in his one-man campaign against prisoner abuses of common law prisoners.**

Photo: TLADI KHUELE

# How critical? If their lawyer was right, Henry Martin and Adrian Maritz should already be dead

JUST how close to death are the three right-wing hunger strikers?

Two of them, Henry Martin and Adrian Maritz, would both be dead by now if claims about their condition made by their lawyer, Mr Wim Cornelius, and right-wing leaders had proved accurate.

Last night Democratic Party Law and Order spokesman Peter Gastrow said the three men should permit the release of the results of their clinical tests — conducted on Thursday — to set the record straight. He said they could do so through their lawyer.

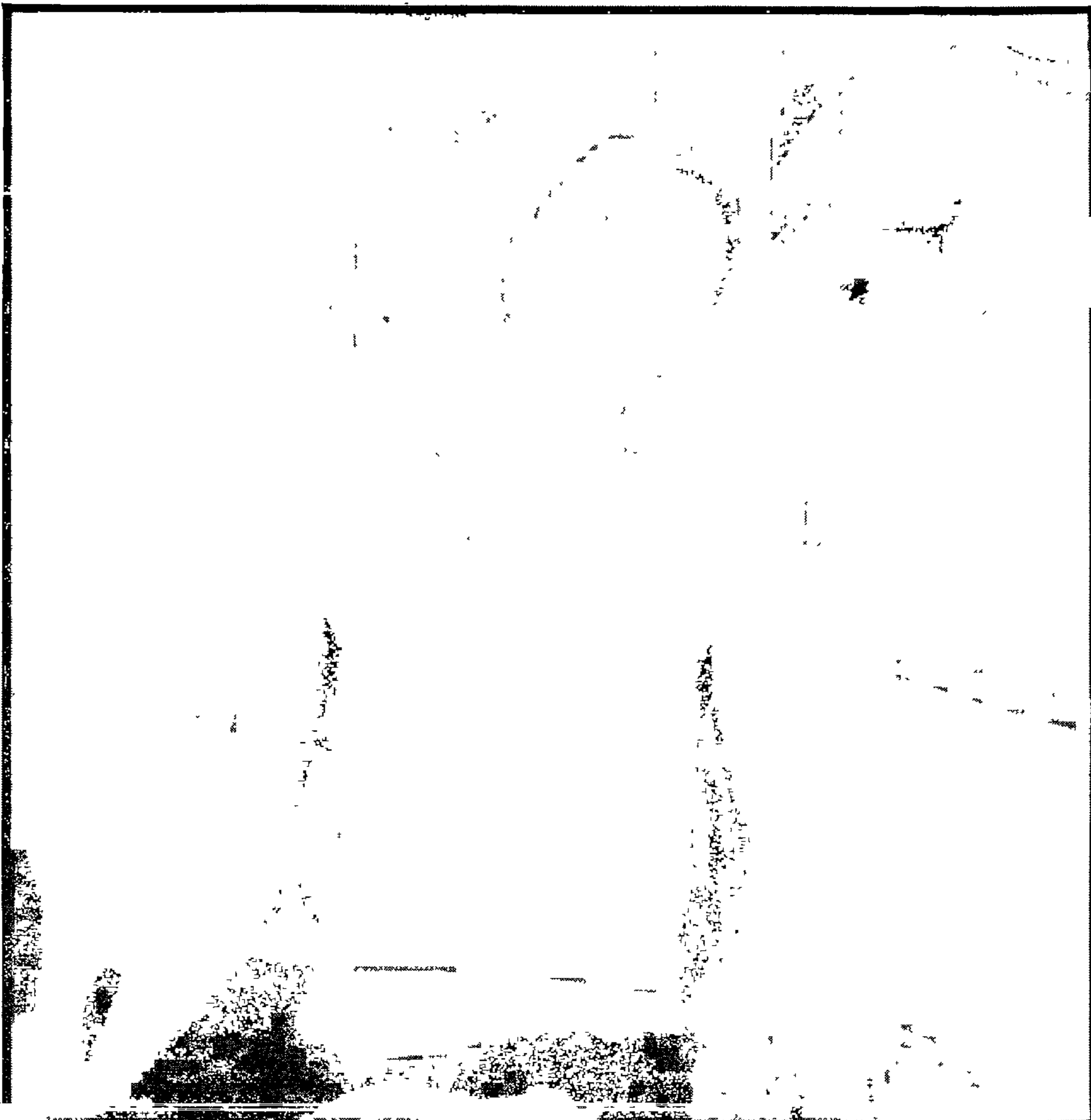
Reports on their deteriorating health had received a lot of public sympathy. It was therefore in their interest to back up these claims or sympathy would run dry, he said.

"The longer the strike continued the more one wondered whether the public was being played around with."

If the tests proved the deteriorating state of their health then attempts should be made to secure their release, he said.

Yesterday, Mr Cornelius was reported to be on a camping trip with his daughter — said to be "disappointed" at his failure to obtain the results of medical tests carried out on the hunger strikers by a district surgeon on Thursday.

No medical bulletins on the three men were issued yesterday. Mrs Karen Maritz and Mrs Heather van Schalkwyk, wife of third hunger striker Lood van Schalkwyk, said after seeing their husbands they were "weak and very depressed".



THE WAY HE IS: Hunger striker Adrian Maritz, pictured last Sunday — the 49th day after he was said to have started his fast



Statements by Mr Cornelius have been the only information given to the public on the hunger strikers' state of health. The Department of Correctional Services and HF Verwoerd Hospital refuse to issue official bulletins on the awaiting-trial prisoners, Martin, Maritz and Lood van Schalkwyk, who are demanding indemnity for alleged right-wing crimes.

At least twice in the past three weeks Mr Cornelius has given Martin, 49, and Maritz, 43, only hours to live. Today Martin is said to be on day 63, Maritz on day 56 and Van Schalkwyk on day 49.

This is what Mr Cornelius has told the media over the past month.

**AUGUST 15:** "I think we are going to see the first hunger strike death in South Africa. If something is not done soon, I don't think Mr Martin will last till next weekend."

**AUGUST 16:** "Mr Martin is in a critical condition. He is not going to make it. His condition is grave. It is the worst I have ever seen him. He can't walk or raise his hands. He could slip into a coma any time now. He has lost 23kg and his body is beginning to reject water. He has drawn up his last will and testament. If something is not done soon, he won't last until next weekend."

**AUGUST 19:** "Mr Martin is not expected to last the week. He is unable to consume more than a quarter-cup of water. The men can no longer stay awake. Hospital staff have been instructed to wake them every 30 minutes to prevent them slipping into a coma."

**AUGUST 20:** "I give Mr Martin and Mr Maritz only 24 hours to live. They are extremely weak and have refused to take water in protest against restrictions on visiting hours."

## ANATOMY OF A HUNGER STRIKE

By CHARIS PERKINS

**AUGUST 26:** "All three men are excreting blood. Mr Martin and Mr Maritz have severe kidney, liver and pancreas problems."

### Thin

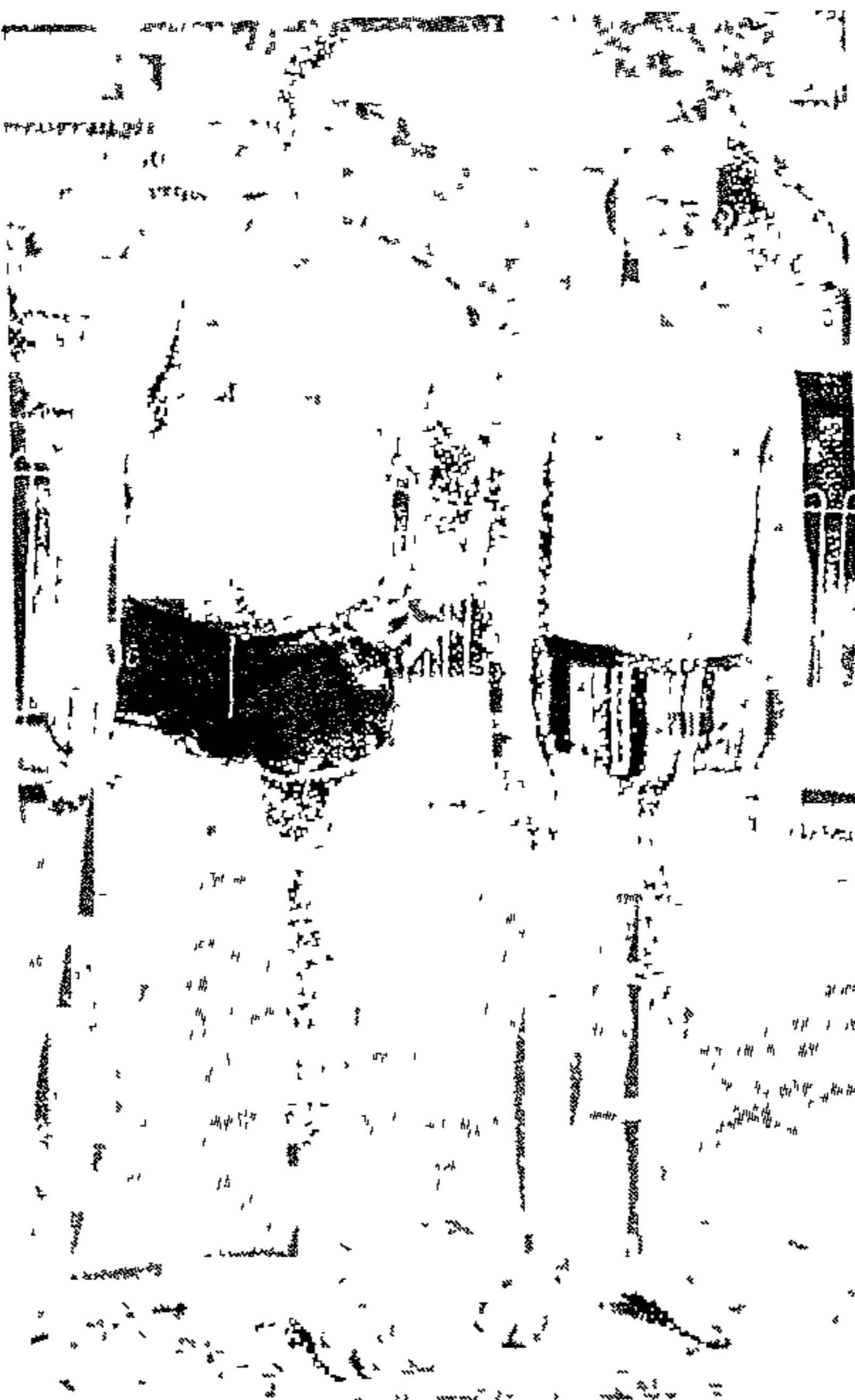
**AUGUST 28:** "The men are in an extremely poor condition. They could slip into a coma at any moment."

**AUGUST 31:** "Mr Martin and Mr Maritz look like Belsen concentration camp victims. Their eyes are sunken and black. Their skins are yellow and chalky because their kidneys are giving in. They are so thin you can see the detail of their bones. Mr Martin can hardly talk. To hear him I have to put my ear to his mouth. I'm sure there'll be a death within hours."

**SEPTEMBER 2:** "The morale of the hunger strikers is high, and they are drinking large amounts of water."

**SEPTEMBER 3:** "Mr Martin has lost his sight and is close to a coma. He is critical. He will not recover if he lapses into a coma. Mr Maritz is beginning to experience tunnel vision and is very weak. He can talk only very slowly and softly between doses of oxygen."

**SEPTEMBER 5:** "Mr Martin's condition is so grave that it is a question of hours before he goes into a coma and dies. He might not live to the weekend. If



THE WAY THEY WERE: Henry Martin, left, and Adrian Maritz before they began their hunger strike

he goes into a coma, I have instructions that he must not be resuscitated."

The right wing has been the sole source of detailed information about the hunger strikers.

But last weekend, British deputy consul-general Norman Ling told the Sunday Times after seeing Martin in hospital that he was sitting up in bed, smoking cigarettes and talking clearly.

On Monday, Mr Ling said he had been misquoted, but the Sunday Times has a tape-recording of the interview, in which he said

"I haven't seen him walk. He can sit up because he prides himself on not having a bedpan — but he may still have to be carried to one of those special seats."

After seeing the hunger strikers on Monday afternoon, ANC President Nelson Mandela declined to comment on their condition, but said they had recognised him.

Mr Cornelius said after the visit that Martin had taken Mr Mandela's hand and thanked him for the visit.

However, Orde Boerevolk leader Nic Strydom

## Wife's fury at search

Sunday Times Reporter

THE angry wife of hunger striker Adrian Maritz emerged from hospital yesterday claiming she had been body searched by a nurse before being allowed to visit her husband.

Mrs Heather van Schalkwyk, wife of another hunger striker, Dr Lood van Schalkwyk, confirmed the incident.

Mrs Karen Maritz objected vehemently to the search. "Relatives are being treated like criminals."

Mrs Maritz said she believed the searches were introduced after a photograph of her husband and a tape-recording of his voice were smuggled out of the hospital this week. "Apparently they were looking for cameras or hidden tape-recorders."

A senior matron at the hospital said nurses were prohibited from carrying out body searches.

and OB chief of staff Leonard Veenendaal said hospital staff had been unable to wake Martin and that he had not spoken to Mr Mandela.

Mr Strydom later admitted that neither he nor Mr Veenendaal had been present.

Mr Veenendaal and Mr Cornelius also differed on whether the hunger strikers had stopped taking liquids.

Mr Veenendaal said all three men had refused liquids since Thursday, August 29, while Mr Cornelius said only Maritz was refusing water.



# No blitz plan, Sowetan 9/9/91 says OB

ORDE Boerevolk leader Mr Nic Strydom yesterday rejected charges that the OB was planning a bombing blitz to avenge the Government's refusal to grant three hunger strikers indemnity.

"Our policy at this stage is to negotiate. Even if the men die, we won't resort to violence."

"Other people phoned us, however, and threatened that, if the three died, they would resort to violence. I had to talk sternly to them to dissuade them from their path of violence."

## Future

"We are talking about the future of the country, not only about the lives of three men."

Strydom also denied that the men were eating secretly. - Sapa

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MARTINUS WILSON

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# No money back on land transfer fees

*B (Day) 9/9/91*  
TOWNSHIP residents who had paid transfer fees for the conversion of their 99-year leasehold agreements into full ownership would not be reimbursed, legal experts said yesterday. The lawyers were commenting on recent legislation which provides for the conversion of all forms of black land tenure into full ownership.

*WILSON ZWANE*

In terms of The Upgrading of Land Tenure Rights Act, which came into force at the beginning of this month and forms part of government's land reform package, all registered leasehold agreements will be converted, free of charge, into full ownership or freehold, the sources said.

soon as township registers had been opened. That process could take 18 months or more, the department said.

Before the new Act, residents in townships which could grant full ownership rights had to pay R150 a site to have their leasehold agreements converted into full ownership.

Most of the homes in the townships are presently occupied in terms of leasehold agreements which have been upgraded over the years from monthly tenancy to 99-year agreements.

The Act did not, however, provide for such residents to be reimbursed, the lawyers said.

SPT Housing Consultancy MD Mike Morkel said few township residents had full ownership because "only a handful of townships can presently offer full property rights".

They said property owners would get the same treatment under freehold as they were getting under the leasehold. Transfer duties would not be payable, they said.

Morkel estimated that only 1% of Transvaal townships could offer full property rights. The townships included Spruitview, on the East Rand, and the Soweto suburb of Naledi.

The Public Works and Land Affairs Department said about 200 000 registered leasehold agreements would be converted "automatically" into full ownership as

FHA Homes CE John Weaver said there was no "real" difference between freehold and leasehold. "Of course, freehold confers greater security of tenure than leasehold. But real rights of the two are identical," he said.

He added that from a property developer's point of view, leasehold was more attractive because "a developer is able, under leasehold, to sell and bond his product much sooner than under freehold".

## Hunger strikers 'not faking'

*B (Day) 9/9/91*  
A DOCTOR who has examined three right-wingers in Pretoria's HF Verwoerd Hospital yesterday dismissed reports suggesting the men might be faking their hunger strike.

*253*  
Business Day Reporter

"These people are in extreme danger," he said.

Henry Martin, 49, Adrian Maritz, 43, and Lood van Schalkwyk have reportedly been without food for 61, 54 and 47 days respectively.

partment to make available to him the results of Thursday's tests to determine whether they had suffered permanent damage.

The men have threatened to starve to death if the tests show they have suffered permanent damage.

The doctor — who asked not be identified — said blood tests conducted more than two weeks ago showed the men were already seriously ill.

Their lawyer, Wim Cornelius, said yesterday he was still waiting for the Correctional Services De-

Cornelius said yesterday he did not know how food could have been smuggled to the hunger strikers.

# Doctor says fasters are not faking

JOHANNESBURG — A doctor who has examined three right-wingers in Pretoria's H F Verwoerd Hospital has dismissed suggestions that they might be faking their hunger strike.

The doctor — who asked not be identified — said blood tests done more than two weeks ago showed that the men were already seriously ill

"These people are in extreme danger," he said yesterday

Mr Henry Martin, 49, Mr Adrian Maritz, 43, and Dr Lood van Schalkwyk have reportedly been without food for 61, 54 and 47 days respectively

Their lawyer, Mr Wim Cornelius, said yesterday that he was still waiting for the Correctional Services Department to make available to him the results of Thursday's tests to determine whether they had suffered permanent damage

The men have threatened to starve to death if the tests show they have suffered permanent damage.

Mr Cornelius said yesterday that he did not know how food could have been smuggled to the hunger strikers

This was echoed by Orde Boerevolk (OB) leader Mr Nic Strydom who yesterday rejected charges that the three were secretly receiving food

He also denied that the OB was planning a bombing blitz to "avenge" the government's refusal to grant indemnity to the men

Mr Strydom said Mr Martin and Mr Maritz were taking salt, because it helped them "to see better"

He said he had not been allowed to see Mr Martin on Saturday, but H F Verwoerd Hospital personnel had told him Mr Martin had been awake

However, Mr Maritz's wife Karen said on Saturday that Mr Martin had not woken up at all on Saturday

Mr Strydom, father of Barend Strydom who was jailed for killing eight black people in 1988, said he had been upset by reports that the OB was planning a bombing blitz if the three died

"That is untrue," he said yesterday "Our policy at this stage is to negotiate. Even if the men die, we won't resort to violence"

Mr Strydom said violence would be counter-productive, as it would only lead to more deaths and more people being jailed

"We are worried that there may be violence, but it won't be us. We are disciplined"

"Other people phoned us however and threatened that if the three died they would resort to violence. I had to talk sternly to them to dissuade them from this path. We are talking about the future of the country, not only about the lives of three men."

● If right-wingers tried to carry out acts of violence, the police would act against them, a police spokesman warned in Pretoria on Saturday  
Own Correspondent and Sapa



# OB in new bid to end trio's fast

253

Star 9/9/91  
By Shareen Singh

The three hunger strikers would make a decision today to end their fast or starve to death, Order Boerevolk (OB) leader Nic Strydom said last night

Mr Strydom and the lawyer representing the men, Wim Cornelius, together with three advocates, would be visiting the hunger strikers this morning with a proposal to persuade them to end their fast

## Eaten

"It will be do or die. We can only talk to the men and offer them an alternative way of dealing with the issue, but the decision is entirely theirs," Mr Strydom said

The OB had agreed to use other means to take up the case of the hunger strikers, he said

But he was not prepared to reveal this to the press until it had been accepted by the men — Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk, who have not eaten for 63, 56 and 49 days respectively

Mr Strydom rejected charges in yester-

day's newspapers that the hunger strikers were secretly receiving food, or that the OB was planning a bombing blitz to "avenge" the Government's refusal to grant the three indemnity

"I visited the men on Friday and they were very weak. Lood had been on a drip for 12 hours a day and I pleaded with him to keep the drip on until I arrived again

"Nobody wants to see the men die and we will do our utmost to talk them into ending their fast. Their families have also been trying to get them to stop," Mr Strydom said

Responding to a newspaper report last week that he had changed his views on blacks after Mr Mandela had visited the men in hospital, he said the reporter had misunderstood him

"People's views do not change in such a short space of time. I appreciate Mr Mandela's visit but it did not influence my thinking

"I have never been a racist and I do not support apartheid," Mr Strydom said

Waiting for violence probe — Page 5



# Massacre trial adjourned

253  
CT 10/9/91  
Own Correspondent

DURBAN — The trial of two hunger-striking AWB members, who face murder charges for their alleged part in the bus massacre near Kwa Mashu last year, was yesterday adjourned in their absence until tomorrow.

Mr Justice Squires heard yesterday that Mr Piet Botha and Mr Adriaan Smuts, who have been on a hunger strike since August 19, were not fit to stand trial. Although not "in dire straits", they were experiencing "dizziness"

Meanwhile, Sapa reports that the two accused have reaffirmed that they will continue their fast until "unfairness with regard to the freeing of right-wing political prisoners is resolved"



# Hunger strikers end fast 'reluctantly', to accept R5 000 bail offer

THE three hunger-striking prisoners in Pieteria's H. F. Verwoerd Hospital yesterday ended their fast and accepted government's offer of bail

Their lawyer Wim Cornelius said the "reluctant" decision to end their life-threatening fast was taken by the prisoners after three hours of persuasion by himself, Ofde Boerevolk leader Nic Strydom and their pro deo counsel

The men had been persuaded that the Justice Department would not bow to their demands for indemnity from prosecution, and that it was "nonsensical to lose a life", Cornelius said

Bail was set at R5 000 with conditions that the men surrender their passports and report to a police station daily. They are prohibited from interfering with State witnesses and making Press statements

A further condition is that they remain in the H. F. Verwoerd Hospital until the deputy superintendent decides they are fit to be discharged

Their bail hearing — expected to be a formality — would be heard by the Pretoria Supreme Court today, Cornelius said

Their families would have to raise the money for bail

BRITON HENRY MARTIN, 49, ADRIAN MARTIN, 43 and LOOD VAN SCHALKWYK, 53, are awaiting trial on a charge of murder and 11 charges of attempted murder for their alleged role in two bomb blasts last year

Cornelius said the three were still prepared to testify before government's standing commission on violence, about claims that they were employed by state intelligence units when they allegedly committed acts of terror last year

He said they had embarked on a hunger strike to demand indemnity from an intransigent government which stood firmly against mounting pressure from the public

See Page 2

# Strict bail for <sup>(253)</sup> ex-hunger strikers

Own Correspondent

PRETORIA. — The three right-wing hunger strikers yesterday started receiving liquid nutrients after they abandoned their fast earlier in the day and accepted the government's offer of R5 000 bail each.

The bail has been coupled with strict conditions limiting their movements and media contact.

Pro Deo counsel for Mr Henry Martin and Mr Adriaan Maritz are expected formally to apply for bail in the Supreme Court here later today, their lawyer Mr Wim Cornelius said

last night. He had been promised they would not be opposed.

A Department of Justice spokesman last night said Dr Lood van Schalkwyk had successfully applied for bail on August 30, but had not used it.

Mr Cornelius said the decision to end the fast had been taken because the government made it clear it would not abandon its hard-line stance and grant the men indemnity.

Mr Martin, 50, Mr Maritz, 43, and Dr Van Schalkwyk, 53, had vowed to starve to death unless this was granted.

The men will now face charges of murder and attempted murder relating to last year's bomb blast which killed a Durban computer technician and a separate blast which injured people at



EATING...  
Henry Martin



EATING...  
Adriaan Maritz

Pretoria's Bloed Street taxi rank

They have also undertaken to appear before the government's commission on violence and intimidation where they are expected to claim that they were instructed to commit acts of terror by the state's intelligence community.

Mr Nic Strydom, the leader of the Orde Boerevolk to which all three belong, yesterday denied that the men had cheated on their fast but said they had been drinking 2,5 litres of an "electrolytic solution" daily to prevent their slipping into a coma.

Mr Martin was on the 64th day of his hunger strike yesterday, while Mr Maritz had lasted 57 days and Dr Van Schalkwyk 50 days.

appears to be a general consc... the continued rise in inflation

SALES

BRIEFING

The Star Tuesday September 10 1991 13

# The Brit who's a Boer at heart

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**HENRY MARTIN** fasted as he lived — alone. The 50 year-old British hunger-striker ended his fast in a lonely Pretoria hospital ward

According to friends, he lived in Angola, Mozambique and Swaziland before he arrived in South Africa when he was 26 years old

Henry Martin has indeed lost a considerable amount of weight compared to the burly mercenary he once confessed to having been.

His ageing mother, Milly, is also in South Africa, living in a Pretoria old-age home where she speaks constantly of going back to England

Orde Boerevolk leader Nic Strijdom described Mr Martin as "a big fellow" — weighing in at 112 kg before his strike and standing a tall 2,3 m. He wore dark glasses and sported a firearm at his hip

Mr Martin brought skills as a computer engineer and began carving a life for himself here, settling up a computer company in Pretoria. His friends say he has had connections with South Africa's security forces since the early 1970s

When he came to South Africa

Henry Martin, the Englishman who has taken up the cause of the Boer nation, yesterday ended his controversial hunger strike with fellow Orde Boerevolk fasters Adrian Maritz and Dr Lood van Schaikwyk HELEN GRANGE plots Mr Martin's life.

ca, he was involved with a security company and had no problems getting a national key points security clearance, said one friend.

Last week, his computer material became the focus of a police docket handed to the Pretoria Magistrate's court. On discs, police had found explicit pornography depicting sexual acts between black and white.

Mr Martin's hobby is breeding and training dogs. He ran an army dog school in Angola, according to friends

His friends are mostly Afrikaners passionately opposed to Government reforms, so Mr Martin, a staunch anti-communist, found himself quickly learning to speak Afrikaans — albeit with a north country English accent.

His hunger strike was not the first time he has hit the headlines

In 1985 he inadvertently made the front pages of Sunday newspapers when he managed to woo an English woman known as 'Screaming Maggie' to South Africa's shores

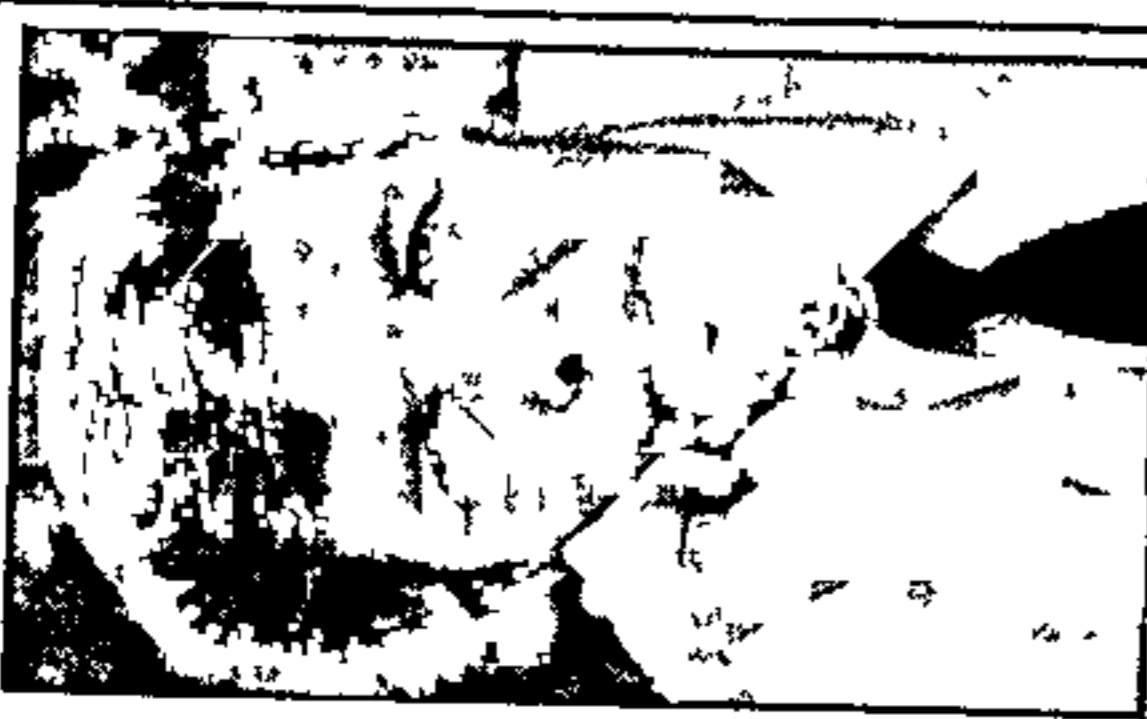
Maggie Whybrow from Wheat Hamstead, Hertfordshire, became world famous

her free holiday before returning to England

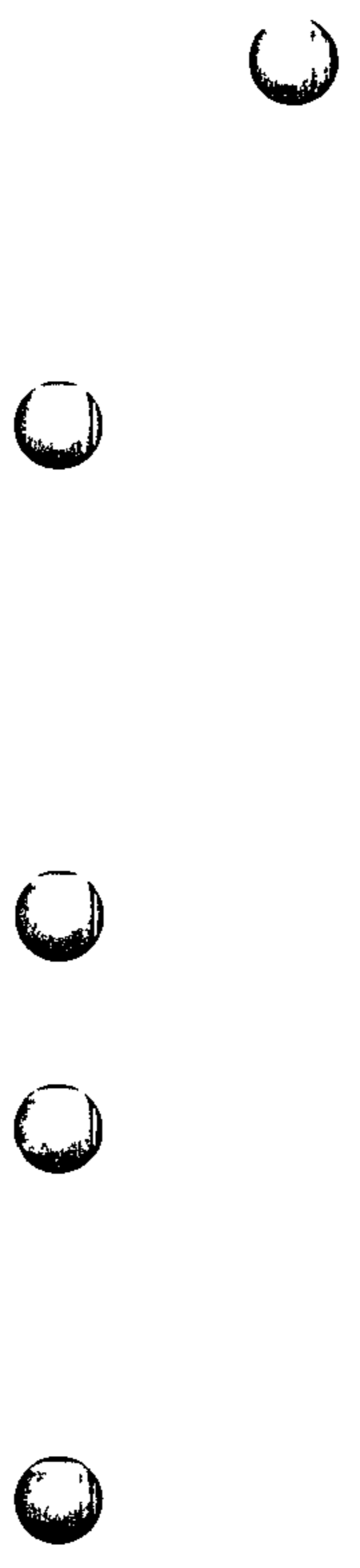
Leonard Veenendal, Orde Boerevolk chief of staff, dismisses this ordeal as "a joke". "People wanted sensation, so Henry gave them sensation." He also says Martin's confession to being a mercenary was a hoax

"Henry is an intellectual. He is a great Shakespeare fan and can quote at length from Shakespeare's works. He and Adrian (Maritz) are very keen on poetry as well and they were both exceptionally fast readers while they were in jail"

Mr Martin and his colleagues are now recovering in Pretoria's H.F. Verwoerd Hospital, having accepted R5 000 bail on charges including murder and attempted murder after being refused indemnity by the Government. □



Eating Henry Martin





# Pictures of fasters sold for thousands

Staff Reporters

(253)

Relatives of the three Orde Boerevolk prisoners who ended their protracted hunger strike yesterday have been paid thousands of rands by the media for pictures taken of the men during their fast.

It is known that the wives of two of the men, Heather van Schalkwyk and Karen Maritz, as well as OB chief of staff Leonard Veenendal have been paid thousands of rands by the media for pictures taken of the men during the fast.

A media source said Mrs Maritz had taken the pictures

Mr Veenendal withheld personal details of the men until he had received "the highest bid", he told The Star last week.

Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk began taking nutrients in liquid form from 1 pm yesterday after deciding to end their fast and accept bail of R5 000 each.

They will remain in hospital for several weeks until they regain their strength. They had reportedly not eaten for 63, 56 and 49 days respectively.

Mrs van Schalkwyk and Mrs Maritz both refused to speak to the media yesterday.

OB leader Nic Strydom said he knew nothing of the money paid to the wives or to Mr Veenendal.

The decision to resume eating followed a lengthy consultation between the mens' lawyer, Wim Cornelius, three pro Deo advocates acting for the men, Mr Strydom and officials from the Attorney-General's office and the security services.

Mr Strydom said he was "very glad it has at last ended".

The men, he said, would not be formally applying for bail immediately

In official circles there was strong speculation that the publication in the Sunday press of pictures showing the hunger strikers in a far-from-emaciated condition had probably shamed them into calling off their fast.

Officials were jubilant that the Government's refusal to give in to "blackmail" from the hunger strikers had paid off.

A medical report on the mens' condition in the last days of the strike is expected to be made public soon — amid growing suspicion that the men had been taking nutrients.

"They are prepared to release (the medical reports) to show they were not living a lie," Mr Cornelius said.

The three men had been drinking litres of electrolytic solution to prevent them from slipping into comas — and were in a critical but stable condition yesterday, Mr Cornelius said. They would not be taking solid food for some weeks.

## Concerned

ANC president Nelson Mandela said yesterday he was sure that the men's health had been affected by the hunger strike

Asked whether he thought the men were really starving or "had pulled a fast one", Mr Mandela said he had been very concerned about their condition when he visited them at H F Verwoerd Hospital last week.

"One of them could hardly recognise me. It took some time before he recognised me."

Mr Mandela stressed he was not a medical expert and his opinion was that of a layman.

Mr Cornelius said yesterday the men had given up the fast because it was clear the Department of Justice would not grant them indemnity.

"Therefore a compromise

was struck, also in the interests of justice," he said.

As part of the deal, the men had to accept a number of strict bail conditions, including a prohibition on talking to the media — to "prevent the case being heard in the streets instead of in court", Mr Cornelius said.

The other conditions are:

- The men must remain at H F Verwoerd Hospital under the care of Professor Remer van Rooyen until they are declared fit to be discharged.
- They may not leave the magisterial district of Pretoria without the permission of the investigating officer.
- They must supply authorities with fixed addresses; they must report daily to the nearest police station, and must hand over all travel documents.
- They may not interfere with State witnesses.

The three have agreed to testify before the Commission of Inquiry into Public Violence — but they will need up to three months to recover from their fast, Mr Cornelius said.

The Department of Justice pointed out that although the Transvaal Attorney-General had said on August 28 that the State would not oppose bail applications by the three men, subject to proper legal procedures, the granting of bail and the bail conditions were still at the court's exclusive discretion.

New Minister of Correctional Services Adriaan Vlok described the ending of the hunger strike as a "victory for reason".

He said he was glad no lives had been lost.

Boere Vryheidsbeweging leader Professor Alkmaar Swart said his organisation had never sided with the three because hunger strikes were "not biblically correct".

"Furthermore, it doesn't get us anywhere. It will have no effect at all," he said.

Boerestaat Party leader Robert van Tonder said the men had brought to the attention of the world the plight of the Boere

"Their action also showed that the Government was revengeful, uncompromising by refusing the men amnesty.

"No right-wing organisation will attend negotiations with a Government that has this kind of attitude," he said.



# Pictures of fasters sold for thousands

Staff Reporters

(253)

Relatives of the three Orde Boerevolk prisoners who ended their protracted hunger strike yesterday have been paid thousands of rands by the media for pictures taken of the men during their fast.

It is known that the wives of two of the men, Heather van Schalkwyk and Karen Maritz, as well as OB chief of staff Leonard Veenendal have been paid thousands of rands by the media for pictures taken of the men during the fast.

A media source said Mrs Maritz had taken the pictures.

Mr Veenendal withheld personal details of the men until he had received "the highest bid", he told The Star last week.

Henry Martin, Adrian Maritz and Dr. Lood van Schalkwyk began taking nutrients in liquid form from 1 pm yesterday after deciding to end their fast and accept bail of R5,000 each.

They will remain in hospital for several weeks until they regain their strength. They had reportedly not eaten for 63, 56 and 49 days respectively.

Mrs van Schalkwyk and Mrs Maritz both refused to speak to the media yesterday.

OB leader Nic Strydom said he knew nothing of the money paid to the wives or to Mr Veenendal.

The decision to resume eating followed a lengthy consultation between the mens' lawyer, Wim Cornelius, three pro Deo advocates acting for the men, Mr Strydom and officials from the Attorney-General's office and the security services.

Mr Strydom said he was "very glad it has at last ended".

The men, he said, would not be formally applying for bail immediately.

In official circles there was strong speculation that the publication in the Sunday press of pictures showing the hunger strikers in a far-from-emaciated condition had probably shamed them into calling off their fast.

Officials were jubilant that the Government's refusal to give in to "blackmail" from the hunger strikers had paid off.

A medical report on the mens' condition in the last days of the strike is expected to be made public soon — amid growing suspicion that the men had been taking nutrients.

"They are prepared to release (the medical reports) to show they were not living a lie," Mr Cornelius said.

The three men had been drinking litres of electrolytic solution to prevent them from slipping into comas — and were in a critical but stable condition yesterday, Mr Cornelius said. They would not be taking solid food for some weeks.

## Concerned

ANC president Nelson Mandela said yesterday he was sure that the men's health had been affected by the hunger strike.

Asked whether he thought the men were really starving or "had pulled a fast one", Mr Mandela said he had been very concerned about their condition when he visited them at H F Verwoerd Hospital last week.

"One of them could hardly recognise me. It took some time before he recognised me."

Mr Mandela stressed he was not a medical expert and his opinion was that of a layman.

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"Therefore a compromise

was struck, also in the interests of justice," he said.

As part of the deal, the men had to accept a number of strict bail conditions, including a prohibition on talking to the media — to "prevent the case being heard in the streets instead of in court", Mr Cornelius said.

The other conditions are

- The men must remain at H F Verwoerd Hospital under the care of Professor Renier van Rooyen until they are declared fit to be discharged.

- They may not leave the magisterial district of Pretoria without the permission of the investigating officer.

- They must supply authorities with fixed addresses, they must report daily to the nearest police station, and must hand over all travel documents.

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The three have agreed to testify before the Commission of Inquiry into Public Violence — but they will need up to three months to recover from their fast, Mr Cornelius said.

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BUHLE TOWNSHIP

AGE

# Three rightwingers end hunger strikers

Sowetan 10/9/91

252

THE three rightwing hunger strikers ended their fast at 1pm yesterday, lawyer Mr Wim Cornelius said in Pretoria.

Cornelius told a news conference at HF Verwoerd Hospital that the decision had been taken because the Department of Justice had made it clear it would not grant indemnity to the men.

The decision was reached after a meeting at the hospital between the three pro-deo advocates for the men, officials from the Attorney-General's office,

the security services, Cornelius and Orde Boerevold leader Mr Nic Strydom. Cornelius said the trio - Briton Mr Henry Martin, fasting since July 8, Mr Adrian Martz (July 15) and Dr Lood van Schalkwyk (July 22) - would also accept bail of R5 000 each.

Their families would have to provide the money and it was not clear when bail would be posted.

The three would be put on an "intensive liquid diet" and it would be days before they could have solid food, Cornelius said.

The Orde Boerevold men had also undertaken to testify before the statutory commission on intimidation, but it would take at least one to three months before they would be up to this or to appearing in court.

Bail conditions included a requirement to remain in the hospital until they were given a clean bill of health by the hospital authorities. Once released they would have to report to the police daily and alert the authorities before leaving the magisterial district of Pretoria.

The men were further required to surrender their passports, to make no Press statements and not to interfere with State witnesses.

Cornelius said he had received an indication that an medical report on the men would be made available to him soon.

"They (the fasting trio) are prepared to release it (to the public) to show they have not been living a lie," he said.

They had been drinking 2.5 litres of "electrolytic solution" daily to prevent them from slipping into a coma.

Cornelius said the prohibition on media statements had been imposed because the authorities wanted to "prevent the case being heard in the streets instead of in court".

Orde Boerevold leader Strydom said: "I am glad it has ended at last".

Mrs Karen Martz and Mrs H van Schalkwyk were at the hospital again on Sunday to support their husbands.

The three went on the hunger strike because they argued they should be indemnified from charges relating to bomb blasts in Pretoria and Durban - South African Press Association



## 'Cheating': Hunger strikers' medical report out soon (253)

ARG 10/9/91

### The Argus Correspondent

A MEDICAL report on the three Orde Boerevolk prisoners who ended their hunger strike yesterday is expected to be made public soon to dispel growing suspicion that the men took nutrients.

"They are prepared to release (the medical reports) to show they were not living a lie," the men's lawyer, Mr Wim Cornelius, said.

Yesterday Mr Henry Martin, Mr Adrian Maritz and Mr Lood van Schalkwyk accepted bail of R5 000 each and began taking nutrients in liquid form.

They will remain in hospital for several weeks until they regain their strength. They had reportedly not eaten for 63, 56 and 49 days, respectively.

It is known that during the hunger strike, wives Mrs Heather van Schalkwyk and Mrs Karen Maritz — as well as OB chief of staff Mr Leonard Veenendal — have been paid thousands of rands by the media for pictures taken of the men during the fast.

According to a media source, Mrs Maritz took the pictures.

Mr Veenendal withheld personal details of the men until he got "the highest bid", he said last week.

Both Mrs Van Schalkwyk and Mrs Maritz declined to speak to the media yesterday. OB leader Mr Nic Strydom said he knew nothing of the money paid to the wives or to Mr Veenendal by media concerns during the strike.

The decision to resume eating followed a lengthy consultation between Mr Cornelius, three pro deo advocates acting for the men, Mr Strydom, the office of the Attorney-General and the security services.

As part of the deal, the men had to accept a number of strict bail conditions, including a prohibition on talking to the media — to "prevent the case being heard in the streets instead of in court", Mr Cornelius said.

The other conditions are:

- The men must remain at the H F Verwoerd hospital under the care of Professor Remier van Rooyen until they are declared fit to be discharged.
  - They may not leave the magisterial district of Pretoria without the permission of the investigating officer.
  - They must supply authorities with fixed addresses.
  - They must report daily to the nearest police station and must hand over all travel documents.
  - They may not interfere with state witnesses.
- The three have agreed to testify in the Commission of Inquiry into Public Violence.

# Praise for FW's stand on hunger strikers

*Sowetan 11/9/91*  
STATE President FW de Klerk did well by not granting indemnity to three "publicity seeking" rightwing hunger strikers, callers to the Sowetan/Radio Metro Talkback Show said yesterday

James from Tembisa said the strike was a stupid idea fuelled by the need for publicity

## Pictures

He referred to the information that wives of two of the strikers sold their pictures to the media. The three had no legitimate cause to go on a fast.

A caller from Pretoria



said he was not surprised the fast had ended because he knew "Africans love their food"

"I wondered for how long they were going to keep it up," he said

Kagiso from Tembisa said rightwingers did not qualify for indemnity "If they were voteless like black people, it would have been acceptable"

"To most right-thinking South Africans the three would not have been martyrs."

*253*  
His feelings were echoed by Collin from Naledi who said the three had no justifiable reason to demand indemnity for their racist crimes

He did not believe they were really on strike

However, he did not want to congratulate De Klerk for his stand as "he himself had no right rule the country"

## Racist

John from Alexandra said the trio achieved a lot by showing their racist beliefs to the world

Phineas from the Vaal said the hunger strikers did a lot of good for the country by ending the strike

He said he feared there would have been an outbreak of a civil war if they had died

# Bail granted to hunger strikers

Sowetan 11/9/91

253

THE bail applications by two of the rightwing hunger strikers, who are being treated in the HF Verwoerd Hospital, were officially granted by the Pretoria Supreme Court yesterday.

Mr Henry Guy Martin and Mr Adnan Hendrickus Maritz were released on R5 000 bail following several attempts and negotiations, including embarking on a hunger strike, to persuade the Government to grant them indemnity. Martin was granted bail after

allegedly going without food for 63 days, while Maritz received bail on the alleged 53rd day of his hunger strike.

One of the bail conditions is that, from the time of payment of the bail, the State will not be liable for any medical costs.

Both men and another accused, Dr Lood van Schalkwyk who was earlier granted bail, are allegedly responsible for the 'Blood Street bomb blast' in which 11 people were injured outside a fast-food outlet in Pretoria last year.

They also face a charge of murder, resulting from the death of a Durban computer consultant who died after opening a parcel bomb in October last year.

Other charges of unlawful possession of ammunition have also been put to them.

Although the criminal proceedings in the Pretoria Supreme Court against the three rightwingers have been postponed several times and the men have not yet been asked to plead, Mr Justice JJ Strydom granted

the bail applications on condition that both men be subjected to medical treatment in the HF Verwoerd Hospital until they are declared fit for discharge.

Martin was ordered to report to the Silverton police station between 6am and 6pm daily after discharge from hospital, while Maritz has to report to the Sunnyside police station between 6am and 8pm daily.

During an earlier postponement of the Supreme Court case the trial was set down for October 28.



# Govt to pay bills for hunger strikers

Own Correspondent

JOHANNESBURG. — The right-wing hunger strikers are only expected to pay their R5 000 bail money once they have recovered, their lawyer, Mr Wim Cornelius, said yesterday.

Mr Henry Martin and Mr Adrian Maritz were formally granted bail in the Pretoria Supreme Court yesterday morning. Fellow hunger striker Dr Lood van Schalkwyk was granted bail on August 30, but continued to refuse food until all three men abandoned their fast on Monday.

## Not responsible

Mr Cornelius said family and friends were still raising the bail money, which would probably be paid once the men had recovered.

He said the government had indicated it was prepared to pay for their medical treatment.

Once the bail money is paid the state is no longer responsible for their medical expenses.

The national director of the National Medical and Dental Association, Dr David Green, said it would take at least a month for the men to recover from the effects of their hunger strike.

Mr Martin, 50, ended his fast on its 64th day, while Mr Maritz, 43, ended his on day 57, and Dr Van Schalkwyk, 53, ended his on day 50.

Dr Green said the men would first be given vitamins and nutrients in liq-

uid form before being slowly re-introduced to solid foods.

The medical reports on the condition of the three right-wing hunger strikers before they broke their fast this week will probably be released today, a spokesman for the Department of Correctional Services said yesterday.

The report will either end or confirm media speculation that they cheated on their hunger strike.

The Correctional Services spokesman emphasized that the final decision to release the medical reports would rest with the right-wingers and Mr Cornelius.

"It's a personal matter and they will have to say yes or no," he added.

# Verwoerd's murderer a lonely old man

W/M and 6p-12/9/91.

253

**S**OUTH AFRICA'S loneliest prisoner completes a quarter of a century in jail today and he continues to pose a conundrum to those who have met him, is Dimitri Tsafendas still a madman or a pitiful figure who has suffered hugely and is now deserving of forgiveness?

It is exactly 25 years since Tsafendas threw himself at Hendrik Verwoerd in parliament and stabbed the "architect of Grand Apartheid". Historians of the future could well judge that it was the beginning of the end of the apartheid ideology, paving the way for the election of John Vorster — whom some regard as the first of South Africa's reformist heads of state.

Tsafendas may have changed the course of history but he is having to sit in Pretoria Central Prison and watch the release en masse of the country's political prisoners — with no prospect of securing his own freedom.

By the accounts of some of the people who have recently seen Tsafendas, his continued incarceration is justified as they believe the country's most famous assassin is still demonstrably mad.

According to Lawyers for Human Rights representative, Jodie Kollape, Tsafendas still

Twenty-five years ago today the country was stunned by the stabbing of Prime Minister Hendrik Verwoerd. His assassin, now an old man of 74, is still in prison.

**By PAUL STOBER**

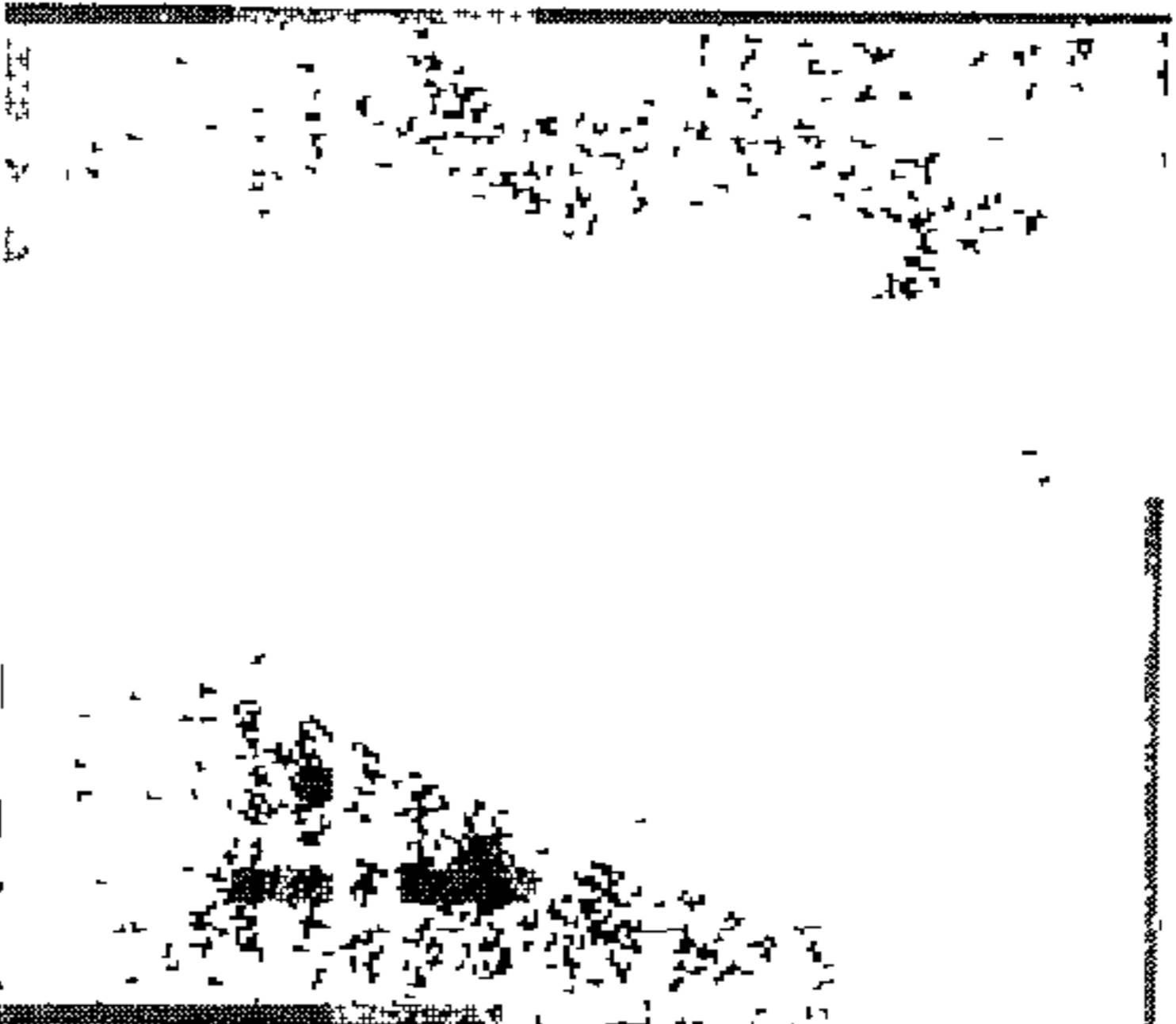
thinks he is inhabited by the tapeworm which he claimed ordered him to kill Verwoerd — and it is still hungry.

However, in the same breath Kollape described him as "coming across as a nice old man who is easy to like".

The visit by LHR representatives was the first Tsafendas had received in a number of years. They spoke to him in the hospital ward of Pretoria Central Prison where he is held alone.

Kollape describes Tsafendas as appearing in good health but with the aches of his 74 years. He spoke to them from his bed where he spends most of his time because of his bad back and the winter cold. They had to shout as he has a hearing problem, but he was lucid and they had no difficulty holding a conversation with him.

Tsafendas had no complaints about his pris-



Hendrik Verwoerd was killed 25 years ago

on conditions and said he had access to a television, the prison courtyard and writing materials, although he has no one to write to. He also claimed to have occasional contact with other prisoners.

Tsafendas did not speak to the lawyers

about his assassination of Verwoerd, the most important event in his life. Instead, he spoke of his youth and how he worked his way around the world as a sailor.

He will remain in prison as long as he is judged unfit to stand trial. Once a year a medical report on his mental state is taken to a judge who orders his detention for another year.

"Tsafendas seems to have resigned himself to spending the rest of his life in prison," said Kollape.

This may be just as well. No political party or organisation is campaigning for his release and with the present furor over rightwing prisoners the National Party is hardly likely to release the killer of their ideological father on any grounds.

Even if he is released, Tsafendas has nowhere to go. His family have disowned him and he has had no contact with society since the start of his detention.

Kollape also considers the rightwing a threat to his life.

The LHR is considering applying to have Tsafendas transferred to Westkopjes, a mental institution near Pretoria. They feel he may be better off there and would have the company of other inmates.

## Prisoners end fast as trial goes on

DURBAN — Two right-wing hunger strikers here, facing murder charges, ended their 24-day fast yesterday afternoon in Westville prison hospital shortly after a Supreme Court judge ordered them to appear in court today to continue their trial.

Orde Boerevolk members Mr David Petrus, "Piet" Botha, 46, and Mr Adriaan "Arrie" Smuts face seven counts of murder and 27 counts of attempted murder for their alleged role in a KwaMashu bus massacre last year.

(253) CT, 12/9/97  
A Department of Correctional Services spokesman confirmed that the men had started eating at lunchtime yesterday.

They had previously vowed to starve themselves to death unless they were indemnified as political prisoners.

Their decision to resume eating followed a ruling by Mr Justice Squires in the Supreme Court earlier yesterday that they should stand trial in court today despite a medical report advising otherwise — Sapa.



# Rightwingers end fast, will be tried for murder

(253) ARG 12/9/91

The Argus Correspondent

DURBAN. — Two right-wing hunger strikers who ended their fast yesterday are to be tried in the Supreme Court, Durban, today on murder and attempted murder charges arising out of an alleged revenge attack on a Putco bus carrying black commuters near Durban last year.

Afrikaner Weerstandsbeweging members Mr David Petrus Botha, 46, and Adriaan Smuts, 38, both of Richards Bay, have pleaded guilty to seven counts of murder and 27 of attempted murder.

Their trial was due to begin yesterday but their doctor said he thought they were unfit to be in court because of their weight loss and cardio-vascular instability. They were likely to pass out during lengthy court proceedings.

Mr Botha's weight had dropped from 82kg to 69kg and Mr Smuts's from 60kg to 50,3kg.

They were both determined they were not going to eat until they died, said Dr Trevor Branken. But the hunger strike ended at 2pm after Mr Justice Galgut ruled that the trial should proceed today in spite of their weakened state.

Dr Branken had said earlier that if Mr Botha prolonged his strike he would have a heart attack.

Mr Botha could have a heart attack at any time and pressing ahead with the trial could cause a heart attack in court, the doctor said.

The judge ruled against the trial being held in prison because there was considerable public interest in the matter.

The government's amnesty for first offenders will benefit 15 000 criminals, and not the 57 000 reported earlier. Nevertheless, ex-prisoners face manifold problems, and for many it's not long before they return to crime — and jail — adding to South Africa's recidivism rate of 70 to 80 percent. **HENRY LUDSKI** reports:



ROAD TO REFORM: Nicro official interviews an ex-prisoner

# Released prisoners face hard battle

South 12/19 - 18/19/91

HERE IS NO place like home, the saying goes, but for many of the thousands of first offenders released from prison recently it's beginning to look like there's no place like prison.

This is the view of Mrs Isabel Hancock, branch director of the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro).

"There is a definite notion among certain prisoners that 'at least when we are inside (jail), the food may not be wonderful, but at least we have a plate of food and a roof over our head'.

"This is the kind of dependency that prison creates and it is one of the reasons why alternatives have to be found to prison sentences and why it has to be realised that prison is not the cure-all that some people think it is."

The problems Nicro social worker Quinton Arendse has to handle illustrate the problems of former prisoners. "I have been helping about 20 of these former prisoners to find work but after weeks of searching I have been able to find jobs for only five of them," said Arendse.

He runs an Empowerment for Employment programme which is aimed at helping ex-prisoners find work.

"They are desperately trying to go straight and they are job-hunting at least four days a week. Some of them have families and that is the terrible part of the story.

"It's extremely tough because many of them are semi-skilled. I assist them with job-hunting, teach them how to dress for interviews, how to speak and

how to approach prospective employers but things have not been easy for them," he said.

Sinclare February Arendse has assisted about 90 people with his programme and has been fortunate in finding work for about half of them.

"Sometimes all they need is some inspiration," he said.

However, he foresees that after a while if many do not find jobs the "cycle is going to be completed" and they will end up in jail again.

"They have the same basic needs as other people. They want to eat and sleep and work. If they don't know where their next plate of food is coming from and can't readjust to their family set-up, then it's almost inevitable that they will return to their old ways."

URING THE years John Johnson spent in Caledon's Helderström prison, he nurtured a dream — finding a job "even it meant having to sweep floors".

He was released on remission earlier this year, before the government's amnesty. Now, after frustrating weeks of searching for work, dependency has crept in and he has already made what he describes as his "biggest mistake".

"You start thinking that in that place (prison) you don't have any worries, everything is free and you have a place to sleep. But I know that even to think that is your biggest mistake," said Johnson, who completed his matric in prison.

"I knew that without a proper education I didn't stand a chance of competing in the job market against college

graduates and school-leavers. Now I know that matric doesn't mean anything if you have a criminal conviction," said Johnson.

"If it wasn't for the support of my family I would probably have been back in jail," he said.

Although not among those released in terms of the government's amnesty — it excluded rape for which Johnson was convicted in 1985 — his problem illustrates the plight of thousands of former prisoners.

According to Department of Correctional Services spokesperson Mayor Wena Greyling, the department is well aware of the problems prisoners face after their release.

"The ultimate aim of the department is to equip the prisoner with the skills which are necessary for his effective reintegration into society.

"The most important aspect in the total integration process, however, is for a person to have suitable employment and accommodation."

Greyling said the department had appointed integration clerks at all the prison commands to recruit suitable employers and to assist prisoners.

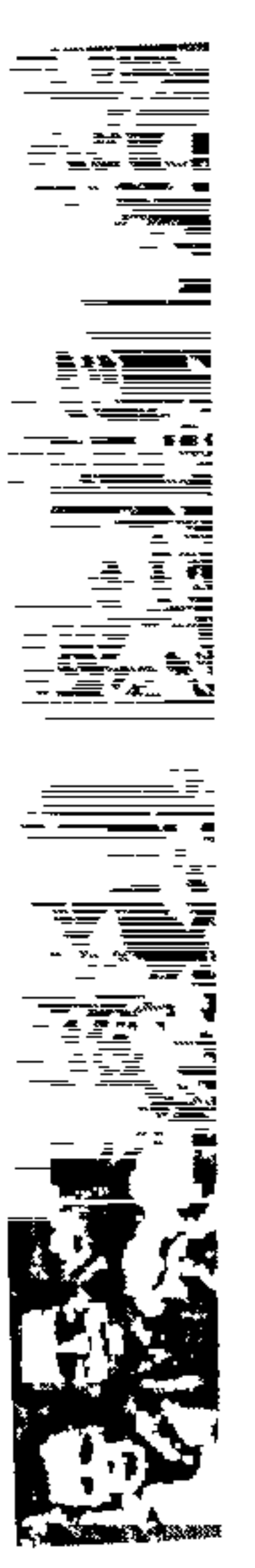
"To a large extent they act as intermediaries in job and salary negotiations. Unfortunately, employment cannot be found for all prisoners before release."

A police public relations officer said police had no statistics on how many offenders had been rearrested, and what impact their release has had on crime. "Although the crime level continues rising to the highest level in history, other factors such as socio-economic factors, do play a role."

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# Controversy mounts over hunger strikers

815  
13/9/91 Own Correspondent (253)

RIGHT-WING hunger strikers Henry Martin and Adrian Maritz were yesterday discharged from hospital four days after abandoning a fast which their supporters maintained almost killed them.

Fellow hunger striker Lood van Schalkwyk complained of illness and was allowed to stay in Pretoria's H F Verwoerd Hospital as Maritz and Martin were taken to Pretoria Central Prison to await bail payment.

According to medical experts, a bona fide hunger striker who had refused food for a lengthy period of time, would need three to four weeks to recover.

Yesterday medical tests conducted on the hunger strikers a week ago revealed that their self-imposed fast had not been life-threatening.

After reviewing the men's medical reports, national director of the National Medical and Dental Association Dr David Green said it was unlikely bona fide hunger strikers would have suffered such minimal damage after a prolonged fast.

He said of the three men, Van Schalkwyk had been in the most life threatening situation due to the stress placed on his heart.

Green said results of medical examinations conducted four days before the hunger strikers suspended their fast indicated that Martin and Maritz were "probably not in a life threatening situation".

Right-wing lawyer Wim Cornelius said yesterday Martin, 50, had fasted for 64 days, Maritz, 43, for 57 days, and Van Schalkwyk, 53, for 50 days.

Green also said the men should have lost more weight during their fast. Martin lost 26,9% of his original weight, Maritz's weight dropped by 27,7%, and Van Schalkwyk's by 30%.

He said the men should have lost between 15% and 20% of their body weight during the first two to three weeks of their fast.

Cornelius said the medical results vindicated his earlier statements about the hunger strikers' conditions and that the men were still in an unsatisfactory state.

All three face charges of murder, attempted murder and malicious damage to property arising from two bomb blasts last year.

## Voters' roll in free election could favour NP, Inkatha

CAPE TOWN — Estimates of voter numbers in a free election in SA show that nearly 40% will come from the Natal/Eastern Cape regions — and their distribution could favour the NP and IFP.

The figures show the NP and ANC have grossly over-estimated the number of voters in the PWV region, whose 3,8-million voters will be less than Natal's 4,3-million.

Rural voters, with 45,9% in the 10 homelands, will have a decisive influence.

The estimates, based on figures for 1990, were provided yesterday by the Development Bank of Southern Africa.

They show SA has

### Political Staff

17 319 120 potential voters, including those in the "independent" homelands.

Their location could boost the IFP in Natal and the NP in the Western Cape.

If the IFP is able to capture majority support in the eastern Transkei/Natal/KwaZulu region, where nearly a quarter of SA's voters live, it would have sizeable representation in Parliament from that region alone.

In the Western Cape, the views of 811 667 coloured voters will be decisive as they will form nearly 60% of the electorate in the region.





# FW Bop response has a hollow ring

WASHINGTON - It is hard to believe President FW de Klerk's reasons for rejecting Mr Nelson Mandela's appeal for the release of political prisoners in Bophuthatswana could have outweighed the consequences his intransigence may hold for South Africa's relations with the United States.

De Klerk has spurned reasoning, diplomacy, humanitarian appeals and warnings of retribution on this issue. The only explanation the world has been offered for his stance is the limp claim that the South African Government has no jurisdiction in Bophuthatswana.

In Washington that sounds about as convincing as a bank manager claiming he has no influence over his clients.

Every mentally competent South African knows, as do most informed Americans, that whether or not Pretoria has jurisdiction over Bophuthatswana, it undoubtedly has all the influence necessary to accomplish what Mandela, President George Bush, the US Senate and many well-disposed people around the world, have asked it to.

On August 1 the US Senate unanimously passed a bipartisan resolution calling on Bush to pursue "through diplomatic channels" the release of remaining political prisoners - specifically those being held in Bophuthatswana.

The resolution required Secretary of State Mr James Baker to submit a report within 90 days to the senate foreign relations committee spelling out what progress had been made.

While the deadline might be extended by a few weeks because of procedural delays in passing the

Sowetan 13/9/91

**FOCUS**

By  
**HUGH ROBERTON**

attendant legislation, there can be no doubt that in the next few weeks the issue will be revived, and that sooner rather than later Baker will be under enormous pressure to declare what he has accomplished "through diplomatic channels".

It is possible, of course, that De Klerk has assumed, rightly in a very limited context, that there is no chance of sanctions being reimposed, the further deduction being that the US Senate's intrusion on the internal affairs of another country can thus be dismissed with impunity.

If this is so, he is naively misguided. The debate on South Africa has reached a turning point in the US. Most eloquently summed up by Congressman Stephen Solarz earlier this year that sanctions were "yesterday's issue" and added

"The real question now is where do we go from here?"

The alternative he put forward, and which is now under active consideration in both houses of Congress, is a massive aid package for South Africa, large enough to finance an "historic turning point" in the country's development.

It requires no imagination to realise there will be no such package if the US Senate's concerns about political prisoners are not addressed.

Furthermore, the Senate is seen to review legislation to greatly increase the US contribution to the IMF.

Sanctions prohibiting IMF loans to South Africa are still in place.

The coming debate would provide an easy opportunity for the painless introduction of tighter restrictions to pre-empt any move by Bush to unilaterally lift the IMF restriction - something he could do under the existing Gramm Amendment.

Some members of the congress have already indicated they are considering such an initiative. They would find this hard to achieve if the South African Government were seen to be co-operating on the issue of political prisoners. Conversely it would be much easier if Pretoria were seen to be tacitly backing Bophuthatswana's authoritarian regime.

The Investor Responsibility Research Centre's latest survey of US business attitudes to investment in South Africa has found that by far the biggest obstacle to new US investment is the web of state and city sanctions that was unaffected by Bush's lifting of federal sanctions two months ago.

Is it beyond De Klerk's imagination, or that of Bophuthatswana's rulers, to visualise how difficult is the task of getting these sanctions undone when an emotive issue like political prisoners is being used over and over again as the prime instrument for maintaining the restrictions?

Why should the Bush administration lift a finger to help South Africa in such circumstances?

Is it beyond their grasp of world events to visualise how retrogres-

sively awful the very words "political prisoner" sound in post-Cold War America, where national energy and attention are being diverted to the building of a new world order, one that is kinder and happier than the old?

The White House has never spelt out what Bush meant when he promised that pressure would be maintained on Pretoria.

But it is widely known that the US embassy in South Africa has actively pursued the concerns of Congress and has on many occasions asked for pressure to be exerted on Bophuthatswana to release its prisoners. And the longstanding US policy of not recognising the "independence" of "homelands" has been reiterated over and over again.

But presumably Washington has been given the same pathetic excuse - that although De Klerk has renounced apartheid in all its mutations, he cannot bring himself to renounce the ideology's most promising progeny.

This is just not good enough. If Mandela and the ANC have some tough lessons to learn about changing perceptions in the US on South Africa and the fact that sanctions are "yesterday's issue", then so do De Klerk and his Cabinet have lessons to learn about where the US goes from here.

Right now the US is tenuously disposed to Solarz's vision, but sweeping up ahead is the monumental task of helping to build democracy and free enterprise on the ruins of the Soviet empire.

Just as Mandela has to learn that foreign investment and foreign aid are scarce and likely to become scarcer, so does De Klerk.



<i>Adres van eiendom</i>	<i>Ligging van eiendom</i>
Milnerlaan 6, Anzac, Brakpan	Erf 208, Brakpan te Anzac
Brodiganlaan 88, Dalview, Brakpan	Erf 900, Brakpan te Dalview
Germainslaan 35, Brakpan	Erf 1978, Brakpan
Hamiltonlaan 163, Brakpan	Erf 2991, Brakpan
Olga Mitchellstraat 5, Anzac, Brakpan	Erf 73, Brakpan te Anzac
Joneslaan 57, Brakpan	Erf 2515, Brakpan
Van der Waltstraat 27, Dalview, Brakpan	Erf 60, Brakpan te Dalview
Gardinerlaan 47, Brakpan	Erf 700, Brakpan
Kingswaylaan 60, Brakpan	Erf 1084, Brakpan
Victorialaan 84 en 84A, Brakpan	Erf 1188, Brakpan
Germainslaan 130, Brakpan	Erf 1736, Brakpan
Lappingweg 12, Brenthurst, Brakpan	Erf 106, Brakpan te Brenthurst
Gardinerlaan 53, Brakpan	Erf 694, Brakpan
Hoewe 222, Witpoort, Brakpan	Hoewe 222, Brakpan te Witpoort
Muirlaan 35, Brakpan	Erf 2260, Brakpan
Bothalaan 7, Brenthurst, Brakpan	Erf 820, Brakpan te Brenthurst
Pittstraat 7, Brenthurst, Brakpan	Erf 635, Brakpan te Brenthurst
Mitchell Crescent 30, Brenthurst, Brakpan	Erf 585, Brakpan te Brenthurst
Boundaryweg 60A en 60B, Brenthurst, Brakpan	Erf 2606, Brakpan te Brenthurst
Wendenlaan 167, Brakpan	Erf 2909, Brakpan
Stoffberglaan 14, Brakpan	Erf 2283, Brakpan
Derbylaan 74, Brakpan	Erf 2035, Brakpan
Northdenelaan 125, Brakpan	Erf 1747, Brakpan
Germainslaan 18, Brakpan	Erf 1848, Brakpan
Gerrit Maritzlaan 104, Dalview, Brakpan	Erf 664, Brakpan te Dalview
Muirlaan 107, Brakpan	Erf 3046, Brakpan
Muirlaan 51, Brakpan	Erf 2244, Brakpan
Hastingslaan 23, Brakpan	Erf 845, Brakpan
Hoylaan 118, Brakpan	Erf 3065, Brakpan

## DEPARTMENT OF CORRECTIONAL SERVICES

No. 2215

253

13 September 1991

### PUBLIC SERVICE BURSARY SCHEME 1992 DEPARTMENT OF CORRECTIONAL SERVICES

- The purpose of the Public Bursary Scheme is to make full-time bursaries available to applicants to attain the following qualifications
  - BA (SW) degree
  - BSc Computer Science/B Com Information Systems
  - MA Clinical Psychology (All registration categories)
- General criteria and requirements:**

The number of bursaries in each field is determined by the requirements of the Department of Correctional Services in regard to trained staff in the various fields trained and by the availability of funds and applicants compete for bursaries on merit
- 2.2 Applicants must—**
  - intend to take up a career in the Department of Correctional Services,
  - be South African citizens,
  - be in possession of at least a Standard 10 Certificate with English and Afrikaans as subjects,
  - successfully complete the studies in which they are engaged by the end of 1991

## DEPARTEMENT VAN KORREKTIEWE DIENSTE

No. 2215

13 September 1991

### STAATSDIENSBEURSSKEMA 1992 DEPARTEMENT VAN KORREKTIEWE DIENSTE

- Die doel van die beursskema is om voltydse beurse aan applikante beskikbaar te stel ter verwydering van die volgende kwalifikasies
  - BA (MW)-graad
  - BSc Rekenaarwetenskap/B Com Inligtingstelsels
  - MA Kliniese Sielkunde (Alle registrasiekategorie)
- Algemene maatstawwe en vereistes:**
  - Die aantal beurse in elke rigting word bepaal deur die Departement van Korrektiewe Dienste se behoefte aan opgeleide personeel in die onderskeie rigtings en die beskikbaarheid van fondse, en applikante ding volgens meriete om beurse mee
- 2.2 Applikante moet—**
  - voornemens wees om 'n loopbaan in die Departement van Korrektiewe Dienste te volg,
  - Suid-Afrikaanse burgers wees,
  - in besit wees van minstens 'n standerd 10-sertifikaat met Afrikaans en Engels as vakke,
  - die studies waarmee hul besig is aan die einde van 1991 met welslae voltooi



3 **The following categories of persons may apply for the bursary scheme:**

- Members of all population groups
- Students at universities who have already completed part of a course
- Persons who obtained the Standard 10 Certificate in 1991 or earlier

4 **Method of application:**

4.1 Applicants must complete a form KVA 95 and at the same time also apply for employment in the Department of Correctional Services at the nearest prison. The application forms are available at all the various prisons.

4.2 **Applicants should include the following documents with their applications:**

- Applications should first pass the required admission requirements/selection requirements at the university and submit proof to this effect, and
- a certified copy of an official statement of symbols obtained in the Standard 10 final examination, if the examination has already been written, or
- a certified copy of an official statement of symbols obtained in Standard 9 final examination where the Standard 10 examination has to be written during 1991, and
- a certified copy of a complete official study record together with symbols or examination marks obtained if they have already completed any post-school examinations

5 **Address.**

Enquiries should be addressed to the Commissioner Correctional Services, Private Bag X136, Pretoria, 0001 "For attention Personnel Privileges", Room 841, Poyntons West Block, Church Street, Telephone (012) 207-0414

6 **Conditions**

6.1 Successful applicants will be required to take the prescribed study courses and major subjects and to obtain the required qualifications within the prescribed minimum duration of the course

6.2 The candidates must be prepared to enter into an agreement with the Department of Correctional Services to serve the Department as counter-performance after the successful completion of their studies for one year in respect of each year during which the bursary was utilized

7 **General and closing date:**

7.1 BA (SW) degree  
BSc Computer Science/B Com Information Systems

- Bursary holders study full-time without salary and receive full salary during the university holidays when they perform duty
- The bursary fees for the above-mentioned qualifications are now R8 000 per year and include class, examination and registration fees
- *Closing date* 30 September 1991

3 **Die volgende kategorie persone kan vir die beursskema aansoek doen:**

- Lede van alle bevolkingsgroepe
- Studente aan universiteite wat reeds 'n gedeelte van 'n kursus voltooi het.
- Persone wat in 1991 of vroeër die standerd 10-sertifikaat verwerf (het)

4 **Metode van aansoek:**

4.1 Belangstellendes moet 'n KVA 95-vorm voltooi en terselfdertyd by die naaste gevangenis om 'n betrekking in die Departement van Korrektiewe Dienste aansoek doen. Die aansoekvorms is by die onderskeie gevangnisse beskikbaar.

4.2 **Applikante moet die volgende dokumente by hul aansoeke insluit:**

- Belangstellendes moet vooraf die nodige toelatingsvereistes/-keuringsvereistes by die universiteit slaag en bewys tot dien effekte voorlê, en
- 'n gewaarmerkte afskrif van amptelike staat van simbole behaal in die standerd 10-eksamen indien die eksamen reeds afgelê is; of
- 'n gewaarmerkte afskrif van 'n amptelike staat van simbole behaal in die standerd 9-eksamen indien gedurende 1991 met standerd 10 besig is, en
- 'n gewaarmerkte afskrif van 'n volledige amptelike studierekord met simbole of eksamenpunte behaal indien hulle reeds naskoolse eksamens afgelê het

5 **Adres:**

Navrae moet gerig word aan die Kommissaris Korrektiewe Dienste, Privaat Sak X136, Pretoria, 0001 "Vir aandag Personeelvoorregte", Kamer 841, Poyntons-Wes-blok, Kerkstraat, Telefoon (012) 207-0414

6 **Voorwaardes:**

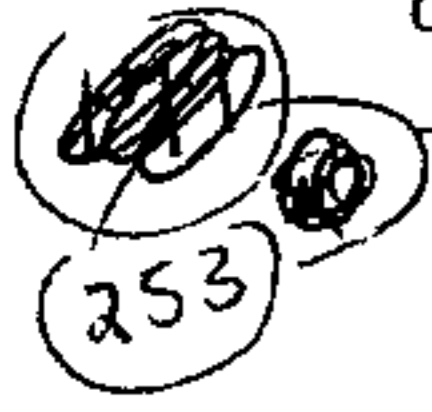
6.1 Daar sal van die suksesvolle aplikante verwag word om die voorgeskrewe studiekursusse en hoofvakke te volg en die vereiste kwalifikasies in die voorgeskrewe minimum duur van die kursus te verwerf

6.2 Die kandidate moet bereid wees om ooreenkomste met die Departement van Korrektiewe Dienste aan te gaan om na die suksesvolle voltooiing van die kursusse teenprestasie te lewer vir een jaar diens ten opsigte van elke jaar waarvoor die beurs toegeken is

7 **Algemeen en sluitingsdatum:**

- 7.1 BA (MW)-graad  
BSc Rekenaarwetenskap/B Com Inligtingstelsels
- Beurshouer studeer voltyds sonder salaris en ontvang gedurende universiteitsvakansies wanneer diens verrig word, volle salaris
  - Die beursgeld ten opsigte van die bovermelde studierigtings beloop tans R8 000 per jaar en sluit klas-, eksamen- en registrasiegelde in
  - *Sluitingsdatum* 30 September 1991

7 2 MA Clinical Psychology (All registration categories)



Bursary holders study full-time with retention of salary and are responsible for their own study expenses

— Closing date 29 November 1991

7 2 MA Kliniese Sielkunde (Alle registrasiekategoriee)

— Beurshouers studeer voltyds met behoud van salaris en is self verantwoordelik vir hul studieuitgawes

— Sluitingsdatum 29 November 1991

No. 2230

13 September 1991

BIEN DONNE CLOSING DOWN OF THE PRISON

It has pleased the Minister of Justice and of Correctional Services to approve that the prison known as Bien Donne Prison, situated on Section S 26 of the farm Bien Donne of the Fruit and Fruit Technology Research Institute, district of Paarl, be closed down with effect from 1 April 1992

No. 2230

13 September 1991

BIEN DONNE SLUITING VAN DIE GEVANGENIS

Dit het die Minister van Justisie en van Korrektiewe Dienste behaag om goedkeuring daaraan te verleen dat die gevangenis bekend as die Bien Donnegevangenis, geleë op Gedeelte S 26 van die Navorsingsinstituut vir Vrugte en Vrugtetegnologie se plaas Bien Donne, distrik Paarl, met ingang van 1 April 1992 gesluit word

DEPARTMENT OF FINANCE

No. 2217

13 September 1991

SOUTH AFRICAN RESERVE BANK ACT, 1989

THE DIMENSIONS OF DESIGNS FOR, AND COMPILATION OF THE R1-COIN

By virtue of the powers vested in me by section 19 (1) (a) of the South African Reserve Bank Act (Act No 90 of 1989), I hereby declare—

- (a) that the R1-coin as set out in section (a) of the Second Schedule to the said Act, and which is being manufactured, and which will be issued by virtue of section 16 (1) of the Said Act, shall be legal tender as from 1 September 1991,
- (b) that the designs of the said coin shall be the design as shown in Schedule A which is attached to this notice, and
- (c) that the specifications of the said coin are as follows

Denomination	Diameter	Tolerance (positive and negative) on diameter
R1-coin	20,00 mm	0,08 mm

B. J. DU PLESSIS,  
Minister of Finance

DEPARTEMENT VAN FINANSIES

No. 2217

13 September 1991

SUID-AFRIKAANSE RESERWEBANKWET, 1989

GROOTTE, ONTWERP EN SAMESTELLING VAN DIE R1-MUNT

Kragtens die bevoegdheid my verleen by artikel 19 (1) (a) van Suid-Afrikaanse Reserwebankwet (Wet No 90 van 1989), verklaar ek hierby—

- (a) dat die R1-munt wat in deel (a) van die Tweede Bylae van bogenoemde Wet uiteengesit word en wat tans vervaardig word en uitgereik sal word kragtens artikel 16 (1) van genoemde Wet, vanaf 1 September 1991 'n wettige betaalmiddel is,
- (b) dat die ontwerp van die gemelde munt dié is soos uiteengesit in Bylae A tot hierdie kennisgewing, en
- (c) dat die deursnee van die gemelde munt soos volg is

Denominasie	Deursnit	Toleransie (positief en negatief) op deursnit
R1-munt	20,00 mm	0,08 mm

B. J. DU PLESSIS,  
Minister van Finansies

SCHEDULE A • BYLAE A



## Two fasters out of hospital — one left behind

The Argus Correspondent

PRETORIA — Mr Henry Martin and Mr Adrian Maritz, two of the awaiting-trial prisoners who were on hunger strike in the H F Verwoerd Hospital, have been discharged and will probably be held in jail until their bail of R5 000 each is paid.

The third prisoner, Dr Lood van Schalkwyk, is still in hospital.

Medical tests on the men showed Mr Martin and Dr van Schalkwyk had suffered "very minor" kidney damage, and Mr Maritz minor liver damage.

The records were released yesterday by the Department of Correctional Services with the men's consent, after medical examinations on September



# APARTHEID BAROMETER

## FOCUS ON BOPHUTHATSWANA

### Political Prisoners

(253)

There are currently 145 political prisoners in various prisons in Bophuthatswana, according to the Mafikeng Anti-Repression Forum (Maref)

Of these, 126 are members of the Bophuthatswana Defence Force, charged with treason for their part in the 1988 coup attempt

Six are members of the now-banned People's Progressive Party who, together with exiled Rocky Malebane-Metsing, led the coup attempt

10 people are from Braklaagte, Leeufontein and Dinokana, who conflicted with Bophuthatswana authorities over incorporation into the homeland

Four are members of Umkhonto weSizwe and one is an operative of the Azanian Liberation Army

### Hunger strikers

(253)

Maref reports that before this week's release of 14 political prisoners, there were 54 prisoners on hunger strike, 52 in the fourth week without food. The other two were entering the third week of their fast. They had all been admitted to hospital. 31 are in Thusong Hospital in Itsoseng and 23 in Bophelong Hospital in Mafikeng. They were demanding their immediate release.

Several claims of harassment have been made against the police, prison warders and hospital authorities. One claim is that 28 hunger strikers were allegedly discharged from Thusong Hospital by a Dr Gautam last week, while still on fast, and sent to Rooigrond Prison. They were returned to hospital two days later.

Seven hunger strikers refused to move when a Dr Rafiz allegedly discharged them from Bophelong Hospital. Three days later, prison warders physically removed them to Rooigrond Prison at gunpoint. They, too, were returned to Bophelong two days later.

*13/9 - 19/9/91  
Maref*

By DREW FORREST

FAR-RIGHT machismo — and the political clout of white extremists — was dealt a damaging blow by the unconditional surrender of three right-wing hunger strikers this week.

The decision by Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk to end their fast and accept the tough bail conditions set by the Transvaal attorney-general would reinforce the widespread impression that the radical right was "bluff and bluster", analysis commented.

It had also torpedoed attempts to whip up support around the strikers, portrayed as political martyrs in the cause of Boerevolk.

The trio's decision followed the suspension of a hunger strike earlier this year by the Afrikaner Weerstandsbeweging's Piet Rudolph and the Ventersdorp debacle, in which three rightists died in an attempt to disrupt a National Party meeting addressed by President FW de Klerk.

Despite denials by their lawyer, Wim Cornélus, there is speculation that the men staved off the worst effects of their fast by surreptitiously taking nutrients. This has been fuelled by press photographs showing them in a far-from-emaciated condition and by the failure, at the time of writing, to release medical reports.

## Hunger strikers' failure

### deflates bloated right wing

WJWaid 13/9/91 - 19/9/91

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The hunt of dishonesty can only raise questions about the political commitment of ultra-right activists. It is also likely to widen the rift between "direct-action" rightists and the "constitutional right" — Conservative Party supporters with a strong moral sense and distaste for extra-legal activism.

Law-abiding CP members make up 80 percent of whites opposed to renegotiated political transition, estimates SA Institute of International Research senior researcher Gary van Staden.

A minor concession by the state was the granting of indemnity on 20 charges, including 10 of attempted murder, to the three strikers. But they still face five charges, including that of murdering computer technician Nicholas James Cruise, killed in a bomb blast in October last year. The trial starts on October 28.

The far right has put a brave face on the trio's climb-down. Orde Boerevolk leader Nic Stry-

dom denied they had lost their battle with the government, while Boerevolk Party chief Robert van Tonder stressed the fasters had brought the "plight of the Boere" to world attention. But there is little doubt that the victor is the state, which gambled successfully that the strikers would shrink from political martyrdom.

University of Cape Town political scientist Andre du Toit said the government approach to the far right had shifted to one of "confrontation on terrain of its own choice".

Its stance on the strikers was also part of a broader strategy in dealings with the African National Congress on the issue of indemnity and amnesty for political offences. "My own view is that the worst possible thing would be a general amnesty in which everyone on both sides gets off scot-free," Du Toit said.

In the wake of the Inkatha funding scandal, analysis also believe the tough stance is aimed

at persuading the international community that the government is serious about curbing militant resistance to change.

Van Staden sees rifts in the ranks of the extreme right, which the strike — and particularly ANC president Nelson Mandela's intervention — may have widened.

The OB's Strydom had significantly suggested that the cause of rightists might be served by contact with the ANC. He believes that decades of white privilege and dependency on a sympathetic state have softened the moral fibre of the extreme right, and that the threat it poses to orderly change has been overstated.

The increasing isolation of right-wing militants, who lacked all international legitimacy and commanded dwindling support at home, may also have sapped morale. But despite the recent setbacks, both Van Staden and Du Toit do not see the far right as a spent force.

Du Toit believes the real watershed will be reached when rightists move to terror tactics in defiance of the state, rather than with the complicity of elements within the state. This happened in a small way at Ventersdorp, but the signs are that right-wing vigilantes there were caught off-guard by the police crackdown.

# Probe into conduct of Boerevolk lawyer

Staff Reporter

AN investigation into Orde Boerevolk defence lawyer Mr Wim Cornelius was launched yesterday by the Law Society of the Transvaal after complaints of alleged "professional misconduct" regarding events around the three hunger strikers.

Mr Cornelius represented the hunger-striking trio of Mr Henry Martin, Mr Adriaan Maritz and Dr Lood van Schalkwyk, who apparently refused food for 63, 56 and 49 days respectively.

A Law Society official said yesterday that investigations were being launched after complaints about professional misconduct relating to the three hunger strikers had been filed.

The official would not be specific over the nature of the complaints or who had filed them.

Mr Cornelius could not be contacted for comment last night.



# Law Society investigates their attorney's conduct

By DE WET POTGIETER

THE Law Society of Transvaal has launched an investigation into the conduct of Pretoria attorney Wim Cornelius, who represented the three right-wing hunger strikers.

The vice-president of the society, Mr Tony Hutchinson, confirmed yesterday that "the wheels had been set into motion" to probe certain actions of Mr Cornelius.

"If any transgression of any rules or regulations of the Law Society has taken place, appropriate steps will be taken against Mr Cornelius," Mr Hutchinson said.

Among the questions raised about Mr Cornelius's conduct were statements on behalf of his clients on several occasions claiming that they were near death.

On August 15, Mr Cornelius stated publicly that the starving trio at that stage

virtually had only "several hours" left to live.

Mr Cornelius also compared the conditions of Henry Martin, Lood van Schalkwyk and Adrian Maritz to Belsen concentration camp victims.

After the first pictures of the "dying" activists were published a week ago, doubts about the seriousness of their condition, as claimed by Mr Cornelius, increased further. Mr Cornelius's claims were publicly challenged by Democratic Party MP Peter Gastrow.

In addition, an official medical report published this week denied that the three men were at any time in danger of dying.

Mr Cornelius, a well-known legal adviser in right-wing circles, was also involved in the much-publicised representation to President FW de Klerk for an indemnity for convicted mass murderer Barend "Wit Wolf" Strydom.

# How the hunger

Sunday Times Reporter

THE three right-wingers who gave up their hunger strike this week prepared for their fast by fattening themselves up for three months, it was revealed yesterday.

And Adrian Maritz, 43, and Henry Martin, 49, yesterday celebrated their release on R5 000 bail on Friday by tucking into a giant breakfast of bacon, four eggs each, scones, croissants, bread rolls, orange juice and tea.

Mrs. Karen Maritz, whose husband Adrian suspended his strike after 56 days on Monday, said that Martin (63 days) and 55-year-old Lood van Schalkwyk (49 days) read books on how to fast while in Pretoria Central Prison to prepare themselves.

They then gorged themselves on high-protein food and increased their body fat by between 10kg and 20kg each before starting their hunger strike.

But Maritz, whose body metabolises food very quickly, was unable put on much excess fat.

"Heather van Schalkwyk and I used to take the men extra food when we visited them in prison, to fatten them up. Most of it was high-protein food, like meat and biltong, and we also took huge quantities of fresh fruit and vegetables," said Mrs Maritz.

However, she is adamant that once the men began their fast, they stuck to it and did not cheat.

## Plot

"They sucked six Strep-sil lozenges a day each, to keep their throats from drying out, and these do contain a small amount of glucose, but took no other nourishment except water," said Mrs Maritz.

The literature they studied to prepare for their fast was supplied by Mrs Wendy Brown, widow of right-wing publisher Mr S E D Brown, and included books such as *Fasting, the Ultimate Diet*, by Dr Allan Cott, *Fasting Can Save Your Life* by Herbert M. Shelton, *The Fast Way To Health and Vigor* by Dr Harold R Brown and *Rational Fasting* by Arnold Ehret.

Mrs Brown and Mrs Maritz said that for the most part, Martin and Van Schalkwyk had lost no more than their excess body fat during the fast.

However, they said Maritz, unable to fatten himself up sufficiently, showed the most rapid physical deterioration.

According to medical reports issued by the

# strikers pulled a fast one

STimes 15/9/91

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## THE SUNDAY TIMES LEADS, THE OTHERS FOLLOW

**How critical? If their lawyer was right, Henry Martin and Adrian Maritz should already be dead**

Department of Correctional Services on Thursday, Maritz was 56kg at the time of an examination by doctors on September 6, having lost 22kg.

Martin, who weighed 109,5kg when he started his fast, dropped to 80kg after 60 days.

On day 23 of his hunger strike, he played table tennis with a prison warden.

Van Schalkwyk went from 100kg to 70kg in 46

days. A friend of Martin's, Mr Johan Slabber, told yesterday how two black nurses had tried to encourage him to take glucose.

Mr Slabber said Martin resisted their efforts.

None of the men suffered serious or permanent damage to any vital organs, according to the medical report, and they were never in mortal danger, despite frequent public

statements by their lawyer, Mr Wim Cornelius, which said they were "at death's door".

The fast was part of a well-orchestrated plot to blackmail the government into a more lenient approach to right-wingers in custody, sources close to the hunger strikers said.

The campaign was launched on June 24 by Corrie Lottering, one of nine right-wingers held in

While others were reporting the fictions, the Sunday Times was chasing the facts and raising the questions.

prisons in Pretoria and Johannesburg.

He and Fanie Goosen, who started fasting on July 1, gave up their hunger strike on July 13 after being admitted to the Johannesburg Hospital.

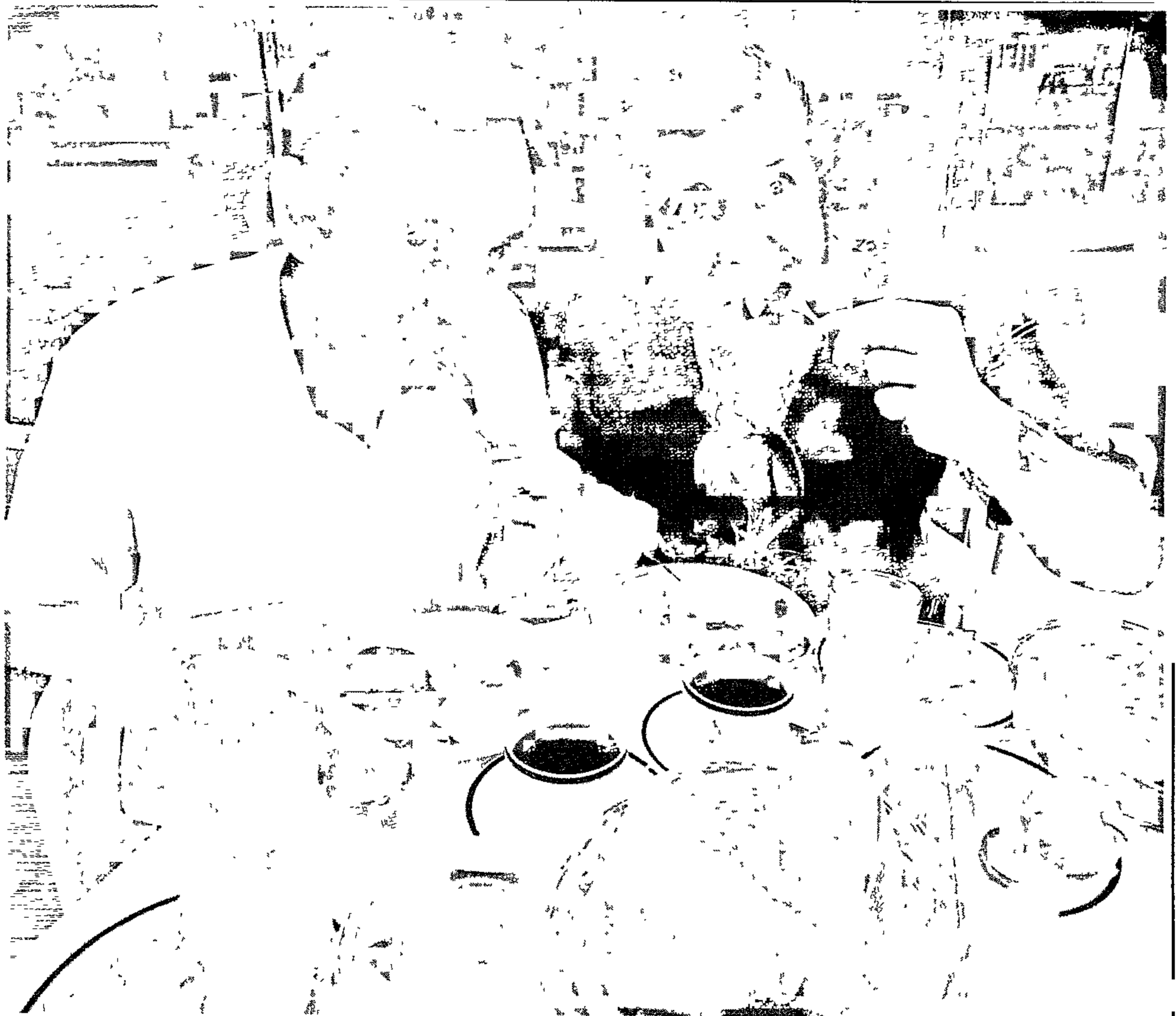
They were followed by Leonard Veenendaal — on hunger strike from July 1 to August 1 — German national Horst Klenz, who fasted from July 8 to August 1, Daryl Stopforth (July 15 to August 1), convicted mass killer Barend Hendrik Strydom (July 15 to August 1), Martin (July 8 to September 9), Maritz (July 15 to September 9) and Van Schalkwyk (July 22 to September 9).

## Indemnity

The primary purpose of the campaign was to force the State to give the right-wingers less-stringent bail conditions and to draw attention to their demands for political indemnity.

Strydom — serving a life sentence after his death sentence for the murder of eight blacks on Pretoria's Strydom Square was commuted — wanted to focus attention on his application for indemnity, according to right-wing sources.

A medical expert said on Friday that carbo-loading before a hunger strike could carry a healthy person for several weeks.



**GOOD, GLORIOUS FOOD ... Adrian Maritz and Henry Martin tuck into a huge breakfast**

**Picture: PIERRE OOSTHUYSEN**



The Human Rights Commission focuses on what constitutes a political offence

# Is defence of apartheid defensible?

THE HRC has long held the view that a political prisoner in the South African context is one who finds himself or herself in prison as a direct result of involvement in resistance to the system of apartheid.

This simple definition is not in conflict with the criteria agreed on by the ANC and the Government in Pretoria on August 6 1990 and would, for example, exclude anyone who acted in his own self-interest rather than promoting the cause of the demise of apartheid. It would not exclude, as the Pretoria Minute does not, the element of violence in any act of resistance. So the issue is clear, even if the Government has chosen to fudge it, and continues to act in an inconsistent manner. Leaving that aside for the mo-

ment, we need to address a related but, in fact, totally separate issue. The issue is simply whether acts committed in support of, or in furtherance of, the system of apartheid should also be regarded as political offences, and their perpetrators be given the same consideration and treatment as anti-apartheid "offenders".

Here, again, the simple HRC definition is clear, since it is based on the universally held perception that apartheid is a crime against humanity and has indeed been declared as such. Acts in support of apartheid cannot be seen in the same light as those in resistance to apartheid.

Acts of support for apartheid take us into the realm not only of right-wing terrorism, so much in focus recently, but also of hit-

squad assassinations, security police torture and many other crimes committed in defence of apartheid power. To grant pardon or indemnity for such crimes falls outside the moral or even legal right of the existing Government, and for two reasons in particular.

The one is that this Government and its progenitors bear direct responsibility for creating the system that engineered or encouraged these crimes. The other is that this Government has thus far shown no sign of remorse, accepted no moral responsibility, for the devastating consequences of apartheid and the crimes committed in its name. "An experiment that has failed", as far as it is prepared to go. How then can it make judg-

ments on the culpability of individuals, who in a sense were also the victims of apartheid, writing or unwitting tools of a system rooted in apartheid power?

Such judgments can only fall to some future government which has no interest in maintaining apartheid power, or at the very least to an interim government which enjoys legitimacy independent of apartheid power — but there is now increasing urgency about the necessity to take decisions of this kind.

Lest the above remarks be misconstrued, the HRC hastens to say that it will be in the forefront of those who support a climate of reconciliation, a putting behind of the past in order to get on with the task of building a new and democratic South Africa. □

## Hunger striker goes home <sup>(253)</sup>

PRETORIA — The awaiting-trial right-winger and former hunger-striker Mr Lood van Schalkwyk was released from Pretoria Central Prison yesterday after paying R5 000 bail.

The other two right-wingers who were on a hunger strike paid their bail of R5 000 each on Friday **ARG 17/9/91**

The three will appear in the Supreme Court here on October 28 on a charge of murder, two of attempted murder and two of malicious damage to property — Sapa

Star 17/9/91

## Security Act arrest for demo

Golden Miles Bhudu, the ex-convict who recently staged one-man protests against the deaths of six prisoners at Barberton Prison, has been detained under the Internal Security Act. (253)

Mr. Bhudu (28), who recently protested in front of the Rand Supreme Court and the ANC head office in solidarity with

the six who died during a prison revolt, was arrested in Nigel while protesting outside the magistrate's court last week

A Lawyers for Human Rights spokesman said Mr. Bhudu was the first person to be detained under the Act since the Government's recent reform of security legislation — Political Staff.



# I broke no rules — lawyer

By Helen Grange

Star 17/9/91

The lawyer for the three Orde Boerevolk former hunger strikers is confident he has broken no professional or ethical rule — and has stuck by earlier comments that his clients had been “on the verge of death”

But asked whether he would continue representing the three in their trial, Wim Cornelius said “Yes, well, we will see”

Mr Cornelius is to be investigated by the Law Society of the Transvaal for his statements on behalf of his clients on several occasions that they were near death

Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk stopped their fast a week ago

The strike has been widely criticised as a media ploy, claims have been made that the

men did, in fact, take nutrients and medical experts have maintained the strikers should have been in a far worse condition (when they stopped fasting) if they had had no nutrition for so long

“I am tabling all my documents and notes before the Law Society and I believe I acted professionally and ethically at all times. In fact, I approached the Law Society before to ask how I should handle the media,” said Mr Cornelius

● Dr van Schalkwyk was released from Pretoria Central Prison yesterday after paying bail of R5 000, reports Sapa. Mr Martin and Mr Maritz paid bail of R5 000 each on Friday

The men will appear in the Pretoria Supreme Court on October 28

## My clients were at death's door, insists lawyer <sup>253</sup>

The Argus Correspondent <sup>253</sup>

APR 17 1991  
PRETORIA — The lawyer representing three Orde Boerevolk "hunger-strikers", Mr Wim Cornelius, is confident he has broken no professional or ethical rule — and has stuck by his earlier comments that his clients were "on the verge of death"

Mr Cornelius is to be investigated by the Law Society of the Transvaal for his statements on behalf of his clients on several occasions claiming they were near death. The investigation begins tomorrow, Mr Cornelius said.

Henry Martin, Adrian Maritz and Lood van Schalkwyk stopped their fast a week ago and were pictured eating heartily in a Sunday newspaper over the weekend.

The strike has been widely criticised as a media ploy and claims have been made that the men did take nutrients

Medical reports showed minor damage had been caused to vital organs — but medical experts have maintained the strikers should have been in a far worse condition if they were receiving no nutrition for so long

However, Mr Cornelius hit back at the media yesterday, saying he had no fear concerning his future as a lawyer

"I am tabling all my documents and notes before the Law Society and I believe I acted professionally and ethically at all times. In fact, I approached the Law Society before to ask how I should handle the media explosion over the hunger-strikers"

## Rockman 'being held'

PORT ELIZABETH — Former police lieutenant Gregory Rockman has been arrested and is being held in Port Elizabeth's North End jail, according to a spokesman for the Police and Prisons Civil Rights Union, of which Mr Rockman is president.

A lawyer acting for Mr Rockman said the arrest, on Monday, was for contempt of court related to civil debt claims against his client. Mr Rockman's sequestration would be sought this week.



# Detained protester goes on hunger strike

Star 2/19/91.

**BRENDAN TEMPLETON**

GOLDEN Miles Bhudu took one step too far when he prepared posters for a protest in his community recently — Nigel police declared him a danger to the state and detained him under the Internal Security Act (ISA).

Now the somewhat charismatic activist has embarked on a hunger strike, demanding he either be freed or charged

His "absurd" detention showed how arbitrary the powers of the police were under the ISA, director of Lawyers for Human Rights (LHR) Brian Currin said this week

When approached for comment, a police

spokesman said the police did not give reasons for detentions to the press.

Mr Currin said "The provisions of Section 50 are so broad that one can in fact detain anyone for any action at all"

Mr Bhudu, an ex-convict, rose to fame after the recent prison riots when he held a one-man demonstration symbolically bound in chains outside the Pretoria and Rand Supreme Courts

The former medical technician formed the South African Prisoners

Organisation for Human Rights and once said he would dedicate himself to changing conditions in prison through protest

But he had reckoned without the Nigel police

Mr Bhudu decided to branch his knack for protesting into other areas and was arrested at a march protesting against conditions facing local squatters

He was released last Thursday after the LHR intervened, but found himself detained only hours later, his legal representative, Siphso Nkosi, said

Local youths had approached him to draw up posters slating people

who had not heeded a stayaway call in the Alra Park township

Unable to resist, he drew up the posters and distributed them at a roadblock at the main road leading into the township, Mr Nkosi said

Mr Bhudu was detained by two policemen on his way home, while still carrying one of his posters

Mr Currin said "Mr Bhudu's detention should be a lesson to those who are in a state of euphoria over amendments to the ISA and claims that the Government has changed it in line with the new South Africa it wishes to establish"

CA

OWNSHIP

## Suspects shot in escape bid

DURBAN — Terrified court orderlies dived for cover as police shot at 11 escaping prisoners during a dramatic chase through the corridors of the Durban Magistrate's Court yesterday (253)

Three of the men were shot and injured during the bungled escape which left a trail of blood on the building's floors.

One managed to elude police during the pursuit which started at the top of the 12-storey building and ended on the ground floor

Shocked court orderly Constable Vusi Magudu-

lela was overpowered while taking the men to the cells when the court recessed for tea

The prisoners then dashed through an empty courtroom to the public stairs *Star 21/9/91*

Several orderlies gave chase and a policeman fired several shots at the fleeing men, hitting two in the legs.

Another was shot as he emerged into the building's parking lot.

All entrances were sealed as police combed the building

Vehicle theft suspect Mr Siphon Nxele (39) is still at large

# Case studies show Govt inconsistency, claim lawyers

Sept 23/9/91

253 By ESMARE VAN DER MERWE

**L**UCKY Dilizintaba Nomganga was sentenced to death for having whistled, a gesture the court believed triggered off a clash between mineworkers and mine security officers.

Priscilla Mkonza was sent to jail for 10 years for a murder in a Soweto shebeen although she was not present at the killing.

Lawyers believe these two political prisoners convicted under the common purpose doctrine illustrate the inconsistent manner in which releases and pardons are handled.

The Human Rights Commission notes that it is difficult to give examples of people whom it believes should be freed because the consolidated list of "political" prisoners gives few details of the relevant offences.

Only a closer look at the cases provides details which, lawyers believe, should be grounds for the granting of indemnity, pardon or release.

● Lucky Dilizintaba Nomganga was convicted of murder under the common purpose doctrine in June 1988 for his role in a clash between a large crowd of mineworkers and security officials at Western Holding Gold Mine in Welkom in June 1987.

His motivation for indemnity included an argument that labour disputes were inseparably linked to the political struggle and that he had had no personal motive for his actions.

● Priscilla Mkonza was found guilty on charges of murder and sentenced to 10 years in jail under the common purpose principle in November 1988.

She was charged as the co-accused of MK soldier Oupa Alex Seheri, who was sentenced to death for killing two people in a Soweto shebeen in 1988.

Her lawyers submitted that she had not been present at the crime and had merely pointed out the house to Seheri.

Her case was referred to the indemnity committee some four months ago, but no response has been received. Her motivation was that she had acted to further the aims of the ANC. □



# Lawyers plan talking to court on indemnities

The Argus Correspondent

**JOHANNESBURG** — Two Johannesburg attorneys are preparing to take President De Klerk to court to challenge his refusal to grant indemnity to their clients in terms of the ANC/government agreement on political offenders

They hope to penetrate the close secrecy that surrounds the indemnity procedure and to discover the reasoning behind seemingly contradictory decisions

The planned action contrasts sharply with the position of the Minister of Correctional Services, Mr Adriaan Vlok, who reiterated on Friday that all political prisoners who quali-

fied for release in terms of "the accepted guidelines" had been set free

According to official figures, 215 applications for amnesty have been refused to date out of 9 284 applications received — many from people in exile — of which more than 84 per cent have been processed

A Ministry of Justice spokesman, Mr Nic Grobler, said "it should be noted that the nature and seriousness of the offence is always taken into account" even where applicants fell within a category generally eligible for indemnity.

"For example, indemnity is only granted for attempted murder if a dangerous wound was not inflicted," he said

Lawyers are outspokenly critical about the secrecy that

surrounds the indemnity process. They say:

● The fact that the State President is not obliged to give reasons for refusing indemnity contributes to confusion.

● They have no way of knowing whether their representations to a judge of the indemnity committee failed or whether they managed to convince the judge, whose recommendation was rejected by the State President

This and the failure of the State President to supply reasons makes it impossible to build up a body of quasi-legal precedent; and,

● Lawyers do not know what other information concerning their clients is submitted either to the indemnity committee or the State President and they

therefore have no way of counter-arguing it

Mr Grobler said the granting of indemnity was not a judicial process, but an executive function vested solely in the State President

Since indemnity committees only advised in this process, "it is difficult to understand how the fact that a committee has recommended indemnity or not could assist an attorney in building up precedent"

## Police wife murdered

**JOHANNESBURG** — Mrs Jane Bellingan, 35, wife of Captain Michael Bellingan of Sandton police, was found dead in her home at the weekend

She had a wound on the back of her head — Sapa

# 'Mafia-style murder for money' — gun-running

The Argus Correspondent

**JOHANNESBURG** — Mafia-style warlords are exploiting political violence in the townships and making money out of the business of killing, according to Mr Graeme Simpson, acting-director of the Project for the Study of Violence

"You pay for weapons, you pay for assassinations and you have to pay for your safety," He said that previous at-

tempts at defining the alleged "Third Force" in the incidents of violence had been somewhat simplistic

Scant attention had been paid to the group of people who not only had a political interest in disrupting the peace process, but a material interest too

The SAP's Brigadier Leon Mellet said the police had no information about warlords as such, but that intimidation with

no real political motives was prevalent

"It's true that people are using the violence and ethnic differences for financial gain — for example, through smuggling weapons," he said.

Mafia-style protection rackets did exist and people were deliberately intimidated to make them toe the line.

Mr Simpson said the prevailing climate of political violence and intolerance, plus the

unshackling of organisations which were previously oppressed, had created the space for a criminal element

In the context of this climate of violence, the economic recession and the high rate of unemployment, there was a fine line between political and criminal violence

"What started off as having a political motive spirals, and the perpetrators of the violence turn into hired killers," he said

## ANC military wing will be SA army — Winnie

**TZANEEN** — The ANC military wing Umkhonto we Sizwe will be the future army of a democratic South Africa

Mrs Winnie Mandela, who heads the ANC's welfare department, said this yesterday to 10 000 people while addressing an ANC Women's League rally at Nkomo-Nkomo stadium near Tzaneen

Mrs Mandela said that Umkhonto we Sizwe would not be disbanded now or in the future even though the ANC signed the National Peace Accord with Inkatha Freedom Party and the National Party

"We will continue to recruit for Umkhonto now more than before," she told a cheering crowd

Mrs Mandela said the ANC was committed to the National Peace Accord because it was the only way "to save the lives of our people", adding that the signing of the accord was not a sign of weakness on the part of the ANC

She accused President De Klerk of dishonesty, saying he entered into negotiations with the ANC while in a clandestine way financing Inkatha.

Mrs Mandela said the ANC would look seriously into the question of defending its members in spite of the signing of the peace accord.

"The type of arms we will use for defence will depend on the type of enemy," she said — Sapa

## Bop faster in intensive care, brain damage feared

Star 23/9/91.  
A Bophuthatswana prisoner who has been on a hunger strike for more than 30 days is in intensive care, two days after he reportedly showed signs of brain damage, a hospital official said yesterday.

The prisoner, Johannes Simelane, is receiving urgent treatment in the Bopelong Hospital, where he was transferred on Saturday, a move sharply criticised by the Mafikeng Anti-Repression Forum, which is at odds with the homeland government.

"We are really concerned that he is being moved around unnecessarily. He should have been taken to an intensive care facility but the facilities at Bopelong Hospital are no

better than at Thusong," said Maref leader Paul Daphne.

The Human Rights Commission said Simelane was showing signs of brain damage on Friday and had lost his speech. Mr Daphne said he was still unable to speak on Saturday.

A staff nurse at Bopelong confirmed Simelane had been moved to the hospital, but said she had no right to divulge information on his condition.

Simelane is one of about 147 prisoners claiming political status and requesting to be freed in terms of amnesty arrangements agreed to by the ANC and the Government.

Nineteen others were released recently — Sapa.



... most of these were  
... race sponsorship agreement

### NEWS IN BRIEF

*B10 on 24/9/91*  
**Farmer fined for torching boy**

A FARMER who set a 15-year-old boy alight was sentenced yesterday to R5 000 or two years' imprisonment after being convicted of attempted murder in the Louis Trichardt Regional Court.

John van der Westhuizen was also sentenced to a further five years in jail, suspended for five years on condition that he paid the boy R40 000 in three instalments for physical damages.

The case was a sequel to the events of December 8 last year when Van der Westhuizen assaulted and set the boy on fire at his Hayoma farm near Messina.

The boy told the court earlier the farmer took an iron, fitted it around his wrist and welded it to a table. He then poured petrol over the boy and set him alight. He was saved by a labourer who doused the flames.

*B12 on 24/9/91*  
**CP secretary jailed for 14 days**

CP CHIEF secretary Andries Beyers was yesterday sentenced to 14 days in prison by the Pretoria Supreme Court for refusing to identify a source who claimed the National Intelligence Service had kidnapped a key witness in the Winnie Mandela kidnap and assault trial. Beyers had appealed against the sentence imposed in March by a Pretoria magistrate.

The court dismissed Beyers' appeal against his conviction and sentence, saying reasons he gave for refusing to identify his source were not valid. Beyers claimed he could not identify the source because he feared identification could harm future sources of information. He also feared for the life of his source.

*B10 on 24/9/91*  
**Warrant for Hani withdrawn**

A WARRANT for the arrest of Umkhonto we Sizwe chief of staff Chris Hani was withdrawn in the Cape Town Magistrate's Court yesterday after he made a brief appearance.

Hani and 19 other ANC members were arrested in connection with an alleged illegal gathering near Parliament on May 23. Eight of the accused have failed to appear and warrants for their arrest are still effective. The matter was postponed to December 2.

RT.  
R.  
EAM 5198/13/E

REPORTS Sapa



ADRIAAN VLOK

# Vlok in hot water over McBride

By THEMBA MOLEFE  
Political Staff

THE new Minister of Correctional Services, Mr Adriaan Vlok, yesterday drew severe criticism over statements he has made about the status of convicted MK member Robert McBride

The ANC said it found Vlok's remarks - that Robert McBride was not a political prisoner and did not qualify for pardon - which he made at a Press conference last week, as "extremely unhelpful"

Lawyers for Human Rights, who are McBride's legal representatives, said the group noted with surprise the statement that their client was not a political prisoner

## Political prisoners

LHR also charged that, contrary to Vlok's remarks, discussions with the Minister of Justice had shown him to be "both sensitive and open on the issue of the release of political prisoners"

In a statement the ANC said "Robert McBride is in prison as a result of his activities on behalf of Umkhonto we Sizwe. At all times, without exception, he carried out the instructions of his military commanders in the ANC"

Vlok's statement also appears to have fuelled the debate on who is actually a "political" prisoner"

LHR went further "As a Minister of Correctional Services we believe that his task is to see to the proper running of the prisons under his control and he would do well at this stage to pay proper attention to this troubled portfolio"

*Sowetan 24/9/91*

253

# 'No early release' <sup>(253)</sup> for killers <sup>CT 26/9/91</sup>

Own Correspondent

DURBAN — The government is not going to consider early release for prisoners such as Robert McBride and Barend Strydom because, having killed "in cold blood", they did not qualify as "political prisoners", a senior Correctional Services Department source has indicated.

The ANC has warned that the continued incarceration of prisoners such as bomber Robert McBride were "a fundamental obstacle to negotiations".

# Life in jail for corrupt — the big and small fry

**The Argus Correspondent**  
**PRETORIA.** — Life in jail could be the penalty for those guilty of corruption in any position of power if a new Bill is passed by parliament next year.

The Corruption Bill, published in Cape Town last week and adopting resolutions made by the SA Law Commission, makes it an offence for any person in any position of power to accept remuneration of any kind in exchange for favours which exceed or neglect the mandate of their power.

And it makes it an offence for anybody to give or offer re-

muneration in exchange for committing or omitting an act constituting irregularity or neglect of duty.

The wording of the Bill covers a wide spectrum — from ordinary employees to top-level politicians — and has left the penalty for such crimes in the hands of the judge. Only the death penalty does not apply.

The new Bill has served to cast the net wider in combating corruption — as the present corruption laws stipulate that only an official of the State can be prosecuted for bribery.

The Bill also affects offenders who may be based outside

the country but are working for any institution or any government body in the country.

This would cover a situation, say, where a South African agent was bribed in a foreign country to commit an unlawful act locally.

Chamber of Business (Sacob) legal manager Mr Ken Warren said the Bill was framed "in very wide and somewhat vague terms" and needed to be tightened up and clarified.

If the Bill were to be applied in its present form it would make a criminal of a businessman who took a client to lunch. He also expressed concern about the stiff prison sentences

"While the business community is concerned at the seemingly high incidence of corruption, we would urge that the penal provisions be looked at with great circumspection, because one does not want an overkill," Mr Warren said.

Afrikaanse Handelinstuut executive director Mr J Poolman said the Bill was a sad reflection on South Africa if "legislation as strict as this one" was required.

The Bill was a result of the situation which had prevailed over the years and was therefore welcomed.

The tough sentences would be a deterrent.



# Pollsmoor warders

South 26/9-2/10/91.

# assault list grows

By Henry Ludski (253)

ALARMING claims of prison violence by warders at Pollsmoor prison are emerging. A charge of murder against a prison warder and the inquest next week into the death of a 21-year-old woman prisoner are among a number of cases which have

placed the treatment of prisoners at Pollsmoor prison under scrutiny

This week the Cape Attorney General, Mr Neil Rossouw, confirmed that Pollsmoor warder Sergeant Jan Etzebeth would be prosecuted for the alleged murder of a prisoner, John Delo.

Delo died last April after he was allegedly beaten with batons, trampled and thrown down a flight of stairs.

Etzebeth is due to appear in the Wynberg Regional Court on October 24.

The inquest next week of Carol Meyers, who died after being held in a strait-jacket for 22 hours, will also examine whether warders could be held responsible for her death.

Wynberg prosecutor Mrs Janet Greef said 21 witnesses — including prison officials and doctors — would be

called to give evidence at the inquest which will run from September 30 to October 9.

Meyers, who was rushed to hospital in a state of shock, died in Groen Schuur Hospital on July 2, 1989. It took police two years to investigate her death.

Earlier this year, two Pollsmoor warders were convicted in the Wynberg Magistrate's Court for an assault on a prisoner and sentenced to a R2 000 fine or six months imprisonment.

## Recaptured

Prison authorities are also reported to be investigating a claim that a Pollsmoor prisoner was sodomised by a warder.

In another incident, warders allegedly assaulted a prisoner, Mzandiso Sinto, when he was recaptured after an escape attempt a few weeks ago.

The assault on Sinto was witnessed by members of the Police and Prisoners' Civil Rights Union (Popcru) who reported the matter to prison authorities.

The investigations into the deaths of both Delo and Meyers have been subject to "inordinate" delays which were criticised by lawyers and Popcru.

The deaths and assaults on prisoners at Pollsmoor have led to Popcru this week demanding an inquiry into the general treatment of prisoners, their working conditions and methods of discipline.

## Responsible

Department of Correctional Services spokesperson Major Dennis Smith said on Wednesday that the prisoners were entrusted to its care and were treated in a responsible and professional manner.

He said the department viewed every complaint of alleged assault, no matter how petty, in a very serious light.

"If this complaint is substantiated, suitable action is taken in terms of prison regulations in the case of minor assaults, while all other assaults are reported to the SA Police.

"The cases mentioned were handled in accordance with this policy and the necessary legal actions were taken and are presently in different stages of progress," Smith said.

He said that the sodomy allegation was investigated, but could "not be substantiated".

*'I'm in solitary confinement But I've been through this type of life for 14 years, and I won't be deterred now'*

As the last of Robben Island's political prisoners and one who has refused to accept conditional

release, **Litha Mlahleki**, pictured right inside **253** Pollsmoor prison feels

betrayed  
South 26/9-2/10/91.

**F**OUR MONTHS AGO Litha Timothy Mlahleki was a political prisoner on Robben Island, patiently serving his sentence, studying dress making, and expecting to be released any day

Today Litha Mlahleki is still a political prisoner — South Africa's longest serving after chalking up his 14th year in captivity

In the intervening period he has been moved from Robben Island to Pollsmoor prison on the mainland, where the conditions are far worse for the last man to go free

On the Island, Mlahleki endured imprisonment with 350 plus other political prisoners. In Pollsmoor, he is all alone, held in virtual solitary confinement since two AZAPO members were released in August. He occupies a single cell formerly shared by ANC stalwarts Raymond Mhlaba and Andrew Mlangeni

In Pollsmoor, he is the only prisoner — political or otherwise — held in his own separate section, which is designed to accommodate 60 prisoners in 25 single and group cells. Although there are more than 3 000 prisoners in Pollsmoor, Mlahleki might as well be alone.

He cannot exercise with other prisoners, eat with them or communicate with them

The only people he sees are the two prison warders who guard the entrance to Pollsmoor's B4. His visit quota has been drastically reduced from 30 to five visits a month and he is seldom allowed to use the public phone. Even the lights in the prison hallways are all turned off

From the outside, Medium B section of Pollsmoor resembles a single-storey rectangular box the length of three football fields. Windows are covered by other boxes

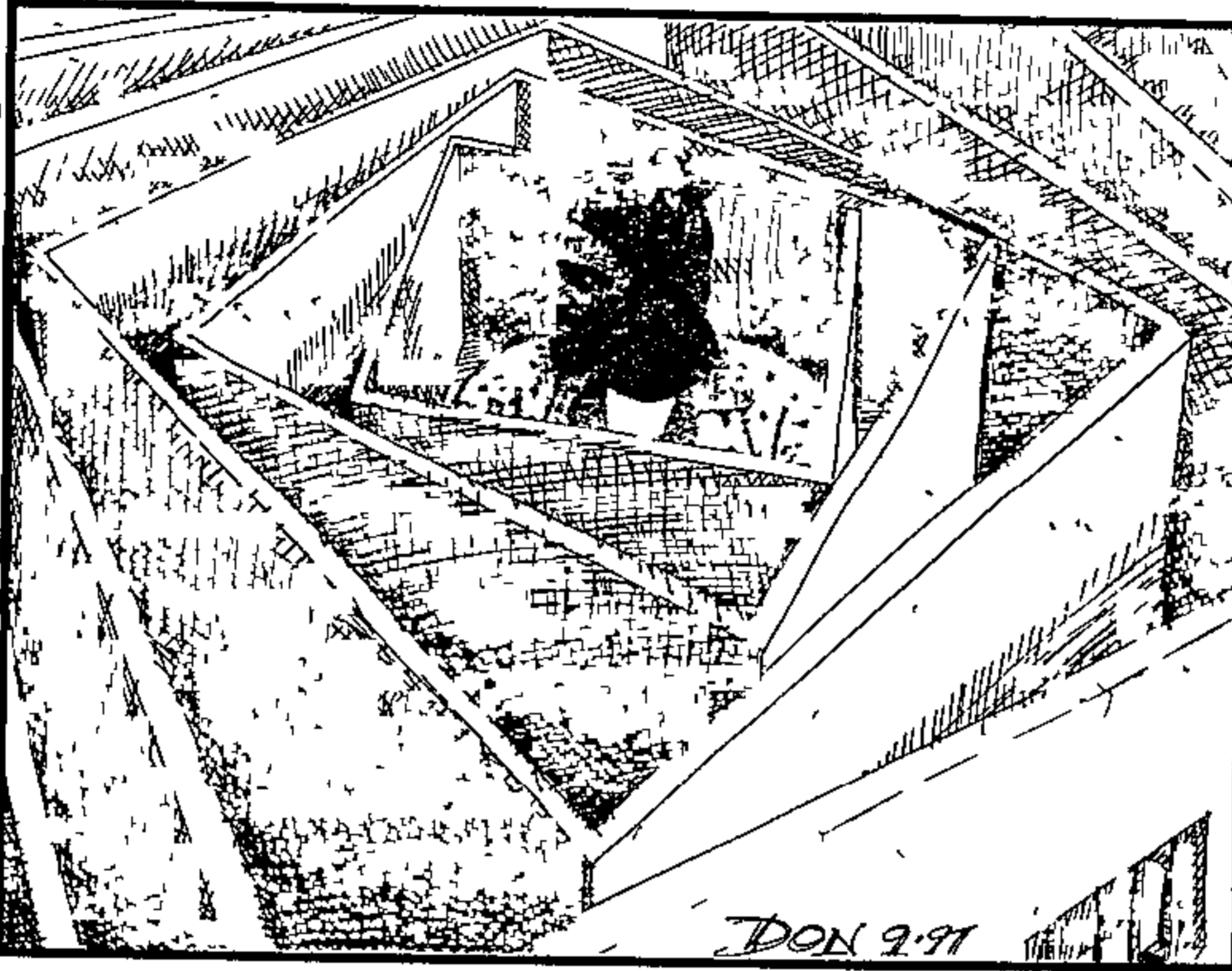
At the very end of this section is B4 where Mlahleki lives. The door is heavy reinforced metal. Ring the bell and the sound echoes. Walk inside a dimly lit windowless waiting room and then into a corridor of cells. Boxes after boxes after boxes. Empty boxes. Turn the corner and there are more boxes. It is here, a box within a box, that Mlahleki is being caged in

"There is nothing that is enjoyable when you are all alone," says Mlahleki, who was detained three times in the late 1970s. "I'm in solitary confinement. It's miserable and boring"

"There is no pleasure here. But I've been through this type of life for 14 years, and I won't be deterred now"

The irony of Mlahleki's situation is that he could have been released sev-

# LIVING IN A BOX



From the outside, Medium B section of Pollsmoor resembles a single-storey rectangular box the length of three football fields. At the very end of this section is B4 where Mlahleki lives. Walk inside a dimly lit windowless waiting-room and then into a corridor of cells. Boxes after boxes after boxes. Empty boxes. Turn the corner and there are more boxes. It is here, a box within a box, that Mlahleki is being caged in

## The last Robben Islander

eral months ago, although there were some strings attached. Prison authorities wanted him to apply for indemnity. Mlahleki refused. They also wanted him to accept parole. Again, he refused.

"I was approached by the government to accept conditional release, and leave other political prisoners behind. I refused. Instead, these people accepted conditional release and left me behind."

**H**OW DOES IT FEEL to be the last of Robben Island's 359 political prisoners still behind bars? "I feel that I have been betrayed. Everybody — all organisations — have been calling for the release of all political prisoners unconditionally. All not piecemeal."

"So when comrades accepted conditional release, they have compromised the prisoners left behind. The first of Robben Island's last 359 political prisoners were released on February 14, 1990, a few days after the government announced that all political prisoners, including Nelson Mandela, would be freed."

What appeared to be an imminent amnesty turned into a 19 month stop-and-start process characterised by heightened expectations, headline-grabbing group releases, and little clarity on when all would walk free.

Some political prisoners were released after serving two thirds of their sentence, or what the government calls "administrative release."

Others applied for indemnity and

were released prior to the April 30 deadline in the Pretoria Minute. But after April 30, the government adopted a helter-skelter approach to releases.

In May, after a 25-day hunger strike, the government unexpectedly released more than 25 political prisoners whose indemnities had been refused. At the same time, they cleared Robben Island of all its political prisoners and transferred the few left to Pollsmoor.

In July, the government released nine PAC members who said they adhered to the principles of that organisation and who committed themselves to a constituent assembly. None of them signed any indemnity form.

And then, shortly before the ANC conference, the government released the last five ANC political prisoners who were held on Robben Island. They were offered parole on condition that the organisation offered them jobs and houses. After signing parole forms, they were released the very next day.

Finally, in August, the government released two AZAPO members who had also refused to sign indemnity forms. One was released unconditionally after 14 years, and the other came out on parole.

And then there was only one Robben Islander, Litha Mlahleki, still behind bars.

One other ex-Islander, Johnson Lubisi, who was convicted in 1980 and who technically has not been released yet, is being held unguarded at a Cape Town psychiatric hospital.

Looking back over the last 19 months Mlahleki is critical of the

manner in which Pretoria released more than 1 000 political prisoners in drabs and drabs. At the same time, he criticises his fellow inmates for being seduced by the prospects of release at the expense of other prisoners.

"If we prisoners were not always thinking of ourselves and our own release, and thought more about all of us as a collective, then Phyllis Fanie would not be here in Pollsmoor, political prisoners on Death Row would not be there, and I would not be here. We should have gone out together."

"But by emptying Robben Island, they have helped the South African government gain credibility."

"If we are prepared to sacrifice, do we really show it? We did not show it to make our cause victorious. We actually weakened our cause by what

we are doing."

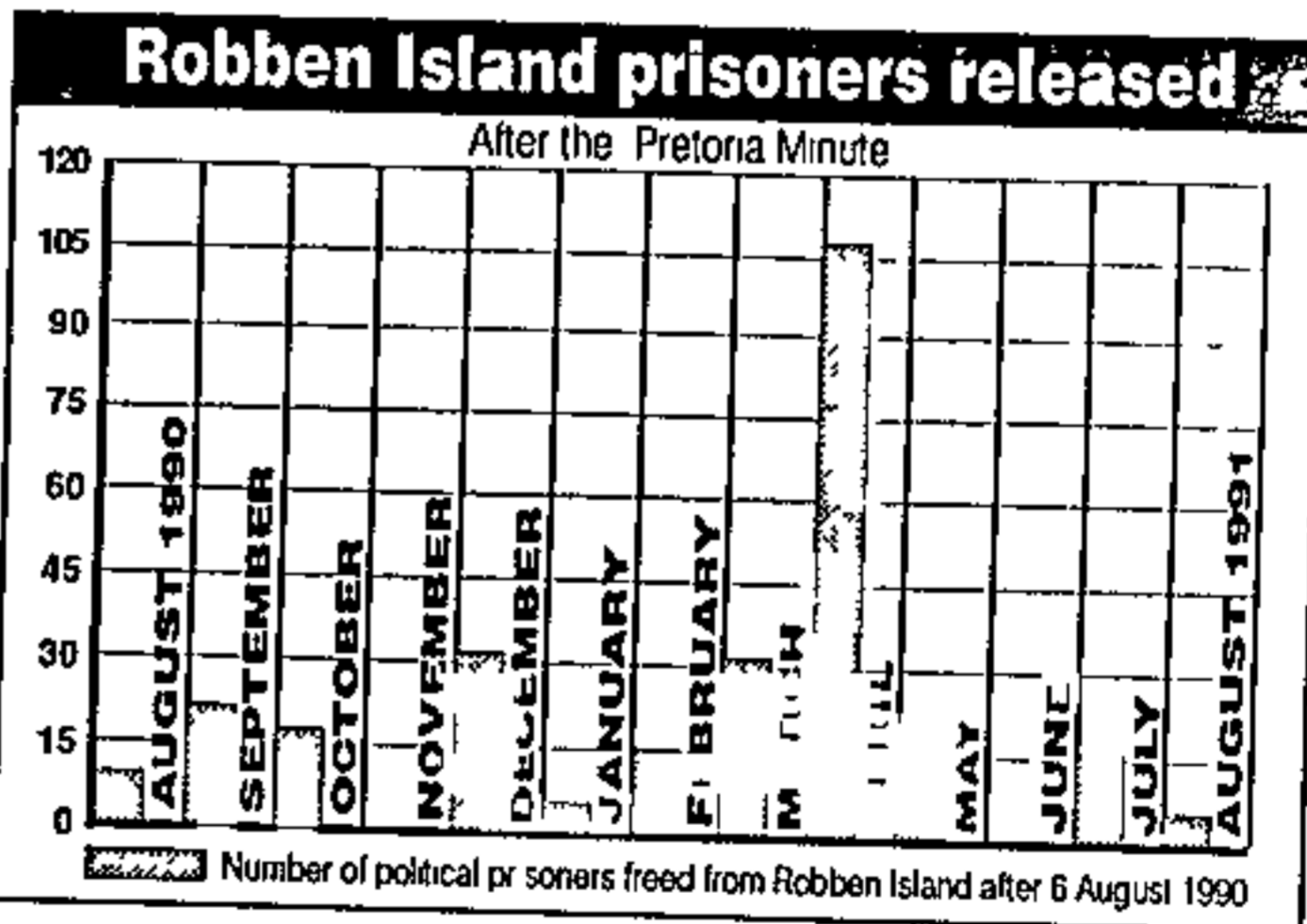
But Mlahleki, originally sentenced to 42 years imprisonment, is not bitter or angry that he is the last Islander behind bars. "It doesn't make me feel hurt. It makes me realise that it is hard to find good people to rely on."

"Serve, sacrifice and suffer" is the motto of the PAC and Mlahleki's inspiration in these final, lonely days of his long term imprisonment.

"That is an empty and useless slogan if I cannot live up to its demands and expectations."

And when he is finally released after 14 years' imprisonment, what is the first thing Mlahleki plans to do?

"Go visit my sister in prison in the Transkei," he said. Although not a political prisoner, his sister has also spent years in jail.



**SOUTH's Repression Dossier** focuses on political trials, detentions, bannings and restrictions — measures used by the state against opponents in South Africa. This dossier has been compiled from information supplied by lawyers and relatives of detainees, and publications produced by the Repression Monitoring Group and the Human Rights Commission.



This focus was made possible by the support of the **FOUNDATION FOR PEACE AND JUSTICE**



## Jailed CP MP wants Nelson Mandela's cell

CT 27/9/91  
JOHANNESBURG — The Conservative Party has demanded that its chief secretary be transferred to Paarl's Victor Verster Prison so he can serve a 14-day sentence in the same comfort as that accorded formerly jailed ANC president Mr Nelson Mandela (253) Mr Andries Beyers re-

ported to Pretoria Central prison at 2pm yesterday, to begin the sentence.

He was jailed for refusing to identify the source of a news report in which it was alleged that national intelligence elements had kidnapped a witness in the Winnie Mandela trial.

## R1 000 to eat at Mandela's table

CT 27/9/91  
THE ANC is offering ten places, at R1 000 each, to sit at the main table with the ANC president, Mr Nelson Mandela, at a fund-raising dinner tonight at a five-star hotel in Somerset West

The organisation has appealed to business and professional people to either buy tickets for the main table or sponsor a table at the dinner

Those who sponsor a table for R1 000 will be given two complimentary tickets and a mention in the souvenir invitation. A further 320 tickets are being sold at R150 a person

Last night Mr Mandela wowed the Stellenbosch establishment at a cocktail party, followed by an ANC fund-raising dinner, and spent the night at the Stellenbosch home of Mr Jannie Momberg, Democratic Party MP for Simon's Town



holder and an after-dinner dance

Monday 27/9/91  
**Hunger striker ignores pleas** 253

**ANTHONY NDLOVU**

SA AMBASSADOR to Bophuthatswana WD Kotze visited hunger striker Johannes Simelane at Bopelong Hospital and promised him release if he ate the food he had brought, the Mafikeng Anti-Repression Forum said yesterday

Simelane, who is imprisoned for high treason, refused the offer, saying that he would suspend his hunger strike after he had been released, the forum said in a statement

Simelane is now on the 40th day of his hunger strike

Despite having lapsed into a coma last Thursday night, Simelane on Tuesday insisted that his drip be removed and this was done

On Wednesday he agreed to have a drip to maintain the fluid and electrolyte balance in his body, but refused feeding asking that he not be revived again

Two other Bophuthatswana political prisoners, Sando Banda and Bushy Molefe, have rejoined the hunger strike. They are on the fourth day

## FW dismisses Danish claim

Own Correspondent

JOHANNESBURG — The ANC and the government were still discussing the status of several prisoners, but the government was satisfied it had implemented its undertakings, President F W de Klerk said yesterday.

He was responding to a claim by a visiting Danish MP that he (Mr De Klerk) had admitted that a major problem with political prisoners remained. (153)

Mr De Klerk said the claim was an incorrect interpretation of what he had told the Danish delegation. CT21/9/91

## Danish MPs 'got it wrong'

3/10/91 27/9/91 PATRICK BULGER (253)

THE ANC and government were still discussing the status of several prisoners but government was satisfied it had implemented its undertakings in terms of the Pretoria Minute, President F W de Klerk said yesterday.

He was responding to a claim by a member of a visiting Danish multiparty delegation examining progress on the political prisoner release programme that De Klerk had admitted a major problem with political prisoners remained.

De Klerk described this as a totally incorrect interpretation of what he had told the delegation. He said he had told the MPs that further releases outside the agreed guidelines would jeopardise the legal system.



# Fasting power loses weight

HUNGER striking, as a tool of political pressure in South Africa, has lost its edge in the wake of the evident deception by three Orde Boerevork prisoners who embarked on what is now widely considered to have been a faked hunger strike.

A number of politicians and human rights experts believe the well-publicised event will substantially undermine the efforts by hunger strikers across the political spectrum to be taken seriously in future.

Indeed, political risk analyst Wim Booysse speculates that hunger striking — especially in right-wing quarters — could regain public attention and sympathy only if a future hunger striker fasted to the death.

Although the rightwingers' fast has undoubtedly induced much cynicism in both the media and the public's perception of hunger striking, their case was not the only contributor to such a perception.

It is known that, when a large group of Bophuthatswana prisoners were hunger striking for indemnity recently, several media organisations lost inter-

Alleged cheating by three rightwingers has harmed the hunger strike as a tactic. HELEN GRANGE reports.

est in the story because of an evident lack of commitment among the strikers to continue after a certain period without food.

Little attention is now being paid by the media to Bophuthatswana prisoner Johannes Simelane, nearing his 40th day without food and beginning to suffer brain damage, according to the Human Rights Commission.

Lawyers for Human Rights director Brian Curran believes the media must be more careful in reporting on hunger strikes.

It is up to the media not to accept at face value what is being said about hunger strikers. The right questions must be asked and access should be given to medical reports.

"I still think hunger strikes can be effective — although the public is more cynical now than ever before," he added. "The level of public sympathy for a hunger striker was inverted."

ably linked to the political cause, said Tony Pfanter, head of the SA delegation of the International Red Cross.

"Certainly, in Europe, there was little attention given to cases in Germany and Israel where terrorists were hunger striking. Here, the three right-wing hunger strikers were linked to a fairly developed political cause, and they received a lot of publicity after they had reached a certain number of days into the strike."

It is for this reason that Willie Hofmeyr, a Cape Town attorney working for the ANC and former representative for hunger strikers on Robben Island, believes the hunger strike as a tool of ANC-related prisoners is not yet dead.

"If people see your cause as a good one, they will sympathise with the hunger strike as a moral weapon, and if you are not moral yourself in the way you

conduct the hunger strike, then that reduces the effectiveness of the action. I do think the right-wing hunger strike will make things difficult and hunger strikers will have to try harder to be taken seriously, but there will still be public sympathy for a moral cause."

DP MP Peter Gastrow said that now, with the hunger strike as a weapon somewhat blunted, the only way a future hunger striker would be taken seriously was if medical reports were issued backing up his or her proclaimed condition.

"It is understandable that so many hunger strikers were never taken seriously. Hunger striking has been used as a relatively cheap publicity stunt and has lost its impact as a serious method of mobilising support. The three hunger strikers' conduct has led to a considerable degree of cynicism in the public, and future hunger strikers will have to prove their authenticity through medical reports."

Mr. Gastrow does believe, however, that hunger strikes will remain a recognised and powerful method of protest and mobilising sympathy. □

**DEATH ROW**  
THE weekly report also says there are  
presently 335 people awaiting execu-  
tion, 17 of whom the HRC considers to  
be political prisoners (253)

W/mar 27/9 - 3/10/91

**Hunger strike** (253)

JOHANNESBURG  
uMkhonto we Sizwe  
member Mr Joseph Koe-  
tle has been on hunger  
strike for 24 days and  
says he will not start eat-  
ing until he has been in-  
demnified. — Sapa



# Foul <sup>(253)</sup> play in cell death?

CT 28/9/91

Own Correspondent

EAST LONDON — The family of Mr Thandile Mtya, who died in a Ciskei police cell earlier this month, suspect foul play after seeing his body on Thursday

Ciskei police claimed that he had been found hanged in a Punzana (near Zwelitsha) police cell, following his arrest in connection with the alleged theft of a firearm and radio cassette player

The family's lawyer, Mr D Tabata, said yesterday that the matter had been referred to the Ciskei attorney-general

## Wounds

Mr Mzwanele Mtya, of Mount Coke, said yesterday that he was dissatisfied with the circumstances surrounding his 22-year-old son's death

At the time of his son's death he said "I don't think he would have hanged himself. We suspect foul play"

On Thursday, after seeing his son's corpse in a private mortuary, he said "I saw the corpse. The boy had wounds. I saw these things and I was not at all happy about it"

The pathologist who conducted the post-mortem, Dr Basil Wingreen, declined to comment yesterday on visible wounds on the body

"That will come out in the inquest," he said

# I saw assault in cell 13 — prisoner

By DAN DHLAMINI

A PRISONER told a Klerksdorp magistrate this week how the head of the local prison repeatedly assaulted another prisoner, despite his pleas for mercy

Shadrack Monti was testifying before Magistrate J de Beer in the trial of Klerksdorp Prison commander, Major Jacobus Louw Hickley, who is facing a charge of assaulting Frans Dlamini in the prison on November 30 last year.

Hickley, 41, has pleaded not guilty to kicking Dlamini's private parts, causing his urethra to

bruise (Pris 29/9/91) Monti told the court that he watched from cell 14 how Hickley repeatedly kicked Dlamini, who begged for mercy, pleading "Sorry Major"

He said the incident took place in cell 13, whose door was opposite that of cell 14

Monti told the court that prior to the assault, Hickley had ordered prisoners to get out of their cells if they wanted their food, because the prison kitchen would soon be closed.

He saw how Hickley grabbed Dlamini and pushed him into cell 13

where he started to kick him (253)

Hickley also hit Dlamini with his elbow, and when he bent forward, hit him with his knee in the face, Monti said

Monti told the court that when Hickley realised some prisoners were watching as he beat Dlamini, he ordered warders to chase them away

The case, which has been repeatedly postponed, was again adjourned to October 16. This was at the request of lawyer D Lindeman, who represents Hickley — who is still holding his position as commander of the Klerksdorp Prison

# Warders face sack after sit-in

STimes 29/11 (253)

By KURT SWART

SIXTY-THREE prison warders face dismissal from the Department of Correctional Services after they went on strike last year to protest at alleged racial discrimination in jails.

The warders are all members of the Police and Prison Civil Rights Union.

The Popcru members face dismissal after the presiding officer in a disciplinary inquiry at Cape Town's Pollsmoor Prison, Colonel Johan Robberts, recommended their discharge this week.

But he said that another seven warders who appeared before the inquiry should remain in their jobs.

In other related disciplinary hearings this week, another 15 Popcru members were dismissed — two at King William's Town Prison and 13 in East London.

The dismissals were described by a Popcru spokesman as a "calculated attempt to smash the union, particularly in the Western Cape where it first began".

The 63 warders have the right to appeal to the Minister of Correctional Services, Mr Adriaan Vlok, but the dismissals of the 15 Eastern Cape members are final because their appeal was rejected.

Two warrant officers were also demoted to the rank of sergeant after their appeals were rejected.

## Action

The disciplinary hearings were the result of Popcru members' involvement in a sit-in in March 1990 to highlight their dissatisfaction with alleged apartheid practices in their department and in the SA Police.

Thirty warders and 52 policemen were dismissed before this week's findings.

The Cape inquiry ran for six months with several damning allegations against the department by Popcru's defence team.

Supreme Court action was taken by two Popcru warders last month to stop the Pollsmoor hearing. They said tape cassettes containing key defence evidence had gone missing while under prison guard and alleged that the presiding officer was not impartial.

The case was postponed until October 14. Popcru has decided to wait until all appeals have been lodged before proceeding in the Supreme Court.

The recommendation for the warders' dismissals will be passed on to the Minister of Correctional Services who can either ratify or alter the finding.

A Popcru spokesman said the court action would continue if the decision to dismiss the warders is final.

A department spokesman confirmed the findings of the disciplinary hearings and said members who faced dismissal or demotion in rank had 14 days to lodge an appeal.



# Haze still blurs political releases

**JO-ANNE COLLINGE and ESMARÉ VAN DER MERWE** examine the controversy that continues to cloud the release of political offenders and the granting of indemnity

Star 23/9/91  
253

Freedom Unkhonto we Sizwe's Isaac Mabaso, minutes after his release on July 1 from Pollsmoor Prison in the Cape Arguments rage about how many political prisoners he left behind him in jails across South Africa  
Picture Reuter



## Case studies show Govt inconsistency, claim lawyers

Star 23/9/91  
By ESMARÉ VAN DER MERWE

LUCKY Dilizantaba Nomnganga was sentenced to death for having whistled, a gesture the court believed triggered off a clash between mineworkers and mine security officers. Priscilla Mkonza was sent to jail for 10 years for a murder in a Soweto shebeen although she was not present at the killing. Lawyers believe these two political prisoners convicted under the common purpose doctrine illustrate the inconsistent manner in which releases and pardons are handled.

The Human Rights Commission notes that it is difficult to give examples of people whom it believes should be freed because the consolidated list of "political" prisoners gives few details of the relevant offences. Only a closer look at the cases provides details which, lawyers believe, should be grounds for the granting of indemnity, pardon or release.

Lucky Dilizantaba Nomnganga was convicted of murder under the common purpose doctrine in June 1988 for his role in a clash between a large crowd of mineworkers and security officials at Western Holding Gold Mine in Welkom in June 1987.

His motivation for indemnity included an argument that 14-hour disputes were inseparably linked to the political struggle and that he had had no personal motive for his actions.

Priscilla Mkonza was found guilty on charges of murder and sentenced to 10 years in jail under the common purpose principle in November 1988. She was charged as the co-accused of MK soldier Oupa Alex Sebeti, who was sentenced to death for killing two people in a Soweto shebeen in 1988. Her lawyers submitted that she had not been present at the crime and had merely pointed out the house to Sebeti.

Her case was referred to the indemnity committee some four months ago, but no response has been received. Her motivation was that she had acted to further the aims of the ANC.

More than a year after the signing of the Pretoria Minute, the wrangle over the release of political prisoners and indemnity for those in exile and awaiting trial drags on.

The Government insists that the end of the process is in sight — at least as far as those on trial and sentenced prisoners goes. Human rights organisations disagree.

Lawyers are bewildered about the inconsistency of decisions taken behind closed doors. According to Government figures, 120 political prisoners identified by the ANC are still in jail, and 248 identified by the Human Rights Commission.

The HRC believes almost 900 political prisoners remain in jail.

The Government disputes that these are political prisoners as defined in the guidelines for release and indemnity.

Last week Minister of Correctional Services Adrian Vlok said, "All political prisoners who qualify in terms of the accepted guidelines have been released."

But the dispute over who qualifies continues. It is compounded by the fact that the Government has bypassed the political guidelines in a number of the most high-profile cases — such as the Sharpeville Six and Delmas Three — and suddenly started granting "youthful" parole to political offenders.

Here are some of the areas of disagreement.

**Partial indemnity** Boerevlok and the three other hunger strikers were indemnified on certain counts of attempted murder relating to the bombing near a Pretoria taxi rank. But they will be tried on other counts relating to the same event.

Unkhonto we Sizwe (MK) member Jeremy Seebor was indemnified for armed actions which caused no injury. But he must face trial for allegedly placing a bomb in a hotel which caused minor injuries to several people.

MK member Jacob Rapphelo was indemnified for attempted theft of a Government vehicle for an ANC operation. But he remains on trial for the attempted murder of the official he allegedly injured in the robbery, and other offences.

"Partial indemnity often doesn't make sense," says Jody Kollepen of Lawyers for Human Rights (LHR).

"If a person is indemnified for event A, and that act as well as events B, C and D were all intended to give effect to the policy of a certain political organisation, more often than not you can't separate the two."

Counters Nic Grobler of the Ministry of Justice. "Partial indemnity does make sense if it is borne in mind that, during the course of one event, a number of crimes could be committed. One of the guidelines to be

applied is the nature of the offence. It is therefore possible that certain offences could fall within the guidelines, while others do not."

### THE INDEMNITY GUIDELINES

The Government's guidelines for deciding whether or not an individual should be granted indemnity are:

- Motive was the act committed for a political or a personal motive?
- Context was the act committed in the course of a political uprising?
- Objective was the act committed to overthrow or destroy a political opponent?
- Nature the legal and factual nature of the act, including its gravity

- Objective was the act committed against the political opponent or against a private individual, or was the offence committed on the assumption that a particular cause was being served?
- Relationship was there a direct relationship between the act and the political objective?
- Approval or under orders from an organisation?

get statements suggesting that when civilians are victims a different standard should apply.

"Thousands of civilians have lost their lives in the struggle for freedom — some at the hands of the police and Defence Force. If we, as South Africans, want to build anew in a spirit of reconciliation then those political prisoners who have harmed civilians should also be released."

Justice Ministry officials say the gravity of the offence is a major consideration, but not the only one.

Human rights groups argue that it contradicts the spirit of the Pretoria Minute to accord this factor overriding importance.

According to LHR's Mr Kollepen, "From time to time we

applications. This, they argue, accounts for why some MK members remain on trial for murder, or on Death Row.

The ANC's Matthew Phosa says the Government breached a clear understanding that members of MK would be eligible for release irrespective of the number of people they killed in missions.

Justice Ministry officials say the gravity of the offence is a major consideration, but not the only one.

## Bad news for warders

THE head of Brandylee Maximum Security Prison, near Worcester, has ordered staff at the prison to supply a weekly quota of negative reports on their colleagues for personnel evaluation purposes, some staffers allege. (253) CT 30/9/91

Warders and NCOs unhappy with the directive said that the head, Major J H Stander, had told warrant officers to make a total of five negative reports a week on warders and sergeants.

Sergeants had been ordered to supply eight negative reports.

A spokeswoman for the Department of Correctional Services said on Friday that Major Stander had made "an unfortunate error of judgment" and the matter had now been rectified — Sapa



# Court upholds right to publish claims

By Susan Smuts

The Star's right to publish investigative defamatory allegations was upheld by a Rand Supreme Court judge on Friday

Mr Justice S.J. Mynhardt gave judgment in a case in which Riaan Coetzee sought an urgent interdict to prevent The Star from publishing allegations about his trucking and cartage business practice

## Public interest

Denis Kuny, SC, argued that The Star's allegations that Mr Coetzee's business methods were dishonest and fraudulent were true and it was in the public interest to publish them.

Mr Coetzee's lawyer, Bruce Berman, argued that the allegations were defamatory

The judge said that although there was a dis-

pute over facts, the court accepted that The Star had provided a defence for most of its allegations, and that the interdict could not be made final (A temporary interdict was granted on September 4.)

Although a defence had not been provided for the rest of the allegations, it did not follow that the article should be stopped, he said

A similar article had been published in some editions of The Star which went to country areas, the judge noted. This militated against a final interdict being granted

Mr Justice Mynhardt added "There is a sharp difference of facts in the affidavits relied on by the applicants and those by the respondents. I cannot exclude the possibility that Mr Coetzee and his witnesses will be believed"



# Jail faster adamant

Bophuthatswana hunger striker and prisoner Johannes Simelane (33) — on his 42nd day without food — has written a will specifying that until his release he will refuse drip-feeding and any attempts to revive him if he relapses into a coma

Simelane is a former Bophuthatswana Defence Force soldier convicted of treason and

jailed for eight years after the 1988 attempted coup.

"Treason is clearly defined as a political offence in terms of the Pretoria Minute", the Mafikeng Anti-Represion Forum (Maref) said

Three prisoners — Bushy Molefê, Sando Banda and Simon Keebine — have resumed hunger strikes. — Sapa

NEWS

star 1/16/91  
**Van Rooyen on  
hunger strike** (253)

Northern Transvaal Bureau

LOUIS TRICHARDT — Murder suspect Phillipus Henrico van Rooyen, son of paedophile Gert van Rooyen, began a hunger strike in the Louis Trichardt prison at the weekend, a reliable source said.

Mr van Rooyen is due to stand trial on November 6 for the death of a 15-year-old girl near Messina in June this year.

Nana Ndau's naked body was found in a shallow grave on the banks of the Limpopo River. Mr van Rooyen is alleged to have beaten her with a rifle and strangled her on June 14.

# Warder 'ignored pleas'

ARG-2/10/91  
HENRIETTE GELDENHUYS  
Staff Reporter

253

A POLLSMOOR prison warrant officer tied a straitjacket too tight and ignored calls for it to be loosened by 20-year-old Carol Anne Meyers, who died after wearing it for 24 hours, a Wynberg inquest has heard.

Meyers died in Grootte Schuur Hospital on July 2 1989 after collapsing in her cell.

In a day of conflicting evidence by key witnesses, Warrant Officer Wilhelmina Schwartz yesterday told the

court that Meyers and fellow-prisoner Lea Matthys were "content with being put into straitjackets".

She also said she had not had complaints of physical discomfort from Meyers.

But according to a prison warder's statement, Warrant Officer Schwartz ignored her reports that Meyers was uncomfortable and stiff in the straitjacket.

Earlier, Matthys told the inquest that Meyers had repeatedly complained of tight bonds and "burning aches".



# 'Witwolf' to touch wife for 1st time

253

THE wife of "Witwolf" Barend Strydom will this week be allowed physical contact with her husband for the first time in almost two years

Mrs Karin Strydom said yesterday the contact visit on Friday will be just "normal" prison procedure

The meeting will be the first time the couple have been allowed to touch since their marriage in November 1989, she said

"But there is nothing exceptional about

Sowetan Correspondent

the visit, normal prison procedure is being followed," said Mrs Strydom

She declined to comment further on the planned visit, which she saw as a "very, very private matter"

Comment on the visit and on Strydom's new status as an "A group" prisoner was not available yesterday from the Department of Correctional Service.

Sowetan 10/10/91

# '49 detained in SA, homelands' — HRC

JOHANNESBURG — Forty-nine people are being detained in South Africa, Bophuthatswana and Transkei, according to the latest report of the Human Rights Commission

In a statement yesterday, the HRC said 39 people were detained in Bophuthatswana, nine in Transkei and one in South Africa

The HRC also reported that a Bophuthatswana political prisoner, Mr Johannes Simelane, remained on hunger strike and was extremely weak. He was also said to have indicated that he would continue fast-

ing, despite growing concern that he might become dehydrated

Three other Bophuthatswana political prisoners, Mr Simon Koebine, Mr Johannes Molefe and Mr Johannes Banda, resumed their hunger strike on September 23. Mr Banda suspended his fast on September 29.

There were 316 prisoners on death row, 17 of whom were considered political prisoners by the Commission

● Leading British doctors have written to President F W de Klerk calling on him to intervene to secure Mr Simelane's release — Sapa

253 of 3/9/91

**49 are still in detention**

FORTY-NINE people were being detained in SA, Bophuthatswana and Transkei, the Human Rights Commission said in a report yesterday.

The statement said 39 people were detained in Bophuthatswana, nine in Transkei and one in SA from September 23-29.

Seventeen detainees had been released by Transkei, the report said. It could not be established whether they had been charged or not.

A dusk to dawn curfew had been imposed on Thokoza, Vosloorus, Kallehong, Tembisa, Soweto, Dobsonville, Meadowlands, Diepkloof and Alexandra.

There were 316 people on death row, 17 of whom the HRC considered to be political prisoners. — Sapa.

**University head moves to end strike**

DURBAN — Hopes of ending the four-week strike by more than 8 000 cleaners in Natal were boosted yesterday by the intervention of University of Natal vice-chancellor Prof James Leatt.

Leatt is to act as a facilitator to try to get negotiations back on track between the National Contract Cleaners' Association and the Transport and General Workers' Union (TGWU).

The parties have deadlocked over the TGWU's minimum wage demand of R1000 a month. The current minimum wage for contract cleaners set by the government is R509, following a 16% increase from October 1.

Leatt met separately

with the Natal division of the cleaners' association and the TGWU on Tuesday in an attempt to get the parties to resume talks on the dispute, which has now spread to Maritzburg and is poised to start affecting other areas in Natal.

NCCA national chairman Rodney Fulton confirmed the meeting, adding the body would meet again on Thursday to decide on possible talks with the union.

A senior TGWU official representing strikers confirmed Leatt's intervention

and said a meeting between the union and the NCCA might take place this week.

Meanwhile, 200 Natal Indian schools are now affected by the strike. However, pupils are on holiday and due to return on Monday.

The House of Delegates has delivered an ultimatum to its contractors, Sneller Services, to have the affected schools cleaned by Monday or face termination of the contract.

Sneller Services' chairman Lionel van Tonder

said the strike was unlawful and the NCCA full Dismissals might start over the next couple of days.

"Quite a few workers did return yesterday, but quite a few did not," he said.

The union has challenged the decision to dismiss workers, and said in a letter to Sneller Services that the strike was lawful. A TGWU official said the union was considering court action in order to prevent dismissals — Sapa

**49 are still in detention**

**University head moves to end strike**

**49 are still in detention**

under the rights offer

under the rights offer

under the rights offer



...ous, water, electricity and  
cines. Other demands in-  
effective protection against  
abuse.

... submitted  
ted claims for R184 000 re-  
sulting from expenses  
incurred by passengers  
immediately after the acci-  
dent, such as emergency

submitted  
Hellberg said TFC had no  
liability to passengers who  
had suffered losses aboard  
the Oceanos, but had faced  
the problem of thousands of

## Hunger striker demands a transfer

810am 3/10/91

BOPHUTHATSWANA hunger striker Johannes Simelane has requested a transfer to a hospital with better medical facilities, claiming he has not been treated well at the Bophelong Hospital

Simelane, on the 47th day of a hunger strike, vowed to continue his fast and to refuse medication until he was transferred.

National Medical and Dental Association director Dr David Green backed Simelane's request

The Human Rights Commission said yesterday Simelane was in an extremely weak condition and could not speak above

ANTHONY NDLOVU

a whisper.

Simelane was determined to continue despite a visit by ANC national executive committee member Patrick Lekota urging him to suspend his hunger strike

Two more hunger strikers, Simon Koebine and Johannes Molefe, were also said to be in a weak condition.

Koebine is in Rooigrond Prison and Molefe is in the Bophelong Hospital, both on the 9th day of their hunger strike

A spokesman for the Bophelong Hospital declined to comment.

189 253



# Crusade for 'last political prisoner'

South  
3/10 - 8/10/91

(253)

By Henry Ludski

A CRUSADE to secure the release from Pollsmoor Prison of political prisoner Lutha Mlahleki has included letters to President FW de Klerk and individual members of his family written by corresponding members of the Mlahleki family.

The Mlahleki family has also appealed to American president George Bush and the United Nations to use their influence to persuade De Klerk to free Mlahleki, who is serving a 42-year sentence for political offences.

Mlahleki, a former Robben Islander, has refused to apply for indemnity and parole.

Mlahleki's brother Zolisa has written a letter to De Klerk's son Willem, urging him to speak to his "dad" and convince him to release Lutha.

Mlahleki's father in turn has written a letter to De Klerk urging him to live up to his promises of peace and reconciliation and to "unchain my son".

A spokesperson for De Klerk's office this week confirmed receipt of the request from the Mlahleki family and said the president had already replied.

Zolisa Mlahleki said the reply simply stated that the request for his brother's release had been referred to the Department of Correctional Services for consideration.

In an exclusive article in SOUTH last week, Mlahleki spoke about the loneliness of being the only political prisoner in a section at Pollsmoor Prison.

Department of Correctional Serv-

ices spokesman Colonel DJ Immelman denied that Mlahleki's visits had been reduced, and said the prisoner had been granted extra privileges to receive more visitors and to make additional telephone calls.

"Regarding the allegation that the prisoner is held in virtual solitary confinement, it must be mentioned that he is presently the only

occupant of a section of Pollsmoor due to the release of the other prisoners that were previously detained with him."

Describing this as an "obviously temporary situation", Immelman said that Mlahleki also had access to a courtyard, radio, television and a fully equipped gym.

After SOUTH's article last week, Mlahleki communicated to us that his visiting and telephone rights had been upgraded a day after SOUTH had appeared on the streets

Dear Mrs De Klerk

*YOUR husband FW talks of reconciliation and a new South Africa but I personally begin to doubt this, as my son is still locked up in solitary confinement in Pollsmoor Prison. It is inhuman to jail my son for something that is already outdated. I feel as a mother to a mother our feeling should be the same. I know for a fact that you love Willem as much as I love my dear son Lutha, as you fought for Willem to be involved with a so-called coloured woman, Erica.*

*I appeal to you as a woman to understand what I feel about my son. You must talk to your husband to release my son unconditionally and immediately before it is too late.*

*I would like to ask you the following question:*

*How would you feel if your son Willem was locked up for similar offences and almost all of his comrades are released and he is left alone because of technicalities?*

*My son followed his name Lutha, which means light, and he fought for all those evil laws to be repealed. That is why Willem is no longer prohibited to marry a girl of his choice.*

*It would be wonderful if my son Lutha could be unconditionally freed today and be able to choose his own wife and decide his own future like your son Willem has.*

*Please respond Mrs De Klerk.*

From Mrs M S Mhlaleki  
(Concerned Mother)

### **Strait-jacket inquest**

TEENAGE Pollsmoor prisoner, Carol Anne Meyers, was in the throes of kidney failure and was bleeding internally when her strait-jacket was swapped for another, the Wynberg Court was told at the inquest this week. No medical help was summoned until it was too late.

She was placed in the strait-jacket on June 29, 1989 and died on July 2.

Two prison warders gave contradictory evidence. Sergeant Katrina Pietersen said she had tied the strait-jacket "tightly" around Meyer and Meyer vomitted "a dark substance" when the straps were released.

The warder in charge, W/O Wilhelmina Schwartz, said however that she had asked Meyer if the jacket was too tight and she had said she was "all right" and "contented".

16/10/89  
253  
10/10/89  
3



# Law silent on hunger strike case

*Sowetan 3/10/91*

**A SHROUD of secrecy has been drawn over the Transvaal Law Society's investigation into the conduct of Mr Wim Cornelius, attorney and spokesman for rightwing hunger strikers.**

This follows an outcry over allegations that Cornelius misinformed the public on the condition of the three hunger-strikers who ended their fast in Pretoria last month.

Law Society president Dr Antonie Gildenhuys said yesterday a committee

had been appointed to investigate Cornelius' conduct following a complaint and an approach by Cornelius himself.

He would not say who had lodged the complaint.

Law Society spokesman Mr Coen Prinsloo confirmed Cornelius had appeared before a committee and said the investigation was proceeding.

Cornelius confirmed the investigation but said the Law Society president had ordered that proceedings be kept secret.

Dr Gildenhuys said the

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committee would decide after its investigation whether charges should be laid against Cornelius.

The inquiry began last week after the complaint and after Cornelius apparently approached the Law Society voluntarily to clear his name.

Prinsloo said an attorney facing an investigation by the Law Society could be warned, fined up to R5 000 or referred to the Supreme Court for scrapping from the roll of attorneys - *Sowetan Correspondent*

## Mercy letter ~~to~~ to De Klerk <sup>253</sup>

TWO leading British doctors have written a joint letter to President FW de Klerk calling for the release of Bophuthatswana hunger striker Johannes Simelane.

Dr T Waterston of Physicians for Human Rights and Dr GR de Wildt of the Weir Foundation said yesterday they had faxed the letter.

It says: "We have been informed in detail about Mr Simelane's extremely serious medical condition and we fear for his life.

"We request the President to bring about his release."

Sapa 3/10/91  
Sowetan

*w/mad 4/10-10/10/91*  
**HUNGER STRIKERS**  
JOHANNES SIMELANE has entered his seventh week without food (253)  
He is in an extremely weak condition and in a lot of pain according to the HRC. He is serving an eight-year sentence for his part in the 1988 Bophuthatswana coup, which was thwarted by the intervention of the South African Defence Force.  
Simon Koebane, Bushy Molefe and Johannes Banda resumed their fast at the beginning of last week. However, Banda suspended his hunger strike a

week later, after a visit by the African National Congress' National Executive Committee member Patrick "Terror" Lekota *w/mad 4/10-10/10/91 (253)*



# ANC's McBride eyeing freedom

My man is no Strydom argues jail bride

Weekend Argus Correspondent

DURBAN — Robert McBride, sitting alone in his Pretoria Local Prison cell, has geared his life towards one issue — his release

While he carries out his daily routine of exercising, reading the newspapers and listening to the radio to pass time, beyond the prison wall a major debate wages as to whether he should be released

McBride, 28, a member of the African National Congress' military wing Umkhonto we Sizwe, was sentenced to death for his part in the Magoo's Bar car bomb blast in June 1986 which left three people dead

President De Klerk commuted McBride's sentence to life in April this year

For Mrs Paula McBride, the woman who married McBride in jail, ensuring that he is released — and soon — has become a mission

What upsets her is the constant analogy drawn in most publications between McBride's plight and that of rightwing mass murderer Bar-end Strydom, the implication being that one would not be released without the other

She believes passionately that anti-apartheid fighters in prison have nothing in common with rightwing offenders fighting for apartheid

Before rightwingers could claim political status in terms of the Pretoria Minute they had to bind themselves to peaceful negotiation and work to end violence, she said

"In Robert's case he acted under instructions. He was part of an armed struggle that had gained international recognition for its cause. His participation was to end the very system that the government now says must end because it is not working"

Mrs McBride would prefer her husband to be compared to MK operatives who caused similar civilian casualties, like the two men convicted on three counts of murder for a car bomb that killed three civilians in Witbank

The difference in McBride's case was that the Witbank trio had a judge who took into account the prevailing circumstances and gave them 18 years in jail and that the civilians were black, Mrs McBride says

"People say civilians were killed, therefore, that disqualifies Robert from release. People do not look at the fact that there have already been released people who have killed civilians because these cases are not known to them"

Mrs McBride said her husband had been through a traumatic five years. He spent four years on Death Row — one of the longest spells ever — from April 1987. In 1987 there were 164 people hanged, 118 in 1988 and 54 in 1989



**COMMUNITY CHEST?** Maybe not, but it belongs to top model Rod Zane, and is part of the sights for sore eyes at an all-night rave in the Waterfront on Wednesday October 9, the eve of the huge final Ithuba charity draw. It will all be happening at the popular Dock Road Venue. Hosted by the interior design company Conglomerate, the party promises to be one of the best and glitziest of the new season. All profits from the party — at R65 a head — will be given to Ithuba. What your money gets are guest Master of Ceremonies (and Radio 5 DJ) Barney Simon, a choreographed Red magazine fashion shoot with international models, a hairdressing show, a swimwear show featuring some of the best bods in the Western Province Bodybuilding Association and a spectacular show of Khalifa — where razor-sharp blades pierce bodies without apparent injury. Tickets are obtainable from either the V&A Waterfront Information Centre or at Conglomerate, 31 Loop Street, Cape Town, ☎ 21 2485

## Fun for all in Ithuba Week

Weekend Argus Reporter

ITHUBA Week kicks off at the Victoria and Alfred Waterfront today

Several exciting events involving Cape Town's who's who have been lined up as things race toward a climax on Thursday

Competitions offering a variety of prizes and lots of fun will characterise this fundraising extravaganza

Today's events start with

Bertie's Yachting Extravaganza at Bertie's Landing. There will be a champagne breakfast — with yachts arriving for bubbly and orange juice — between 8.30 and 11.30am

A R50 mooring fee will be charged, the money going to Ithuba. Booking is essential at ☎ 419 0249

Music will be provided by the popular band Sudan during the afternoon and a fun Karaoke sing-along evening follows with yachting personal-

ities Bertie Reed and John Martin Book at ☎ 419 2727

Alternatively you can join the Waterfront Explorer's Pirate Launch at the Arts and Crafts Market where "pirates" will sell their wares with festive surprises between 10am and 5pm

There will also be a Fishing Fleet Celebration with traditional Portuguese style entertainment and cuisine on the old wharf down at the Pier Head from 9am to 7pm

By DAN DHLAMINI

SEVERAL high-ranking Potchefstroom Prison officers have been implicated in alleged prison assaults.

This was revealed this week by the Western Transvaal Office of Lawyers for Human Rights (LHR) which is investigating allegations of teargassing and vicious attacks on 17 prisoners by white warders on August 4

A LHR spokesman claims that as a result of the attack, eight of the 17 prisoners have been transferred to the Klerksdorp Prison

In his affidavit, which is in City Press's possession, one of the 17 prisoners, Simon Dlamini, 28, of Zola

North, Soweto, claims fellow inmate Aaron Mosifa complained to a Sergeant Boqo about "watery porridge".

He said Sergeant Boqo manhandled Mosifa and dragged him outside in the presence of Capt Wessels, W/O Dries Grimbeek, W/O Jacobs and Sgt Coetsee

In his affidavit Dlamini says that after a second prisoner, Elias Tsotetsi, was also treated like Mosifa, there was a general complaint from prisoners regarding Sergeant Boqo. He said the inmates decided to report the matter to prison authorities

Wessels was summoned to listen to the inmates' complaints which included poor food, assault by prison warders, poor clothing and segregation of prisoners. Hard manual labour was also compulsory for black prisoners, while white prisoners do not do it, Dlamini said

He said Wessels promised to look into the matter, but at 8.15 pm all prisoners in cell Number 4 threw their plates

# Officers accused of jail attack

## Teargas, batons, claim prisoners

with food out

An alarm went off and a group of white, plain-clothes warders led by a Major Coetsee broke a window pane in cell Number 4 and fired two teargas canisters inside

Suddenly the cell door was opened and he heard one warder saying "Maak hulle dood" (kill them), and the warders started beating them up with batons

According to the LHR spokesman, official complaints have been lodged by prisoners against their alleged assailants

Said the spokesman "We are disturbed to note that the allegations identified senior warders as participants in the attack. It is still uncertain whether criminal charges are to follow"

LHR called on all prison authorities to investigate all forms

of abuse by officials, because the "silent and forgotten prison population remained victims of the past era as we move towards a changing South Africa"

A statement from the Prisons Service confirmed an incident had occurred on August 4 in which force was used in the prisoners' "own interest".

The statement said a group of prisoners had removed the lights of their cell and set some of their bedding alight.

"This caused severe smoke which complicated visibility. They were requested to vacate their cell. They refused to do so. In their own interest and protection (sic) the necessary force was used by warders to remove them from their cell," the statement said

It added that some prisoners

sustained minor injuries. The statement promised "suitable action" if complaints were substantiated

"The department is satisfied that all the people entrusted to its care, also those at Klerksdorp and Potchefstroom, are treated in a responsible and professional manner according to international standards," the statement said

A Western Transvaal police spokesman told City Press that 24 charges of assault were being investigated against four members of the Prison Service

The allegations follow shortly after head of the Klerksdorp Prison, Major Jacobus Louw Hickley, 41, appeared in the Klerksdorp Magistrate's Court last week charged with assault

Major Hickley, who is out on his own recognisances, is due to appear again on October 16.

He is alleged to have assaulted a prisoner by kicking his private parts on November 30 last year in full view of other inmates

(253)

dprens  
6/10/91.



# Transferred schools will be 'opened to all races'

8/Day 7/10/91  
TAMA LEVY

PUPILS of all races will be admitted to the former white schools transferred to other education departments last week

This would be in line with existing non-racial policies of the black, coloured and Indian education departments, their spokesmen said at the weekend.

However, other schools still under the House of Assembly remain "whites only", unless they have voted otherwise.

DET director-general Bernhard Louw declined to speculate on how many pupils of other races would apply to attend the 18 empty, former white schools which the DET hopes to open in January 1992.

He said admissions policies would ultimately be up to parents.

The 2.2-million pupils registered at DET schools last year included 48 whites, 36 Asians and 5 277 coloureds

These figures included pupils at 63 private schools registered with the DET.

A House of Representatives Education and Culture Department spokesman said because its schools had been non-racial since 1985, no racial statistics of pupils

were kept. He said the department planned to open the 10 former white schools, transferred to it last week, as soon as possible.

The CP said in a statement on Friday the transfer of the white schools was nothing more than a provocation of whites

Government has said an announcement on another 31 unused white schools is likely before the end of the month

Sapa reports the Azanian Student Movement welcomed the decision to had over unused white schools to black pupils, but believed the delay in opening the schools was unnecessary.

Our Political Staff reports that Education and Culture Minister Piet Marais said at the Natal Teachers' Union congress in Durban on Friday that it was unthinkable that the inequalities in spending on white and black children in schools could continue unchanged

But SA could not afford to bring the more than 10-million pupils and students in SA to the levels in his department, he said

## Cleric blames education's ills on politics

PORT ELIZABETH — The final blow to an already ailing system of education had been dealt by the liberation movements politicising education, according to the presiding bishop of the Methodist Church the Rev Stanley Mogoba

He told the church's annual conference on Saturday that the destruction of education had been "a form of national suicide". "The motivation for learning and the culture of hard work and application, as in the days of missionary education, were destroyed. The flame of learning and creativity was extinguished. Our cry for educational reform went unheeded".

Mogoba called on teachers, parents and pupils to play responsible roles in resuscitating education. "Unless teachers roll up their sleeves and bring about the desired education revolution, we should import teachers, urgently, from other parts of the world". — Sapa

## Mass killer Strydom has prison privileges extended

8/Day 7/10/91 JONATHON REES (253)

MASS killer Barend Strydom had his prison privileges extended last week and on Friday had the first physical contact with his wife Karin since they married almost two years ago

The Correctional Services Department said Strydom had become a Group A prisoner on October 1 and was now entitled to 48 one-hour contact visits annually and no restriction on the letters he may write or receive

Strydom, the self-styled Wit Wolf, was sentenced to death in 1989 for the slaying of eight blacks. In April this year his sentence was commuted to life imprisonment

His new classification means he is allowed to keep a pet and use a television, cassette player and radio

Convicted Magoo's bomber Robert McBride remains a Group B prisoner. His wife, Paula, described as false any perceived similarities between the two men

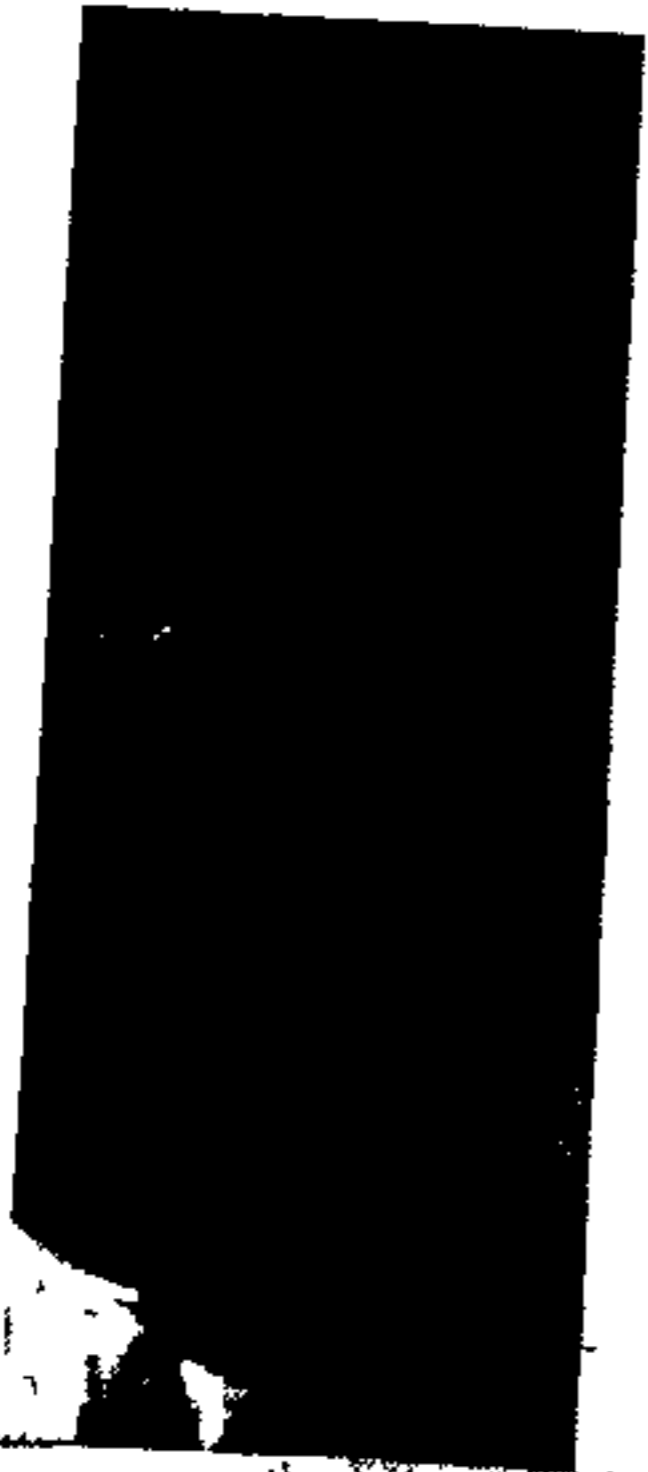
She said McBride was a political prisoner who had been operating under instructions from Umkhonto we Sizwe when he bombed the Durban bar in 1986, killing three people

MK and the ANC were now back in SA and negotiating with government. Right-wing prisoners had to bind themselves to peaceful negotiations and work for an end to violence before they could be classified as political prisoners, she said

Correctional Services said Strydom could hold hands and kiss and hug his wife in greeting, "but we won't allow a smooching session"

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# SA under pressure from US

*8/10/91*  
THE SA Foreign Affairs Department is coming under pressure from the US embassy to secure the release of two US citizens detained in Bophuthatswana, diplomatic sources said yesterday.

Laurie Adams and Christopher Benner are among 16 protesters held in custody in Mmabatho charged with creating a public disturbance, attending an illegal gathering and furthering the aims of a banned organisation (the Black Sash)

US spokesman Barrie Walkley said the US had no diplomatic relations with Bophuthatswana and considered the area part of SA. "We have expressed our deep concern to the SA

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government and requested them to intervene to secure the immediate release of Adams and Benner. We hold the SA government responsible for their welfare and release"

"To our knowledge, the US citizens did nothing which would have caused arrest in any democracy. We are appalled the two were detained and denied access to legal counsel for over 24 hours"

A Foreign Affairs spokesman said the government is proceeding in the normal manner to secure the release of SA and any other citizens held in Bophuthatswana".

# Simelane moved

*253*  
ANTHONY NDLOVU  
HUNGER striker Johannes Simelane was yesterday moved from Bopelong Hospital to another hospital "for tests" after refusing medical examinations and treatment, a Bophuthatswana government official said yesterday. *8/10/91*

And yesterday 19 Bophuthatswana prisoners joined the hunger strike, bringing the total to 24.

The homeland's Prisons Services commissioner Maj-Gen Cas Delpont refused to disclose where Simelane had been moved to.

Simelane, who was jailed for his part in the unsuccessful bid to topple President Lucas Mangope in 1988, has now been without food for 51 days.

# SAP probe reports of missing Johannesburg convicts

By Montshiwa Moroke (253)

The Department of Correctional Services and the police are investigating reports that at least 100 prisoners at Johannesburg Prison have "disappeared" over the past year, a spokesman confirmed yesterday.

Mr Justice J D M Swart heard this week that an accused in a murder case could not be traced in the Johannesburg Prison where he was awaiting trial.

The prisoner, Office Nkomo Nkuna (23), and his co-accused,

Samuel Molele (33), were due to stand trial in the Rand Supreme Court on Monday but the State asked for a postponement because Mr Nkuna could not be traced.

The men are accused of raping and murdering Financial Mail journalist Pat Kenney in her Kensington home on November 16 1989.

They also face a charge of robbery with aggravating circumstances.

Major Dawie Smith of the Department of Correctional Services yesterday said the man

had not yet been found and police were investigating

"I'm not aware of similar incidents at any other prison command," Major Smith said

Major Jan Breytenbach of the Department of Correctional Services told the court on Monday that the Mondeor police were investigating a charge of escaping against Mr Nkuna

Mr Nkuna and Mr Molele had been held with immigrants, who were separated from other prisoners last month

It was possible Mr Nkuna had

remained with them, Major Breytenbach said

He said prisoners were usually identified by a card which was issued to them on arrival.

However, some prisoners reported cards lost and then gave different names.

The warders could do nothing about the disappearance of prisoners as the police did not supply photographs. Prisoners' identities could be established only through fingerprints

"I cannot definitely say Mr Nkuna has escaped, but he is not in prison," he said

Star 9/10/91

Political <sup>253</sup>  
Star 11/10/91  
prisoners in  
plea to FW

As the International Day of Solidarity with Prisoners is celebrated worldwide today, political prisoners in Pretoria wrote an open letter to President de Klerk urging him to honour his Government's undertaking to release all political prisoners

And the Human Rights Commission (HRC) said the day had particular significance for South Africa as up to 800 political prisoners remained in jail

Lawyers for Human Rights (LHR) estimated that about 300 political prisoners were still jailed, excluding about 150 in Bophuthatswana, but spokesmen for the HRC and LHR noted that the discrepancy in the statistics arose because the Government refused to make known the number of people who had been released

A Ministry of Correctional Services spokesman reiterated the Government's standpoint that all political prisoners who qualify in terms of the guidelines agreed upon between the Government and the ANC and in terms of the categories of political offences — had been released.



# Warders quizzed escapes 'for bribes'

on S/Times 13/10/91.

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POLICE are investigating the possible involvement of prison warders in the "disappearance" of 100 inmates amid allegations that warders accepted bribes to release prisoners.

Among the prisoners who apparently walked to freedom were murder and robbery suspects, including Office Nkomo Nkuma, who was due to stand trial this week for his alleged part in the brutal rape and murder of Financial Mail journalist Pat Kenney in November 1989.

Police spokesman Captain Rubeen Bloomberg said yesterday "Charges of corruption, escaping and assisting to escape are being investigated."

## Serious

The Department of Correctional Services announced its own investigation after claims of warder corruption at Johannesburg's Diepkloof Prison were revealed in the Rand Supreme Court this week.

"The department regards the allegations in a serious light. Apart from the investigations by the SAP, a high-level investigation has already commenced," a spokesman said.

"The department will act relentlessly in exposing those guilty of corruption. As the investigation proceeds and facts become available, steps will be taken."

"Measures have been implemented to tighten release procedures in order to avoid a repetition of any possible irregularities."

The disclosure was made by correctional services officer Major Jan Breytenbach, a sectional head of prison control at Johannesburg Prison Command, during his testimony on the disappearance of Mr Nkuma.

He said corruption was

By KURT SWART

high on the list of reasons why at least 100 prisoners had "disappeared" during the year.

The Rand Supreme Court also heard testimony this week that Mr Nkuma was held in a communal cell with illegal immigrants and could have been included in error in a group of immigrants released for deportation.

Mr Nkuma, facing charges with Mr Samuel Molele for the screwdriver murder, rape and robbery of Miss Kenney at her Kensington, Johannesburg, home two years ago, could not be traced by prison officers when he was due to appear in court this week.

Police officer Captain Andre van Wyk, investigating Mr Nkuma's "escape", told Mr Justice JDM Swart police were optimistic Mr

Nkuma would soon be re-arrested, as the group which possibly included the prisoner had not been "escorted" out of the country when they were released.

The trial was postponed to February next year.

The allegations of corruption emanate mainly from Diepkloof Prison.

## Suspects

"As far as we know this has not happened at any other prison," said a department spokesman, who denied Mr Nkuma was held in a communal cell with illegal immigrants.

● A report published earlier this week claimed suspects awaiting trial were able to bribe warders and other prison officials with amounts ranging from R500 to R10 000.

A department spokesman declined to confirm or deny the allegations.

# Cowley House to close doors

COWLEY House, a transit 'stop-over' clearing centre for freed political prisoners for more than a decade, is closing its doors in Cape Town's District Six.

The building, a former monastery in Chapel Street, opened in 1979 and became a beacon of hope for hundreds of political prisoners and their relatives.

The centre was also a haven for the relatives of prisoners who travelled from all parts of South Africa to Cape Town to visit their loved ones at maximum security prisons in the Western Cape - Robben Island, Pollsmoor and Victor Verster.

On arrival in the city, the relatives were offered a bed, a warm meal and much needed camaraderie.

The centre, popularly known as the "home from home" to all, was a monastery donated by the Anglican Church in 1978 to accommodate the growing number of visitors to Robben Island Prison.

Released prisoners were interviewed by media representatives at the centre and international television newsgathering teams brought them into the homes of millions of viewers across the world.

Today the "stop-over" centre has been made virtually redundant by the Government's release of political prisoners in accordance with a promise to the ANC.

Most of the political prisoners in the Western Cape have already been discharged.

The centre will re-open its doors later as a care centre for handicapped former political prisoners and exiles.

MUOP



Picture BRENTON GEACH, The Argus

**BROTHERLY VISIT:** Mr Zolisa Mlahleki, outside Polls-  
moor Prison before visiting his brother Litha, sentenced  
in 1978.

ARG 16/10/91

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## Free my brother, says protester at Pollsmoor

**VUYO BAVUMA**  
Staff Reporter

POLICE were called to Polls-  
moor Prison to remove a Port  
Elizabeth man who staged a  
sit-in protest against the con-  
tinued imprisonment of his  
brother, sentenced 13 years  
ago

Mr Zolisa Mlahleki yester-  
day refused to leave Pollsmoor  
until Litha Mlahleki, 32, a for-  
mer Pan Africanist Congress  
soldier, was released.

Mlahleki was sentenced in  
1978 to an effective 42 years  
for attempted murder, sabo-  
tage, incitement, possession of  
firearms and other offences

Zolisa said his brother "is  
suffering for something in the  
past". He handed to prison au-  
thorities a memorandum de-  
manding his brother's uncondi-  
tional release

Mr Monde Ndlaleni, who ac-  
companied Zolisa, said Litha  
was angry about his continued  
imprisonment but was "trying to  
keep his mind clear"

"He doesn't want to spend  
another single day in prison  
without a good reason from the  
authorities. He also says the  
State is breeding an animal in  
him which he'll soon let loose,"  
added Mr Ndlaleni

Litha also wanted to be  
treated as a "political prisoner  
which he is"

● Police confirmed that they  
had been called by Pollsmoor  
authorities to remove a man  
from the prison.

A man is expected to appear  
in court in Wynberg today in  
connection with allegations of  
trespassing, assaulting a po-  
liceman and resisting arrest.



The body of Kgomotso Pule lies at the door of his parents' home after he was killed in a handgrenade blast yesterday. See Page 2. Pic: PAT SEBOKO

# Teacher dies in cell

A TEACHER has died in police custody in Lebowa amid allegations by witnesses that he was brutally assaulted in full view of the public when arrested *Sowetan 16/10/91*.

Mr Solly Mogashoa, a member of the South African Democratic Teachers Union, died in the Namakgale police cells, Phalaborwa, on Monday afternoon, according to police spokesman Captain LM Tlomatsana.

Tlomatsana said Mogashoa, who was a teacher at Spanberry Primary School, had been arrested on Sunday night for investigation of

By MATHATHA TSEDU

four charges - two of crimen injuria, one of theft of clothing and another of malicious damage to property (253)

He said police were investigating charges of assault against several policemen after Mogashoa's death but no one had been charged

To page 2

Page 2

SOWETAN Wednesday, October

## Sadtu angry over cell death

*Sowetan 16/10/91 (253)*  
From Page 1

yet Tlomatsana said it was believed that Mogashoa had resisted arrest and force had been used to arrest him

Sadtu officials said yesterday Mogashoa was picked up by police at the Phosphate club in the township

"The police assaulted him in full view of people who were in the club

"They kicked his private parts and pulled them," Sadtu branch vice-chairman Mr Zacharia Maimela said yesterday.

Maimela said it was this concern that led them to launch a search for Mogashoa on Monday morning, with police refusing them access to him until his principal went

It was only then that police told the principal, Mr TM Magoro, that Mogashoa had died.

Tlomatsana said the cause of death had not been established. The body would be taken to Pretoria for a post-mortem today.

Sadtu has also indicated that a family pathologist would be appointed to represent the union and family at the post-mortem.

Maimela said teachers had been angered by the "murder of our member. We are having a general meeting this morning to discuss the murder", he added.

Tlomatsana said the atmosphere in the township had been tense since the news of the death swept through the township late on Monday.

The death comes after police allegedly shot Mr Peter Magatwe, an electrician in the township, in the leg last week.

Magatwe was arrested when he went to the police station to lay charges against the policemen. He has since been charged with resisting arrest and is out on bail.

Lebowa Chief Minister Mr Nelson Ramodike, who is also in charge of the police, was said to be at a meeting yesterday and not available for comment.

Since taking over as chief minister in 1987, Ramodike has decried the killings by police of activists during the era prior to his takeover and said those responsible should be made to pay.

Star 16/10/91  
**Prisoners plead  
to world leaders**

HARARE — An open letter from prisoners in South African jails asks Commonwealth leaders meeting in Harare to approach President de Klerk to help secure their freedom.

The letter says they hope Mr de Klerk will be more prepared to listen to the voices of the Commonwealth leaders than he has to their appeals.

Star Africa Service (253)



# End of an era as Cowley House changes its role

South (Southside) 17/10-23/10/91

253



**HOME-COMING:** Joseph Mkhuhwa, Anderson Ncivata and the late Zamuxolo Nojoko celebrate at Cowley House.

PIC: MIKE HUTCHINGS

With only three political prisoners left in the Western Cape, Cowley House — a haven for prisoners and their families — must find a new role. **REHANA ROSSOUW** reports

**A** CAPE TOWN POLITICAL landmark, Cowley House, has served its time. The building in Chapel Street has ended its role as a haven for political prisoners and their families since 1979.

But the Woodstock house which provided comfort, shelter and a tranquil base for a sensitive reintroduction into society of South Africa's political prisoners will continue to play an important role.

Staff are considering using Cowley House to assist with the rehabilitation of handicapped returning exiles and former political prisoners and victims of state violence.

Rivonia trialist and former Robben Island prisoner Mr Raymond Mhlaba, a member of the ANC's National Executive Committee, said it was with a "tinge of sadness" that the end of the project was marked.

"But this sadness is overshadowed by the joy I feel knowing a new project is being born. Cowley House is addressing the needs of the time."

Speaking at a party held at Cowley House in Chapel Street last Friday, Mhlaba said the way in which Cowley House had cared for prisoners and those fortunate to have relatives visit them was "engraved on the hearts" of

his marriage — one of the first to take place behind bars.

"After the ceremony at Pollsmoor, my wife, Didika, came to Cowley House."

He said hundreds remembered and thanked the Cowley House staff for their loyal and selfless support for prisoners.

"Those of us who have been imprisoned know how it feels behind bars," he said.

"The general feeling of a prisoner when receiving a letter, a visitor or even having a warder open a door, is comfort."

"That is why people who do something for those behind bars, like the people at Cowley House, have made a tremendous contribution."

Mhlaba said Cowley House had contributed to the political struggle of the people in the region, although few people knew this.

They had also assisted Namibians held on Robben Island — people now running their own country, he said.

Cowley House staff said the three political prisoners in the Western Cape — Phyllis Fante, Johnson Lubisi and Liha Mlahleki — were welcome to use their facilities.

● *These photographs are from an exhibition, launched at Cowley House*

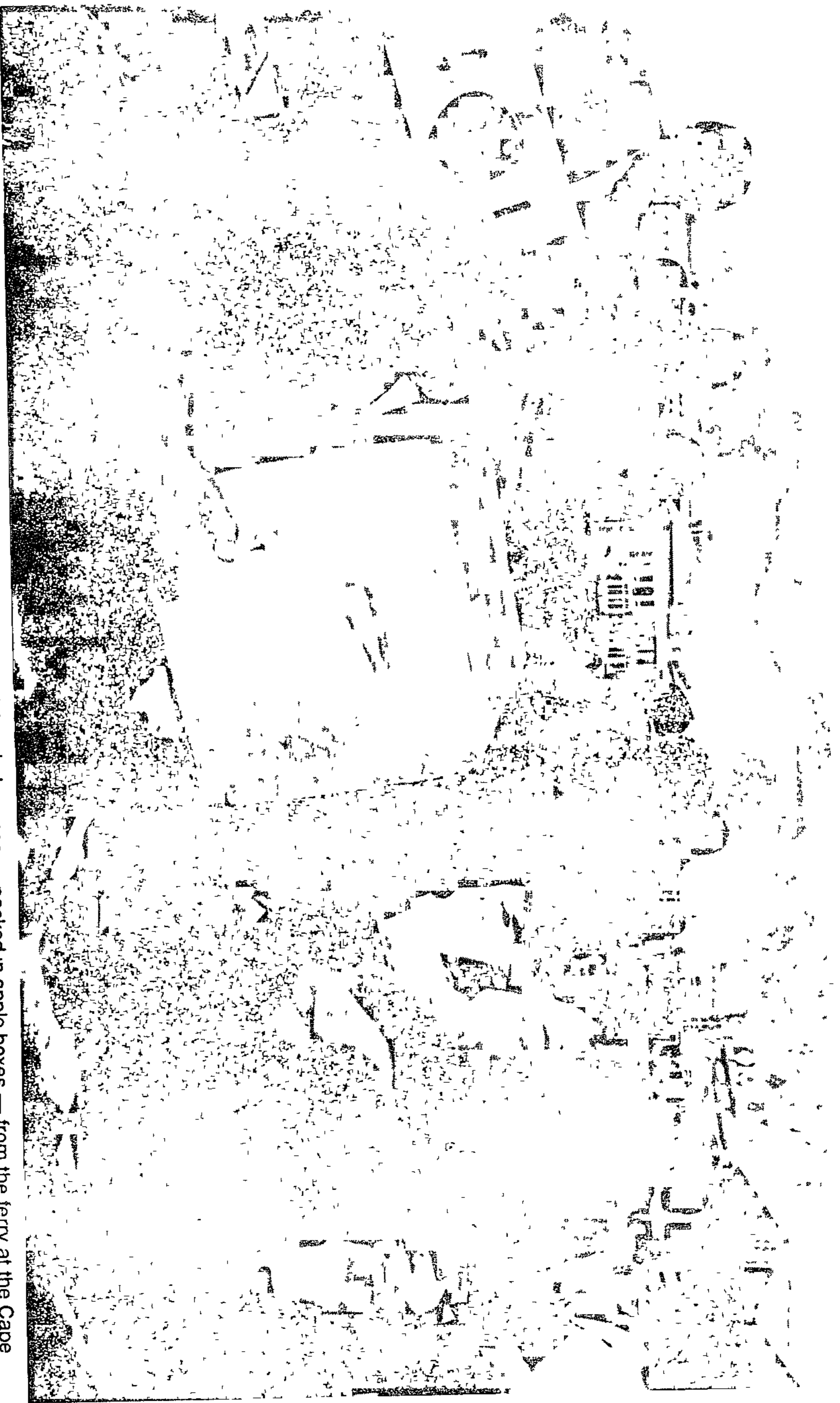


**DEFIANCE:** Women demonstrators cut through the harbour fence and chained themselves to the Susann Kruller



**JUBILATION:** Phumlani Ngqungwana sails to freedom on March 21 1991 after serving two years on Robben





**SWEET TASTE OF FREEDOM:** Released prisoners help each other unload their belongings — packed in apple boxes — from the ferry at the Cape Town docks.



# Zolisa Mlahleki stages sit-in protest at Pollsmoor

## Freedom for my brother

South 17/10/91 - 23/10/91 (253)

by Rehana Rossouw

I WANT you to stay with me tonight. I am lonely with no-one to talk to," political prisoner Lutha Mlahleki said to his brother Zolisa during a visit on Tuesday.

In a desperate bid to highlight his brother's plight, Mr Zolisa Mlahleki attempted to remain behind bars with his brother at Pollsmoor.

Accompanied by journalists and friends, Zolisa said before the visit he was determined not to leave unless his brother accompanied him to freedom.

However, his bid was thwarted by police, who removed him soon after he announced his intentions to remain.

Mlahleki, sentenced to 108 years — recently reduced to 42 years — for sabotage, is being held alone at Pollsmoor after refusing to apply for indemnity or accept parole to speed up his release.

Dressed in black trousers and a black shirt with green and yellow braid, the dreadlocked Mlahleki embraced his brother exuberantly when we reached B-section.

"I am running out of patience now," Mlahleki said. "I am no longer prepared to make any compromises with the authorities.

"I want to be transferred to a prison near Port Elizabeth so I can be near my family and my people.

"I am not going to sleep tonight until I get an answer about my transferral."

Mlahleki said while he realised his "stand" was causing his family to suffer, they had already suffered for 14 years and were strong enough to do so a little while longer.

He said prison authorities were attempting to turn him into "an animal".

"They are killing the human nature in me."

He said being alone in Pollsmoor was affecting him badly. He spent every morning trying to empty his mind of his plight before facing the lonely hours ahead.

Because he was regarded as a political prisoner by the warders, he was not allowed to have any contact with common-law prisoners.

"I am not only segregated from them, the warders will not even allow me to greet them," he said.

"On this issue, I am also not prepared to compromise. I tell the warders that as a political prisoner I am not only fighting for my freedom, but for the freedom of those prisoners as well.

"How will it look if I am disrespectful to them? So I ignore the warders and return their greetings."

In the passage outside the lounge where the visit took place, a pigeon sat preening its wings.

Mlahleki told us how a bird had flown into his cell a few days ago and how the warders ran into the cell shouting "free it, free it."

### Refused to leave

"I told them to leave the bird alone, that he should remain a captive just as I was.

"They should rather look at me and shout 'free him'."

At the end of the visit, Zolisa asked to see the head of the prison, a Major Roelofse, and refused to leave until he arrived.

He asked Roelofse to fax a memorandum he had written to the State President, demanding his brother's release.

After it had been sent off, Zolisa told Roelofse he would not leave his brother until he received a positive response.

"At about 5pm, the police arrived and forcibly removed me from



DETERMINED: Zolisa Mlahleki outside the jail

Pollsmoor," Zolisa said later.

"Lutha and I continued talking until they came, but he was also taken away."

Zolisa was held at the Kirstenhof police station overnight and appeared in the Wynberg Magistrates Court on Wednesday morning.

His lawyer said he was released on R300 bail and the case was postponed until November 19, pending further investigation.

Zolisa vowed he would not stop fighting for his brother's release.

"The day I die is the day I stop," he said.

ANC Western Cape publicity secretary Mr Whitey Jacobs said his organisation was angered by Mlahleki's treatment at Pollsmoor.

"We call for his immediate release

as well as the release of Johnson Lubisi and Phyllis Fante," Jacobs said.

A spokesperson for the Department of Correctional Services said they could not condone Zolisa's behaviour and had asked the police to remove him.

He said all prisoners who "patently" fell within the ambit of the categories and guidelines of the Pretoria Minute had been released.

"Individuals whose organisations did not subscribe to the principle of a process of a peaceful development had ample opportunity to do so on an individual basis.

"Mr Mlahleki has not availed himself of this opportunity and his release will be considered in terms of the standard release policy in the normal course of events."



# Plan for a future SA

Sowetan 14/10/91



**HARARE** - There is an urgent need to train black South Africans for senior jobs in a post-apartheid government, a task force on human resources development has said in a report to Commonwealth leaders meeting in Harare.

The group of experts recommends that R25 million be set aside annually for at least three years for this purpose.

The restructuring of the civil service has been earmarked as the immediate task in the transition period to ensure that black South Africans be appointed to senior jobs at central and local government level.

The report says of 3 000 top positions, 600 should be filled by blacks as soon as possible.

The international community is also being asked to help and the report suggests a global donors' conference be convened.

The programme has been designed to contribute to the process of political change; to train blacks for positions which will be crucial to creating a new democratic political, economic and social order.

The programme has also been designed to advance education and training institutions committed to building a non-racial South Africa.

Support will be necessary for programmes to train blacks for jobs in public administration, community organisation, engineering, information technologies and management and staff posts in training institutions - Sapa.

## Black judge wins the day

JUDGE Clarence Thomas will take his seat in the US Supreme Court in the face of unresolved allegations of sexual harassment and bitter emotions, but the black conservative jurist has made it.

"I'd like to thank America," he said after the Senate's 52-48 confirmation vote this week.

"We have to put these things behind us. We have to go forward."

The cost was nevertheless extraordinarily high for Thomas and the Senate after one of the judge's former assistants said he sexually harassed her in two government jobs a decade ago. - Sapa-AP.

See page 17

## A letter from those in jail

**HARARE** - A letter from prisoners in South African jails to Commonwealth leaders meeting here has asked delegates to approach President de Klerk to help secure their freedom.

The letter says prisoners hope De Klerk will be more prepared to listen to Commonwealth leaders than he has been to them. Sowetan 14/10/91

While the appeal was for freedom, it also contained a hard-hitting message.

It said: "There is no reason for us to be kept in prison and the longer we are here, the less reason we have to forgive and forget." - Sowetan Africa News Service. (253)



**FW**  
**wrings**  
**more**  
**changes**  
*Sowetan*

PRESIDENT FW de Klerk announced yesterday that the Department of Development Aid would be scrapped and a new department established in its place *17/10/91*

De Klerk said this was being done because of rationalisation

In a statement issued by his office, De Klerk said the department's functions and staff would be transferred to other departments "where they belong functionally"

He said the complete closure of the department was envisaged by March next year

The move arose from the Government's viewpoint that State departments concerned with the planning, co-ordination and provision of services should be directed to developing all communities in South Africa.

It had been accepted that duplication within Government departments should be eliminated and lines of communication shortened

The Government had also decided to transform the present Office for Regional Development into a fully-fledged department

The new department's functions would include planning, urbanisation and provincial matters, the general arrangement of land affairs and liaison with the four provinces and the homeland governments

The statement from De Klerk's office said: "This affects specific institutions which are connected to departments which are affected by this announcement or which are otherwise involved in development aid."

Certain investigations had already been undertaken and a committee of Cabinet Ministers would look further into the matter, it said - *Sapa*

# Escaping prisoners in hostage stand-off

*Sowetan 17/10/91* 253

**FOUR** long-term prisoners who escaped from the Pretoria Central Prison were rearrested yesterday morning after a two-hour hostage drama involving a prison warder.

The four men escaped after overpowering two other prison guards, taking their weapons, before jumping off the roof of the prison and escaping into the dark

As the prisoners fled with their hostage, warder A Stevens, shots were fired at them by South African Defence Force men.

The four prisoners and their hostage were cornered by prison staff and members of the police task force close to the Central Prison

The early-hour hostage drama started at 3am, when the prisoners overpowered Sergeant PMJ van der Walt and took his

firearm at knife point, a Department of Correctional Services spokesman said.

After forcing another warder to hand over his firearm, the men took Stevens hostage and fled, escaping via the roof of the prison.

SADF members fired on the fleeing men, who were eventually cornered behind a sandbank near the prison by members of the SA Correctional Services and the Police Task Force

The prisoners then demanded to see a lawyer and the commanding officer of Pretoria Central and, after protracted negotiations, gave themselves up at about 5.45am Stevens was not harmed

**Sowetan Correspondent**



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S2468

# Simelane's joy quashed

By DAN DHLAMINI (253)

BOPHUTHATSWANA hunger striker Johannes Simelane's relief at being released on Friday night turned to disappointment when he was told other political prisoners were still being held in the homeland.

Simelane's release, after 61 days without food, follows the freeing of 18 other political prisoners and the death of Rabusang "Black Mamba" Monana in prison this week. *CPM 20/10/91*

Prof John Kalk of Wits University, who visited Simelane at GaRankuwa Hospital on Friday, said Simelane had lost 30 percent of his body weight and was severely dehydrated. Had he continued to fast for another week he would have died.

Lawyer Jakes Maseka said Simelane's condition had improved slightly after he was put on a glucose drip after confirmation of his release.

The Mafikeng Anti-Repression Forum (Maref) said yesterday Simelane's release was his major victory.

A Maref spokesman said that despite Bop authorities' attempts to discredit Simelane by putting out misleading information on his medical condition, he had remained determined to fast until he was released.

Maref said there were more than 40 other hunger strikers in Bop prisons and hospitals, although Bop authorities acknowledged only 23.

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### Warden assault judgment soon

A KLERKSDORP jail warden, Major Jacobus Louw Hickley, 41, who faces a charge of assaulting a prisoner, will know his fate tomorrow.

Hickley, head of Klerksdorp Prison - has pleaded not guilty to assaulting long term prisoner Frans Dlamini on November 30 last year.

The case was adjourned until tomorrow for judgment.

*CP Press 20/10/91*

(253)



# Bop's hard line keeping sanctions in place

S/TIMES 20/10/91

THE tardiness of Bophuthatswana in releasing political prisoners has emerged as the major stumbling block preventing the lifting of remaining United States and European Community sanctions against South Africa

And there are growing fears that the introduction of a law which effectively prevents SA trade unions from operating in the homeland could further destabilise labour relations in SA.

Multinationals, like BMW, which operate in the homeland, are coming under pressure in their home countries to disinvest if the Bophuthatswana government proceeds to implement its new law

## Demanded

Bophuthatswana's failure to release political prisoners has been cited by South African officials as the main obstacle to the lifting of state and city sanctions in the United States

The South African Department of Foreign Affairs is also viewing as extremely serious a recent statement by the EC condemning the continued imprisonment of more than 100 political prisoners in the homeland

Neither the US nor the European countries recognise Bophuthatswana and

By MIKE ROBERTSON  
Political Correspondent

they have demanded that the SA government take action to secure the release of prisoners.

But despite the personal intervention of President FW de Klerk, the homeland government continues to hold 128 political prisoners. It has released 37

A senior SA official involved in negotiations with

the homeland government said relations between the two countries were "very strained"

He said the SA government's ability to press Bophuthatswana to release the remaining prisoners was limited. Unlike the other three independent homelands, Bophuthatswana was financially independent

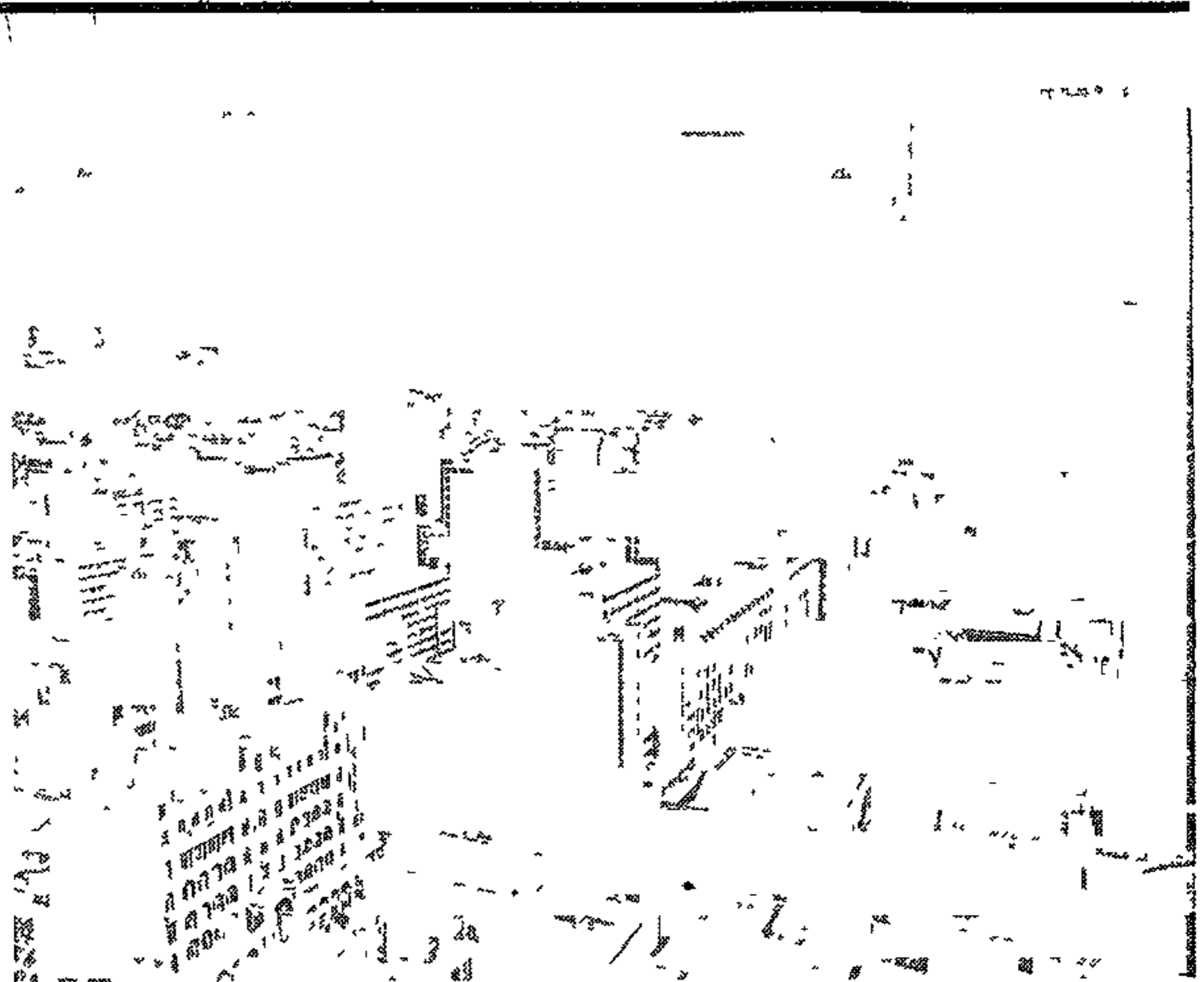
President De Klerk, he said, had addressed the

entire Bophuthatswana cabinet on the issue in July, but as yet there had been very little movement on its part

SA officials believe that former Rhodesian cabinet minister Rowan Cronje, who serves as Bophuthatswana's defence minister, has been instrumental in persuading President Lucas Mangope to "hang tough" on the release of prisoners

# Business Day SURVEY

*Cape Town has the qualities to become the corporate centre of SA. The country's oil industry is already headquartered there and there are plans to develop a world class conference centre in the city. The Graduate School of Business is rapidly becoming an international centre of learning.* LINDA ENSOR reports



## Robben Island could draw in tourists

THE Department of Correctional Services is being lobbied by an influential group of Capetonians to relinquish its lease on Robben Island to allow for the development of a tourist resort under the control of the Department of Nature Conservation.

The group, which has formed the Future of Robben Island Committee, has the support of the city council chambers of commerce, Captour, the Cape Administrator, Western Cape Growth Organisation, Small Business Development Corporation and other bodies.

This year, part of the island was placed under the control of Nature Conservation, but the prison, once the jail for SA's and Namibia's political leaders, is now been used for common criminals.

Future of Robben Island Committee chairman Nick Malherbe says the conversion of Robben Island into a tourist attraction would have terrific spinoffs for Cape Town's tourist industry.

The committee estimates the number of foreign visitors to Cape



Town would increase by 10% and domestic visitors by 15%, and that an additional R430m would be spent in the city.

Furthermore, 22 000 new jobs would be created.

These calculations are based on the fact that foreign tourists spend three days in Cape Town — to see

the peninsula, the wine-lands and the mountain — and would spend four if Robben Island was opened to them.

"The Cape cannot afford to let this potential income and job creation linger."

Malherbe says the Victorian village which presently houses prison staff has a

Herbert Baker church, a Malay mosque, a leper's church and 22 quaint Victorian houses.

The island has forest areas, 52 species of land birds and the possibility exists for luring tourists with a wreck trail, historical walks, swimming and snorkelling off the beaches, bicycle rides etc.

The idea is for a low-key natural resort along the lines of Pilgrims Rest, conserving present structures, rather than a glitzy affair.

"The environment is the most important thing and Nature Conservation would have a dominant say in how the island is developed," Malherbe says.

He estimates the cost of converting the island into a resort would be about R34m.

Arguing against the continued use of the island as a prison, Malherbe says only 6ha of the 574ha island is used for incarceration purposes, and that keeping prisoners there costs the taxpayer R18m more than jailing them in other prisons because of the need to transport provisions, house warders etc.

He says the Future of Robben Island Committee would consult with the ANC, PAC, Azapo and Swapo on the future of the prison, but the maximum security section of the prison would be ideal as a museum dedicated to the history of the struggle against apartheid, while the remainder could be used as a youth hostel.

BIPay 21/10/91

253

# Simelane in ICU but is <sup>253</sup> able to walk

Sowetan 22/10/91  
By ALINAH DUBE

FORMER Bophuthatswana hunger striker Mr Johannes Simelane (34), who was freed at the weekend, was admitted to the intensive care unit of the Garankuwa Hospital "for strict supervision".

Dr JJ Crous, medical superintendent at the hospital, yesterday described Simelane's condition as "fair" and "stable".

He said Simelane, who refused food for 61 days to gain his release, was taken into the ICU temporarily to give him the best possible treatment the hospital could offer.

"The report I have this morning is that Simelane is now taking food. He is also able to walk around," Crous said.

An ANC member, Simelane was imprisoned for his part in the abortive 1988 Bophuthatswana coup.



# Release of killer 'uneven justice'

By Helen Grange  
Pretoria Bureau 253

The release of former Dale College pupil Richard Bester (18) after he had served less than four months in jail for killing a man was another demonstration of the "surprisingly uneven manner" in which justice was done in South Africa, Lawyers for Human Rights said yesterday.

Bester was sentenced to an effective two years' jail earlier this year for killing vagrant Tom Ruiters (70), but was released on parole on September 9.

The Department of Correctional Services said Bester had benefited from the general amnesty on April 1 and from the one-third special remission of sentence for first offenders on July 1.

In accordance with parole rules, Bester was placed under the control of the prison head and had to have a fixed employment and residential address.

## Minors

Bester and three other pupils — all minors — were found guilty of culpable homicide after they beat Mr Ruiters to death.

The schoolboys, who beat up defenceless vagrants who attempted to stop overnight in the school grounds, were also convicted of charges of assaulting another two men.

A spokesman for LHR said, "It is surprising the speed applied to releasing people like this when the release programme for political prisoners is in a tardy, bureaucratic mess."

The spokesman added that Bester's jailing had been "astonishingly short" considering the weight of his crime. "This is especially so when one considers the jail sentences of up to five years passed on first offenders for car theft."

# Bafokeng battle moves to Jo'burg

AN endless feud between Bophuthatswana's President Lucas Mangope and the Bafokeng tribesmen of Phokeng, near Rustenburg, was taken to the streets of Johannesburg yesterday.

About 100 tribesmen held a placard demonstration near the homeland's consulate-general, demanding the safe return of their exiled tribal chief, his deported wife and the release of a prisoner on hunger strike.

Chief Lebone Molotlegi left the homeland after Bophuthatswana's abortive coup of 1988, while his wife Semana Bonolo Molotlegi was later deported because she was a Botswana national.

Chief Molotlegi is reported to be in Botswana while his wife is said to be on the Reef. *Sowetan 25/10/91*

The tribe's spokesman, Mr Kebareng Bogopane, said there was a pending Supreme Court case whereby Mangope and Bafokeng acting chief Mr George Molotlegi, Lebone's younger brother,

is expected to give oral evidence in the ongoing fight for the return of the exiled leader.

"Political" prisoner Mr Christopher Makgale, who is serving an 18-year jail term, has been on hunger strike since the October 8, Bogopane said.

The demonstrators, who gathered in central Johannesburg were mostly old folk, some standing with the help of a stick in one hand and a placard in the other hand.

Lunchtime Johannesburgers were treated to plenty of light moments with one placard comparing Mr Mangope's wife Leah and Mrs Molotlegi by declaring "Leah Also Has No Right To Live In Bop".

The First Lady originally came from Potgietersrus in the northern Transvaal. One consulate employee reportedly whispered words of support to the demonstrators. The demonstrators allegedly came in five minibuses. - South African Press Association.



LUCAS MANGOPE

# ANC probes jail gang's release

By NIKOPANE MAKOBANE

THE Kroonstad ANC branch is to institute an independent commission of inquiry to look into the release of the notorious "Three Million Gang" which has renewed fear among the residents.

According to Mr Dennis Bloem, the branch publicity secretary, all 36 members of the Maokeng-based gang have been released "under mysterious circumstances".

The last group of 18, he said, were freed last month, while the rest were released earlier.

The gang was arrested in June, this year, in connection with crimes

committed during October 1990 and February this year.

Since their arrest, the gang members made several court appearances on charges, including, murder, robbery, assault with intent to do grievous bodily harm, arson and malicious damage to property.

Bloem said the Maokeng community was unhappy about the gang's release. This, he said, was why the ANC was planning to have a commission of inquiry before the

end of this year to investigate the affair.

He dismissed a Press statement by the investigating officer, Captain Koot de Ru of Sasolburg, that the gangsters were released after they had signed a "peace treaty" with the ANC and both parties agreed to drop charges against each other.

"We reject this in the strongest terms. Although we are willing to talk to different political organisations, we will never go into meetings with gangsters and sign peace agreements," he said.

Bloem said soon after learning of the gang's release, they held a meeting with police to get clarity.

A Captain Heystek from the police headquarters in Pretoria told them complainants had agreed to drop charges against the gang.

"Shortly after this explanation, we made our own investigations and found no one among the complainants had withdrawn charges.

"The community is puzzled and angry about the whole thing. We in the ANC have a strong feeling that the police are hiding something and misleading the public.

Source: 25/10/91



## Hunger-strike

AWB men (13)

### jump bail

PRETORIA — Two right wingers accused of murder have jumped bail and are being sought by police, reports said last night.

They are Mr Adriaan Maritz and Mr Henry Martin, who made headline news during their alleged hunger strike last month.

They have failed to comply with their bail conditions.

● Two AWB members were arrested this week for their role in the Ventersdorp violence, on August 10. Police uncovered caches of arms at their homes. — Sapa

# 2 ex-hunger strikers 'on the run'

Star 26/10/91

(253)

PRETORIA — Two of the three right-wing hunger strikers discharged from the HF Verwoerd Hospital last month have allegedly broken their bail conditions and are on the run.

Police liaison officer Colonel Frank Alton yesterday said warrants of arrest had been issued for Henry Guy Martin and Adrian Hendrikus Maritz for failing to comply with their bail conditions.

The men, who are scheduled to appear in the Pretoria Supreme

## OWN CORRESPONDENT

Court on Monday, are believed to be in possession of false passports and trying to make their way to London, according to sources. Mr Martin is a British citizen.

They were first arrested more than nine months ago in connection with a bomb blast at the Bloed Street taxi rank in Pretoria and a parcel bomb explosion which killed a Durban computer technician with ANC links.

The two men, who ended their hunger strike on September 9, have not reported to the police since Wednesday, nor have they been found at their given addresses, Colonel Alton said.

The third hunger striker, Lood van Schalkwyk, has not broken his bail conditions.

In terms of the conditions, all three men were obliged to report daily to their nearest police station.

They were also required to hand in their

passports and any other travel documents, and were not permitted to apply for passports.

They also undertook not to leave the magisterial district of Pretoria without police permission. Bail was set at R5 000 each.

Mr Martin and Mr Maritz were believed to be driving a silver-grey BMW 318i.

Anyone with information should telephone Colonel Roelf Venter at (012) 310-1326 (office hours), or at (012) 998-9881 (after hours).

# Warder off assault charge

By DAN DHLAMINI

THERE were murmurs of discontent from spectators in the Kleksdorp Magistrate's Court this week when the chief of Klerksdorp Prison was acquitted on charges of assaulting a prisoner, Frans Dlamini

Magistrate JD de Beer said he was giving Major Jacobus Hickley, 41, the benefit of the doubt because there were contradictions by State witnesses.

Dlamini and State witness Samuel Monti had told the court that inmates were dissatisfied because there was no sugar in their tea on November 23

Monti said Hickley pushed Dlamini into cell 13 and started kicking him in the private parts. Dlamini said he started bleeding from the penis, a statement supported by Monti who told the court he had seen blood on Dlamini's trousers and on the floor.

Klerksdorp District Surgeon Dr HS Wentzel was asked by prosecutor JH de la Rey if Dlamini's injuries were consistent with allegations that he had been kicked repeatedly in his private parts.

Wentzel said they were not, because Dlamini's scrotum was not swollen when he examined him. He added that it was possible the injury could

have been self-inflicted. Warders Ockert Pretorius and James Barendse told the court they had been present during the incident but had not seen Hickley assaulting Dlamini.

Pretorius said he saw an angry Hickley reprimanding Dlamini and prodding him in the chest.

Hickley denied having assaulted Dlamini, but said he had talked strongly to him. He said Dlamini had incited other convicts to refuse food after they complained about the sugar.

De Beer said much as he could not reject evidence given by Dlamini and Monti as lies, Wentzel's evidence did no good to the State's case.



## Outrage as killer freed

LAWYERS for Human Rights, yesterday slammed as racist the early release from prison of a white youth who brutally clubbed an elderly vagrant to death.

Richard Bester, 18, served three months of a two year sentence for his part in the murder of 70-year-old vagrant Tom Ruiters at King William's Town's Dale College. *CP Press 27/10/91*

He was released secretly two months ago. A Correctional Services spokesman said Bester qualified for its special deal for first offenders and for its April 1 general amnesty - CP Correspondent

# ANC 'not contacted by right-wingers'

CT 28/10/91 253

**Own Correspondent**  
LONDON. — The ANC's office here said that by yesterday they had not been contacted by two right-wing murder accused believed to have jumped bail and fled here late last week.

The men, Mr Adrian Maritz and Mr Henry Martin, who had surrendered their passports and were on R5 000 bail each, reportedly entered the United Kingdom on false travel documents. Mr Martin is British

They are due to appear in the Supreme Court, Pretoria, today on a murder charge relating to the death of ANC Durban computer consultant Mr Nicholas Cruise, who died after opening a parcel bomb on October 20 last year.

A South African Police spokesman said yesterday that police were investigating reports that the two right-wing activists had fled to Britain. He said the reports were "speculative", but could not be dismissed.

Mrs Karen Maritz, the wife of one of the men, told a Sunday newspaper that the men wanted to testify before the newly established Commission of Investigation for the Prevention of Public Violence and Intimidation, in exchange for political indemnity.

Claiming to speak from London, she said the men would not return to South Africa to testify unless their safety could be guaranteed. "They would rather contact the ANC in London and arrange to testify

here before risking their lives again," she said.

ANC spokesman Mr Nad Pillay said that by late yesterday the men had not contacted the ANC office.

Captain Dirk Coetsee set a precedent in 1989 for right-wingers allegedly involved in hit-squad operations by joining the ANC.

A spokesman for New Scotland Yard said yesterday that they had not yet been contacted by the South African Police to help search for the men.

# Conduct of warders queried by judge

253  
B/pay

29/10/91

Own Correspondent

DURBAN — The judge presiding over the inquest into the shooting to death of Chief Mhlabunzima Maphumulo, Mr Justice Page, said yesterday he was not satisfied with explanations given by Westville prison officials for allowing police access to inquest witness Const Lucky Mntambo while he was being held in protective custody.

The judge said he had referred the matter to the attorney-general for his decision and also instructed the docket be sent to the director-general of correctional services to take whatever departmental disciplinary steps he might deem fit.

Mr Justice Page said after considering written statements he was not satisfied that the conduct of the prison officials concerned in admitting police to Mntambo while he was in protective custody was merely the result of "negligence or stupidity". It was arguable that they at least foresaw the possibility that their conduct could amount to contempt of court, he said.

The judge ordered an investigation after being told on October 23 by Mntambo's advocate that his client was approached in prison by members of the SAP who attempted to obtain a statement from him and that a scuffle had broken out.

Mntambo was granted protective custody on September 27 after claiming he feared for his life because he had implicated police in alleged "hit squad" activities. He has recently been released from protective custody at his own request.

Under cross-examination by Kobus Booyens SC for the police yesterday, Mntambo insisted his arm was broken in September when he dived into a ditch in Hesketh Drive while fleeing from SAP members who allegedly fired shots at him.

Booyens said according to medical records at Edendale Hospital Mntambo did not sustain any fracture.

Mntambo also disputed allegations yesterday that he had never been attached to the SAP security branch but had joined the SAP on two occasions.

It was suggested he was discharged once as a result of frequent absences from work, and was again discharged in December last year as a result of allegations that he was involved in a "variety of crimes".

Booyens also quoted passages from affidavits of various security policemen implicated by Mntambo, denying involvement in attacks detailed by him.

The hearing continues today.

## Bid for dismissal in Allied trial

15/10 am 27/10/91

SUSAN RUSSELL

ALLIED Bank, one of its senior managers and an Austrian businessman yesterday applied for a dismissal of charges relating to an allegedly fraudulent R5,5m finrand transaction.

The bank as a corporate entity, a senior manager, Ulrich Leitich, 49, and businessman Rainer Moringer, 48, have pleaded not guilty in the Rand Supreme Court to one count of fraud and an alternative charge of contravening exchange control regulations.

They have applied for a discharge on both counts on the grounds that the state, which has closed its case, had not proved the charges against them.

It is alleged that Mor-

inger obtained Reserve Bank permission for a R5,5m finrand investment in his companies, Ciskei Air Transport Investment Corporation and Ciskei Aircraft Industries, by misrepresenting that the investment was to be made by an Austrian company, Agroprojekt.

The state alleges there was in fact no foreign investor and that Allied provided the \$1,67m for the purchase of finrands in contravention of exchange control regulations.

Applying for an acquittal, counsel for Leitich submitted that the state had failed to prove there was no

foreign investor or that Allied itself was the de facto investor.

Allied never intended to be the investor, the court was told. It was also argued that the state had not proved any fraudulent misconduct or non-disclosure on Leitich's part and that he too should be acquitted on both counts.

The state will continue argument today in opposition to the application.

Mr Justice Zulman said because Moringer conducted his own defence, he would allow the businessman an opportunity to make submissions on points with particular reference to himself raised by the state.



# Judge slams bail amount

253 CT 29/10/91

JOHANNESBURG — A judge yesterday criticised the amount of bail granted to two right-wingers now on the run

Mr Acting Justice WJ Human yesterday granted an application by the state that bail of R5 000 of former hunger-strikers Mr Henry Martin and Mr Adriaan Maritz each be provisionally estreated

He said that it was strange that people facing such serious charges could be let out on bail of only that amount

Mr Martin and Mr Maritz was granted bail in the Pretoria Supreme Court on September 10. The bail was not opposed by the state; but was coupled with strict conditions curtailing the men's movement and their contact with the media

Mr Justice Human said it was

clear from reports handed to the court that the third former hunger-striker, Mr Lood van Schalkwyk, who had a serious heart condition, was medically unfit to appear in court

The trial of the three men was postponed to January 27 next year

## Charges

They face a charge of murder relating to the death of computer consultant Mr Nick Cruse in a parcel bomb explosion on October 2 last year

They also face two charges of attempted murder relating to a bomb blast in Bloed Street, Pretoria, on August 11 last year and two charges of malicious damage

to property. They were granted indemnity on 20 charges

State prosecutor Mr Paul Fick indicated that the trial would continue next year, whether against one or all of the accused

Meanwhile Sapa received a telephone call through an international operator on Monday afternoon, allegedly from Mr Martin, who said he was "safe in the United Kingdom"

However, when asked where he could be contacted to verify the place he was calling from, he immediately disconnected the telephone link.

Police are investigating the possibility that Mr Maritz and Mr Martin may have left the country for England on false passports

# JAIL

## Cop hurt in court drama

# BREAK

Sowetan 29/10/91

## Prisoner is shot dead

253

### Jail break

From page 1

prisoners became involved in a scuffle with W/O Anna du Toit *Sowetan*

Three others jumped from the police truck and in the confusion the four men bolted in the direction of the mall, with the police giving chase on foot *29/10/91*

Witnesses said several shots were fired Mabusu was seen falling to the ground and later lying in a pool of blood

### Hostage *253*

In another incident, a suspected robber shot a young woman he had taken hostage and then shot himself dead when police confronted him in the Alberton City Shopping Centre yesterday, police said

The robber emerged from the cash office wielding a firearm, with Miss Jane Maikoo, 31, as hostage, but when he was challenged by a policeman, he shot Miss Maikoo in the neck

The policeman then shot the suspect in the chest, and as the man was falling to the ground, he shot himself in the head. He died instantly. Miss Maikoo is in a critical condition in the Willem Cruywagen Hospital, Germiston

Other robberies reported by the Witwatersrand police yesterday, included one where the criminals' getaway car was a luxury vehicle *Sapa*

AN awaiting-trial prisoner was shot dead and two others were seriously injured during a daring breakout attempt by four prisoners in central Johannesburg yesterday, police said.

The incident was part of a crime wave which hit the Reef yesterday. The escape bid took place near the Rand Supreme Court and the Smal Street Mall with shoppers running for cover during a shootout which lasted for some time.

Police spokesman Captain Eugene Opperman confirmed that policemen had fired several shots but declined to say if the prisoners had also been shooting

He identified the dead prisoner as Mr Reginald Mabusu, but declined to name the dead police sergeant, aged about 50, until his next-of-kin had been informed

One prisoner, Mr Themba Twala, managed to escape while two others were apprehended. Opperman said the two were seriously wounded. They were identified as Mr Mavuso Mchunu and Mr Themba Makwanane.

The four were to stand trial for the murder of a policeman and a private security officer during a robbery at Coronationville last August.

The breakout was made at about 10am when several prisoners were transported to court

On their arrival,

●To page 2



Brenda Fassie's husband, N Johannesburg Magistrate's allegations of fraud totalling

new  
**Check  
 KAC**  
 OPENS WEDNESDAY  
 30 OCTOBER AT 9  
 Excella  
 cooking

**SP refuses**

**release**

(253)

LT 31/10/91  
**for Fante**

AN application for the release of the only woman political prisoner at Pollsmoor Prison, Non-tuthuzelo Fante, has been refused by the State President.

Fante's lawyer, Mr Alan Dodson, said he had sent a letter to President F W de Klerk asking him to furnish reasons for his decision.

Fante was sentenced to 15 years' imprisonment in 1987 with seven co-accused for attempted murder arising from political conflict in Ashton.

Mr Dodson said five of her co-accused had been recognised as political prisoners and had been released. He said requests for an explanation for the different treatment of the various co-accused had not been answered — Sapa



# McBride claims racist treatment

253  
Star  
31/10/91

By Esmaré  
van der Merwe  
Political Reporter

Umkhonto we Sizwe bomber Robert McBride has accused the Government of racism in its decision not to release him

In a letter published in the latest edition of the ANC mouthpiece *Mayibuye*, McBride — who was on Death Row for four years before his death sentence was commuted to life imprisonment — said the ANC should not enter into constitutional negotiations before all political prisoners had been released.

He said Government officials "have stated that my release would cause dissatisfaction within their constituencies because the victims in my case were white. So I am being kept in prison because of National Party expediency and racism."

## Difference

He compared his case to three others of Umkhonto soldiers — some of whom had been given death sentences — who were subsequently released.

McBride said the only difference between the three cases and his was that the civilians killed in their cases had been blacks while the three civilians killed in his case had been white.

A spokesman for the Ministry of Correctional Services yesterday said McBride's offences did not fall within the ambit of the guidelines for political prisoners.

McBride's suggestion of racism was "completely unfounded".

He added that McBride had been sentenced to death three times and, unlike the cases he had referred to, his sentence had been commuted to life imprisonment and not to a certain fixed term.

Those ANC-related prisoners with fixed prison terms who fell outside the guidelines for political prisoners had been pardoned by the State President.

# 'Amnesty cause of crime tide'

The Argus Correspondent

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ARG 3/11/91  
nal," he said.

JOHANNESBURG. — The general amnesty for first-time offenders declared by the State President earlier this year was responsible for the rising tide of crime, bitter police officers have warned.

Senior police officers are now complaining to the Commissioner of the South African Police because criminals they put behind bars are released on amnesty or early parole.

One captain said the general amnesty created euphoria among criminals, who felt it gave them carte blanche to do as they pleased.

"Once a criminal, always a criminal," he said.

He was furious at the number of people he had put behind bars who were back on the streets "having a field day with a gun in their hands."

Another senior officer said he knew of several officers who had complained to the commissioner about the amnesty.

Under the State President's amnesty granted in August, a third of the sentence for first-time offenders was commuted. Several criminals convicted of serious crimes have been released, and police are bitter because, they say, most of these criminals have previous sentences for similar offences.

# Policemen bitter about amnesty

Star 31/10/91  
By Bronwyn Wilkinson  
Glen Elsas  
and Clyde Johnson

The general amnesty for first-time offenders declared by the State President earlier this year is responsible for the rising tide of crime, bitter police officers warn.

Senior police officers are complaining to the commissioner of police because criminals they put behind bars had been released on amnesty or early parole.

One captain said the general amnesty created a euphoria among criminalism who felt it gave them carte blanche to do as they pleased.

He was furious because of the number of people he had put behind bars who were back on the streets "having a field day with a gun in their hands".

"Once a criminal, always a criminal," he said.

Under the State President's amnesty granted in August, a third of the sentence for first-time offenders was commuted. Several criminals convicted of serious

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crimes have been released, and many had previous convictions for similar offences.

"It is well known that crime has gone haywire over the last 18 months. There may be several factors, but we know one of them is all the people wandering around who should have stayed locked up," he said.

Several magistrates feel the entire amnesty and parole system has possibly made the criminals bolder. Some feel it makes a mockery of the judicial system.

The office of the commissioner of police could not be reached for comment.

Another police colonel, who retired recently, said millions of excuses could be given as to why the "so-called political prisoners" should have been released.

He however would like one question answered.

"Hardened criminals have been set free and are planning. How are policemen in a new South Africa going to control and handle these people? It can only end in chaos," he said.



# LHR seeks release of <sup>Star 31/10/91</sup> ~~Gerhard~~ spy Gerhardt <sup>253</sup>

An application was filed in the Pretoria Supreme Court this week for the release of convicted KGB spy and ANC member Dieter Gerhardt, according to a statement issued by Lawyers for Human Rights on yesterday.

The LHR filed the application in terms of rule 53, ordering the Minister of Correctional Service to release the former SA naval officer, and calling upon the State President to show cause why he did not grant Gerhardt political indemnity.

The application asked for the court's authorisation to release the former spy. It also noted that Gerhardt was and still is an ANC member who committed his acts from political motives.

During December 1983 Gerhardt was convicted of high treason and sentenced to life imprisonment.

## Opposition

The LHR noted that the acts which had given rise to the charge against him and for which he was convicted were among others, that during 1962/63 his opposition to the (political) policies of the Government had led him to supply the USSR certain information "in order to bring about a new social dispensation in the Republic".

"The fact that he was charged with treason, found guilty of treason and was always imprisoned with political offenders would indicate that the State always regarded his offence as

being one which was committed with a political motive.

"It is common cause that one of the consequences of the present Government's political reform initiatives is that people who were guilty of committing acts which constituted 'political offences' should be granted indemnity and those who were being detained in consequence of committing such acts should be released."

## Extended

Gerhardt applied for political indemnity on November 27 1990 but this was denied. The LHR statement noted that the State President had extended categories of political offences on April 24 this year and unconditionally granted indemnity to any person who was a member of the ANC and who before noon on October 8 1990 had committed, with political motive, any act which constituted or might constitute high treason.

Gerhardt noted in his supporting affidavit before the court that, since he was and is a member of the ANC, and since he was convicted of high treason, which offence he committed with political motives, he should have been released on or shortly after April 24 1991 and that his continued incarceration was unlawful.

He also alleged that the State President could have decided that he should not be released only by "applying considerations which were irrelevant, grossly unreasonable or not permitted by law". — Sapa.

# Amnesty led to a crime wave - cops

Sowetan 1/11/91

**THE general amnesty for first-time offenders declared by the State President earlier this year was responsible for the rising tide of crime, bitter police officers have warned.**

Senior police officers have complained to the Commissioner of the South African Police because criminals they put behind bars are released on amnesty or early parole.

One captain said the general amnesty created a euphoria among criminals, who felt it gave them carte blanche to do as they pleased.

## Having a field day

"Once a criminal, always a criminal," he said

He was furious at the number of people he had put behind bars who were back on the streets "having a field day with a gun in their hands".

Another senior officer said he knew of several officers who had complained to the commissioner about the amnesty

"I would complain too, if I felt it would do any good," he said.

Under the President's amnesty granted in August, a third of the sentence for first-time offenders was commuted.

Police say the amnesty is not being applied properly as many of the criminals released had previously been convicted for the same offences

"How many criminals who go to jail and serve their sentence come out and go straight back into crime?" asked one officer

253  
"There are thousands of them So, the guys who didn't even have to serve their sentence think this is great. And next time they will get out on parole," a disgruntled colonel charged.

"It is well-known that crime has gone haywire over the last 18 months There may be several factors, but we know one of them is all the people wandering around who should have stayed locked up," he said

Several magistrates feel that the whole amnesty and parole system has possibly made the criminals bolder.

Sentences do not act as a deterrent any more as criminals in many cases feel they will be granted amnesty or parole sooner, magistrates say.

Some feel that it makes a mockery of the judicial system as stiff sentences are meted out and are often promptly reduced

## Violent crimes

The office of the Commissioner of the South African Police could not be reached for comment

A colonel with several years experience said:

"A large percentage of prisoners who claim to have been jailed for political reasons were indeed convicted of violent crimes such as murder, rape and theft.

"These people are hardened criminals and experience has shown that once they have committed a violent crime there is a 90 percent chance of them doing it again once they leave prison" - *Sowetan Correspondent.*

# Release of ANC man conditional

Staff Reporter

A FORMER ANC cadre — who was transferred from prison to Valkenberg Hospital — will be released by the State President as soon as he has been decertified as mentally incompetent.

The Department of Correctional Services yesterday said Mr Johnson Lubisi was no longer subject to the provisions of the Prisons Act because he was hospitalised for mental problems. CT 2/11/91

Reacting to an outcry about Mr Lubisi's continued imprisonment, the liaison officer of the department in Pretoria, Major D-H. Smith, said Mr Lubisi had been in Valkenberg Hospital for nearly a year.

He was previously serving a life sentence for an armed attack on a police station. (253)



# Court bid highlights forgotten prisoners

South 28/11-4/12/91 (253)

THE case of forgotten political prisoners, who remain incarcerated despite extensive agreements between the government and the ANC, have been on the agenda once again. A renewed application for the release of navy spy Dieter Gerhardt by Lawyers for Human Rights (LHR) has highlighted the plight of prisoners such as Gerhardt and ANC operative Robert McBride.

The Supreme Court application called on the Minister of Correctional Services to release Gerhardt from Pretoria Central Prison.

It also called on the state president to show why his decision not to authorise the release of Gerhardt should not be reviewed and set aside.

By Karen Williams

Gerhardt was convicted of high treason and sentenced to life imprisonment in 1983 for supplying military information to the Soviet Union.

LHR said he was held with political prisoners and this indicated that the government regarded his offence as one which was politically motivated.

Gerhardt unsuccessfully applied for release in November 1990 on the grounds that he was a political prisoner.

Robert McBride, meanwhile, has labelled his continued imprisonment "racist" in a letter he wrote from prison and published in the latest issue of Mayibuye.

McBride was sentenced to death in 1987 for a bomb blast in Durban in which three civilians were killed.

His sentence was commuted to life imprisonment by the state president in April this year.

The government has continually stated that because civilians were killed, McBride was not a political prisoner and would not be released.

Comparing his conviction to three similar cases in which civilians were killed, McBride noted all convicted in those cases had been released.

The only difference between those cases and his own was that the civilians killed in McBride's case were white, the letter said.

"From this premise it is clear that a black life is cheaper than a white life," says. He noted that government officials have stated his release would cause dissatisfaction in their constituencies, because the victims were white.

"I am being kept in prison because of National Party expediency and racism," says McBride.

Meanwhile, 21 political prisoners on hunger strike in Bophuthatswana have all been admitted to hospital. The Mafikeng Anti-Repression Forum (Maref) says 11 hunger strikers have gone 50 days without food.

According to Maref, there are 100 political prisoners in the homeland. Most are detainees who were involved



STAY DOWN ...Bophuthatswana soldiers being captured during the unsuccessful coup in the homeland in 1988



Robert McBride

in the 1988 coup attempt.

Johannes Nhlapo, 27, had a heart attack and was rushed to the intensive care unit.

Bushy Molefe, 30, has been on hunger strike for more than 60 days and Maref fears he may die soon.

He and Azanla member George Biya have been transferred to Odi Hospital. Biya lapsed into a coma earlier this week, while Molefe has lapsed into several comas.

Molefe is unable to walk and can

only speak in a whisper. He complains of body pains, continuous headache, and has lost a third of his body weight.

He has made a will stating that if he lapses into a coma, he must not be resuscitated unless he is to be released.

He was sentenced to eight years for his part in the coup against President Mangope. The prisoners fear that doctors will add glucose to their drips despite requests from the strikers that they do not.

One prisoner died in hospital on October 15. His death is blamed on neglect by prison and medical authorities.

LHR approached South Africa on the issue but the government remains adamant it will not interfere in the internal affairs of independent states.

● Four members of Umkhonto we Sizwe, Frans Mokomane, Rodney More, Petrus Mothupi and John Pilane, were sentenced in the homeland, according to Lawyers for Human Rights.

● At least 8 political prisoners held in the St Alban's Prison in Port Elizabeth remain on hunger strike, according to the Human Rights Commission.

They started a hunger strike on November 8 to demand their unconditional release.

8 788 released under amnesty

South 28/11-4/12/91 (253)

WHILE 1 187 political prisoners have been released in terms of the Pretoria Minute, 8 788 prisoners have benefitted from the amnesty on first offenders, says the Department of Correctional Services (DCS).

The figures on first offenders were recorded up to September 30 1991, says the Department. (253)

"Approximately 15 000 prisoners will eventually benefit (from the amnesty) over a number of years," the DCS said in a statement.

However, the Human Rights Commission says 864 political prisoners were released up to October this year.

Lawyers for Human Rights (LHR) believes the government is "holding high-profile political prisoners hostage" to pressure the ANC to use its influence with Frontline States leaders to release South African agents.

According to LHR, there are five South African agents being held in Zimbabwe, four SADF members held in Botswana and one in Mozambique.

## 4 SOUTH REPRESSION

### NEWS IN BRIEF

#### South 28/11-4/12/91 83 on hunger strike

EIGHTY-THREE awaiting trial National Union of Mineworkers (NUM) members have started a hunger strike at Klerksdorp Prison. (253)

They have been charged in connection with the anti-VAT strike on November 4 and 5.

The miners started the hunger strike on November 15 to demand that they be granted bail or be brought to trial immediately.

The Human Rights Commission says the 83 have been charged with intimidation. The charges arise from the alleged closing of a hostel to fellow workers who did not observe the stayaway.

The miners, all from Buffelsfontein Mine, were arrested on November 6 in Stilfontein in the Western Transvaal. They only consulted lawyers on November 9 when they were moved to a police station in Hartebeesfontein, 40 km from Stilfontein.

#### 300 on death row

THE Department of Correctional Services has confirmed that 300 prisoners are still on death row. The Department did not indicate how many of these are political prisoners. (253)

According to the Human Rights Commission there are 17 political prisoners and 319 non-political prisoners on Death Row.

Fifty-three political prisoners had their death sentences commuted this year. South 28/11/91-

Two prisoners still on death row, Mzondeleli Nomndula and Mthetheleli Mncube, were both sentenced in 1988 after a series of landmine deaths in the Northern Transvaal and the death of a policeman during an escape from custody. 4/12/91

Their appeal against the death sentence failed and since March they have been waiting for clemency. 28/11/91 - 4/12/91  
South



# ANC claim 250 held — denied by police

The Argus Correspondent

EAST LONDON. — About 250 ANC members have been arrested in Dimbaza near King William's Town, bringing the number of members detained since the Ciskei state of emergency was declared to 278, the ANC claims.

Among those arrested were an ANC regional executive member, Mr Sam Kwelita, the chairperson of the Dimbaza Residents' Association, Mr Vuyisile Radoni and an executive member of the ANC and the resident's association, Mr Amos Mpela.

The ANC's Border publicity secretary, Ms Marion Sparg, said Ciskei police were still refusing to confirm the whereabouts of emergency detainees.

"Repeated calls to police stations throughout Ciskei have resulted in simple denials that any detainees are being held in their stations," she said.

"Many of our members have been held for more than a week now in terms of the emergency regulations. Friends and relatives have approached police stations where they are believed to be held to take them fresh clothing and food parcels. "In all cases," said Ms Sparg "they are told

that no emergency detainees are held in that particular station."

The ANC has also claimed that in Komga, near East London, armed PAC supporters led by a South African Police special constable roamed the township, on Sunday night attacking residents.

"About seven people were wounded by pangas and axes and stoning also took place," said Ms Sparg.

Several ANC members were also confronted and asked whether they still belonged to the organisation, she said.

She also accused South African security elements of planning a coup in the Ciskei.

The alleged plotters were planning to replace the Ciskei military ruler, Brigadier Oupa Gqozo, with Chief Lent Maqoma, in a move aimed at preempting the Border Peace Committee's plan for an interim administration to replace Gqozo.

"It is obviously difficult to prove, but we have no doubt a coup is being engineered," she said.

It was becoming "increasingly evident that the De Klerk government is going to have to bow to the demands of the Border Peace Committee"

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ARC

6/11/91



# Journal defends advocates' rates

PRETORIA — The majority of advocates charge reasonable fees, and any claim that charges are excessive is a misconception, says the SA Bar Journal Consultus.

The journal says recent media reports that certain advocates had received exorbitant fees for appearing before the Harms Commission had probably damaged the image of the profession.

The impression had been gained that advocates had become too costly and there were now suggestions that the system should be changed to permit greater competition — for instance by granting right of audience to attorneys in the Supreme Court.

The journal said the profession had no objection to the system being scrutinised. What was objected to was

GERALD REILLY

misconceptions being used to promote changes to the system.

Advocates, the editorial points out, had also been severely affected by current poor economic conditions.

The fees paid by the state in the Harms Commission hearings should not be regarded as a rule, and the "roughly R66 000 a month" seemed high.

It would be wrong to judge the income of advocates generally in the light of these cases, said the journal.

It was clear from Human Science Research Council reports that although advocates featured fairly high on the lists of self-employed persons with incomes of R35 000 a year or more, their incomes were clearly not excessive.

Other professionals earned more than advocates.

The Bar councils, it was stated, did not shrink from taking steps when it seemed advocates had charged fees that were prima facie too high.

The question of granting audience rights to attorneys therefore had to be judged on a basis of considerations other than alleged high fees paid in isolated cases.

The editorial added that an attorney appearing in the Supreme Court would not normally charge less than an advocate because his overhead expenses were much higher.

A question which needed investigation was whether advocates should be allowed, on a selective and clearly defined basis, to accept briefs without the intervention of an attorney.

## Release of prisoners 'injudicious'

GERALD REILLY

PRETORIA — Attorneys-general should be detached from the public service and placed on an independent footing, says the SA Bar Journal Consultus.

An editorial in the latest issue says the discovery that non-political prisoners had been released on a large scale sent shock waves throughout the country.

Some had committed serious crimes and should have remained behind bars for many years.

The situation was aggravated because no considered statement explaining, in full, the releases was made by government beforehand.

Attorneys-general expressed disapproval of the releases which they said were "injudicious".

One of them referred to the public perception that the legal system was being undermined by the releases.

It emerged afterwards that the misgivings of the attorneys-general were contained in a confidential letter to the Minister of Justice.

However, the contents were leaked.

If the letter had not come into possession of the Press the public would have been unaware of its contents and would not have had the benefit of the views of important office bearers responsible for the day-to-day execution of criminal justice.

The occurrence had again focused attention on the proposal that attorneys-general should be independent of the executive. The editorial added it was heartening that a conventional ombudsman — the Advocate-General — had been instituted with wide powers.

THE DECEIT IN THE COURT

# ANC leader arrested for murder

AN ANC regional leader and former Robben Island prisoner, Mr Mxolise Petane, was arrested yesterday.

The ANC expressed "outrage" at Petane's arrest at the organisation's Woodstock offices in Cape Town on charges of murder and attempted murder.

Police, who surrounded the offices, refused to give details of their case against Petane.

The ANC said it found police suggestions that Petane was involved in violent activities absurd.

"The police and the National Party Government have been trying desperately to paint the massive peaceful stayaway of the past two days as the result of violent intimidation," said an ANC statement. "We see the arrest of Comrade Petane as yet part of this campaign."

Petane heads the ANC's political education department.

aid.

(253)

Soweto  
11/11/91



# Pollsmoor complex to be expanded

253

cf 7/11/91

## Staff Reporters

THE Pollsmoor Prison complex is to be expanded southwards, beyond its present boundaries and into what used to be a bushy area occupied by squatters

Mr Ken Snyman, a Pretoria spokesman for the Department of Public Works and Land Affairs, yesterday confirmed that a R17-million contract had been awarded to Stocks Housing to erect 150 dwellings for prison warders

"Some of them are three-bedroomed units," said Mr Snyman

He was unable to say how large an area the new development would occupy, but said it was quite possible that more bush had been cleared than would be taken up by the 150 dwellings

Some of the bush had to be cleared to see whether the envisaged development was feasible, Mr Snyman said

He was aware that there had been squatters on the land

Previously it had been reported that a new minimum-security section was under construction at Pollsmoor Prison, due for completion in the first half of next year

● Officials of the Western Cape RSC said they were not aware of what developments were taking place at Pollsmoor Prison

RSC engineer Mr Rory Gilmore said his organisation had not been notified, but he understood that the government was not obliged to do so

"Yet they usually consult local authorities," he said

Some residents of upmarket Tokai have expressed concern that the development will increase their property rates, because their area will have an expanded infrastructure (the sewerage, drainage and electricity networks would be broadened)

Mr Snyman said he was not aware of the residents' disquiet about the impact of the proposed development



**Death: Police 'liable'**

A JOHANNESBURG inquest court has found three policemen criminally liable for the death of an awaiting trial prisoner in the Hillbrow police station cells in February last year. (252)

A post-mortem examination found that the prisoner, Mr Uys Namane, had TB, an enlarged heart, broncho-pneumonia and anaemia. (252) (253)

Sergeant Jacobus Postma, Constable Marthinus Smit and Constable Edwin Mkopane were called to the Diepkloof Prison to take Mr Namane to hospital. Instead they took him to the Hillbrow police station where he was found dead the following morning.

The inquest magistrate found the three knew Mr Namane had to receive urgent medical attention, and by not taking him for treatment timeously, had deprived him of his 10 percent chance of surviving.

South 7/11-13/11/91

# Prisoner release hopes dashed

South

4/11-13/11/91

(253)

HOPES that political prisoner Johnson Lubisi would be released were dashed this week when lawyers discovered he has not been indemnified.

Lubisi has been certified as a mental patient and has been held in the maximum security section at Valkenberg Hospital since October last year.

Since being admitted to the hospital, he has not been guarded by prison warders, a development which was seen by some as an indication that he would be released.

He was previously held on Robben Island, where he was serving a life sentence for treason.

A spokesperson for the law firm representing him said Lubisi's hopes had been raised by newspaper reports last week which claimed that he was no longer subject to the provisions of the Prisons Act like other prisoners.

"We wrote to the Indemnity Board last week, asking whether he will be sent back to prison when he was

decertified as a mental patient," she said.

"On Wednesday morning we heard from the board that he had been just temporarily released from the provisions of the Act.

"We were told if he was decertified he would go back to prison immediately."

Lubisi's lawyers will now apply for him to be moved to a mental institution near his home in Nelspruit.

● Unkhonto we Sizwe operative Robert McBride has been moved to Westville Prison, Durban, after a request to authorities that he be put in a security prison with other political prisoners failed.

Ms Paula McBride, his wife, said his family requested the move because conditions in the Pretoria local prison "were not very good."

In Pretoria, McBride was a B-category prisoner with limited privileges, she said. Since he had moved to Westville, he had become an A-category prisoner with more privileges.

# SA delegates lift the veil on Zambian election

South

4/11-13/11/91

From Mono Badela Johannesburg

A NUMBER of prominent South Africans travelled to Zambia in three separate groups last week to monitor the election — and to gain experience for future voting procedures in this country.

Franklin Somn, rector of the Peninsula Technikon, was part of a group headed by former US president, Jimmy Carter, that saw Dr Kenneth Kaunda's ruling party suffer a crushing defeat at the polls.

Another monitoring group, sent under the auspices of the Institute for Multi-Party Democracy (MPD), concluded that the election was "free and fair".

University of Zululand professor Oty Nxumalo, from the MPD, said his delegation agreed with other

monitors that there "was no cheating" in the election.

The MPD's seven-member delegation consisted of Mr Jeremy Baskin of the ANC, Mr Coelzee Bester of the NP, Mr Kobus Jordaan of the Democratic Party, Mr Peter Mabe of the PAC, Mr Mbululo Rakwena of Azapo and Mr Oty Nxumalo and Mr Sibongile Nene, both of the MPD.

A third monitoring team was dispatched by the American Federation of Labour and Congress of Industrial Organisations (AFL-CIO).

The South African monitors said they were struck by the extreme popularity of the Movement for Multi-Party Democracy (MMD), the election victors.

They observed that former president Kaunda was very unpopular — an observation borne out by his defeat at the polls where he only received 20 percent of the votes.

They attended a rally organised by

Kaunda's United National Independence Party (UNIP) which only drew a crowd of 10 000. At the same venue the MMD drew more than 80 000 supporters.

Another observation made by members of the delegation was that the Zambian people had high expectations of their new government and they expected rapid changes — an expectation which could be difficult to live up to.

There were also hopes that the government would not be as closely tied to the ruling party as in the past, and that UNIP state officials who did not deserve their government posts would be fired.

They found that despite the popular belief held in South Africa that Kaunda assisted the ANC and other South African liberation movements, it was the people of Zambia who gave their support to the South African exiles.

## Parole amendment?

PRETORIA. — A possible amendment to the parole system is being investigated, Correctional Services Minister Mr Adriaan Vlok said. (253)

On criticism of the release of first offenders, Mr Vlok said the amnesty had not led to a mass release. The department normally freed about 10 000 prisoners a month, he said. — Sapa.



**Not quite so bad**

The recent release from prison of former Dale College scholar Richard Bester, after serving less than four months of a two-year sentence, was in line with a general amnesty of six months announced on April 1, and another amnesty for first-year offenders sentenced before July 1. FM 8/11/91.

That's according to the Department of Correctional Services (DCS), which now has Minister Adriaan Vlok as its political head. Bester, who was sentenced for his role in killing a yagrant, also qualified for normal parole.

Bester's early release added to the protests that have raged since government introduced a series of amnesty and early release provisions in December, April and July.

cont - P

Although the authorities have repeatedly stressed that early release won't apply to certain categories of prisoners, including those serving life sentences or terms for sexual offences, some of the people who have been released early were convicted of shocking crimes.

The department says the first-time offenders' amnesty won't apply to prisoners sentenced after July 1.

The amnesty didn't result in a mass release of prisoners and only about 15 000 will benefit "over a period of a number of years". About 4 200 have been released so far.

It points out that the sentences of at least 53 000 of the 57 000 prisoners, generally referred to in press reports as having benefited from the amnesties of December and April, would have lapsed in any case in accordance with normal release procedures before the end of the year. The 4 200 released in terms of the July 1 amnesty are also included in the figure of 57 000.

SA's average daily prison population of sentenced prisoners has not decreased significantly due to the early releases. The department says the population at the end of June was 90 794 compared with 90 586 at the end of August.

It says the cost saving of the early releases is impossible to estimate, but points out that the cost of detaining a prisoner is about R30 a day. ■

# Bop hunger striker has heart attack

By McKeed Kotlolo and Jo-Anne Collinge

Bophuthatswana political prisoner Johannes Nhlapo had a heart attack in Mafikeng's Bophelong hospital on Tuesday, the 51st day of his hunger strike, the Mafikeng Anti-Repression Forum (Maref) said in a statement.

"Eye-witnesses said that several doctors and nurses tried to resuscitate him but eventually had to rush him to the intensive care unit where the diagnosis was cardiac arrest," Maref said.

He was given oxygen and survived the attack, said Maref.

The sudden crisis in Nhlapo's condition has heightened fears that any one of the 19 Bophuthatswana prisoners striking for their freedom and that of 81 other political prisoners in the homeland could die.

The condition of two others, Bushy Molefe and George Biya, was described as "critical" yesterday by Azapo regional executive member Dr Gomolemo Mokae, who visited them in Odi Hospital north of Pretoria.

Molefe is on day 67 of his protest fast and Biya on day 53.

In spite of heavy security, on Tuesday The Star managed to reach the ward accommodat-

ing Biya and Molefe. But homeland police would not allow an interview.

No confirmation of Nhlapo's heart attack was forthcoming from the Bophuthatswana Department of Information. A spokesman said the relevant medical staff were not available to provide the information.

But the Department of Prisons said "Prisoners on hunger strike are well aware their actions will not speed up their release. They have been informed of this fact repeatedly and also about the very real health dangers of fasting."

As the crisis deepens, with five hunger strikers in intensive care at Bophelong and the condition of those in Thusong Hospital uncertain, controversy has flared about the alleged resuscitation of hunger strikers against their stated wishes by the administration of glucose drips.

Dr Mokae said that Molefe and Biya had initially accepted electrolyte drips but had insisted on Monday that the drips be removed because they had "reason to believe that glucose had been surreptitiously injected"

This information contrasted sharply with an official statement that the pair were "still serious but responding well to treatment".



# We're getting raw deal, claim Bavianspoort's

9/11/91 **BRENDAN TEMPLETON** 253

WHITE warders at Bavianspoort Prison, near Pretoria, have been implicated in widespread assaults on black warders and prisoners, including an attack aimed at breaking up a prison strike, say black warders at the jail.

The allegations, contained in affidavits in the possession of the Saturday Star, reveal a widening rift between black and white warders — to the point where black warders seem to identify more with black prisoners than with their white counterparts.

Most black warders now say they refuse to assault prisoners at Bavianspoort — an entire "black" prison.

The Commissioner of the Department of Correctional Services Lt General Willie Willemse has taken note of the allegations and regards them in a very serious light.

He has already ordered that a departmental investigation be conducted and a detailed report be submitted to him.

Heading the list of the prisoners' grievances is the "selective" implementation of President

de Klerk's controversial blanket amnesty for first-time offenders — which would remove a third of their sentences.

They also complained of assaults and harassment by some warders, including senior officers.

Attempts to combat this had led to some inmates being thrown into solitary confinement, where one prisoner was found hanged, they said.

Food was not properly cooked and often made them sick. Ingredients included eyes, intestines, spleens and pig livers all mixed together in the same cooking pot.

Milk was extremely diluted and fruit was not supplied in sufficient quantities, meaning that inmates had to pay for it out of their own pockets.

Sick prisoners were forced to work because the treatment at the prison hospital was inadequate, inmates said.

**Complained**

They also complained of having to wash with cold water all year round.

Another major concern listed by the prisoners was that black warders were not respected according to their rank by white warders. They said a white warder had more power than a black sergeant at Bavianspoort.

Saturday Star has the memorandum listing prisoners' grievances which was handed over to prison authorities minutes before warders took action to break a

strike at Bavianspoort on August 19.

The DCS said it had always demonstrated a responsible and professional approach in carrying out its policy in respect of personnel matters, as well as in the treatment and care of prisoners.

"Any deviation from this policy is investigated and action taken if necessary," it said.

One of the main allegations in the four warders' affidavits concerns a mass attack by a prison "riot squad" aimed at breaking up a "strike" by prisoners over Mr de Klerk's amnesty. The DCS has denied the claims.

Allegations made by the four warders — Warrant Officer Andries Shiko (who has worked at Bavianspoort for 13 years), Sergeant Shad-

rack Molai (at Bavianspoort for 17 years) and Lekahloleng Mampuru (seven years) and Warden George Manamane (11 years) — include

● Prisoners have only cold water all year round to shower in, while the pigs they tend during the day have heaters to warm them in winter.

● A peaceful prison strike from August 12-19 was squashed by warders, mostly white, armed with rifles, teargas, rubber bullets and batons.

The DCS said at the time of the incident that only teargas was used. It now admits that rubber bullets and batons were also directed against inmates.

The DCS says teargas was then used and that warders armed only with batons brought the situation under control.

● When the prisoners were attacked, they say they were only shouting loudly and refusing to return to their cells. A wire fence separated them from warders.

Asked why all the warders were not wearing name tags, DCS spokesman Major DH Smith said they did not have time to put them on. "In a situation like that, where it's necessary to be in action, you put your uniform on and you go but there is no rule or regulation that says you must not put on your uniform without a name tag."

According to the DCS, action was taken after prisoners threw bricks, stones and other objects at warders. Asked where they found the bricks, Major Smith said "They broke bricks from the walls and threw them at warders."

● White warders beat prisoners regularly, and assault black warders. When black warders tried to take legal action, their commanding officers impeded police investigations. The DCS says the allegation that there is collusion between the local police and prison authorities at Bavianspoort "is rejected".

It added that several cases of assault listed in the affidavits had been reported to the police for further investigations.

● Sergeant Molai said he was assaulted after a white major ordered a "bliskem" him. When he complained in a letter, he was charged with tearing his own uniform and of lying. Sergeant Molai says that at a disciplinary hearing, the warrant officer admitted he had been ordered to beat up Sergeant Molai and that another witness was found to be lying.

● Sergeant Molai says he has been working at the two "extremely unhygienic and unpleasant" sections for more than eight years.

● White warders do not work at the compost section and do not tend the pigs. Whites working at the pig pens work only in offices there.

● A white warrant officer, whose name is known by this newspaper, but he did not return with any signed document.

Warrant Officer Shiko says he signed the memorandum. The document in the possession of the Saturday Star is signed.

● Black warders who will not accept discrimination at the prison are given unpleasant tasks to

do, like guarding prisoners working at the pig pens and a compost-making section — both of which stunk "terribly", black warders allege.

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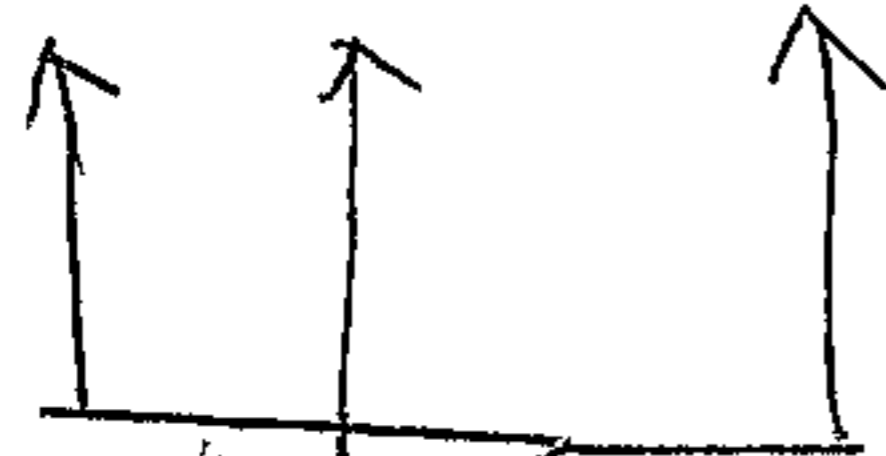
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# Black prisoners





# The day the warders made it hot for striking inmates

## BRENDAN TEMPLETON

MYSTERY surrounds the violent end of the work strike by inmates in Baviaanspoort Prison's medium-security section on August 19

The Saturday Star has been given different versions of what happened that day

### WARDERS' VERSION:

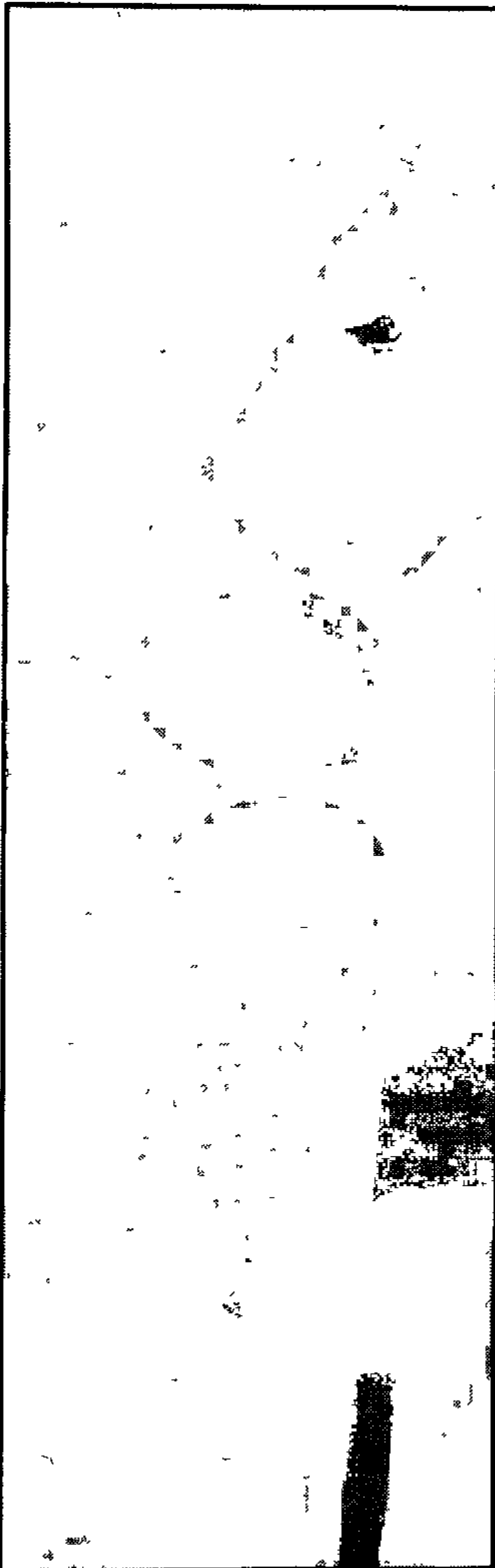
Prisoners embarked on the strike on August 12 and were at all times well-behaved, despite a concerted attempt by white warders to end the protest

In an attempt to defuse mounting tensions, white warders withdrew from the section for a day on request from their black counterparts

On August 19, black and white warders were ordered to separate

At about 9 am, three busloads of mainly white warders from Pretoria Central and Zonderwater prisons arrived under the command of General Brand van Zyl

Between 300 and 400 warders without distinguishing name tags and armed with rifles, tear-gas, rubber bullets and rubber batons surrounded the medium-security section.



LONG LIST OF GRIEVANCES: Baviaanspoort Prison warders Sergeant Shadrack Molai (left), Warrant Officer Andries Shiko, warder George Mamamane and Sergeant Nkahloleng Mampuru have demanded an audience with Correctional Services Minister Adriaan Vlok over conditions at the jail

Star 9/11/91

General van Zyl addressed the prisoners, saying they had been misled by black warders, and he called the 10 inmate leaders to discuss the situation with him in the prison mess. The other prisoners must return to their cells, he said. Another 50 accompanied the 10 leaders to the mess hall.

There, the inmates' grievances were read out and the general said they would be addressed, economic pressures permitting. The warders say he acted aggressively, threatening he would "hit (their) heads open" if they

did not agree with him

"You can see I have my soldiers here," he is alleged to have said

When his threats went unheeded, the general unlocked the gate to the dividing fence and unleashed his forces on the shouting inmates with the words "maak hulle warm" (make them hot)

Sergeant Nkahloleng Mampuru's statement reads in part, "The prisoners started running away and the warders entered the courtyard and started beating them with their rubber batons. Some of the prisoners were pulled along the

ground by their legs and beaten at the same time

Some lay seriously injured on the ground and, while they lay there, the warders still kicked and beat them

"The next day, the white warders were bragging about what happened on the 19th and the way they had beaten the prisoners"

W/O Andries Shiko accused the Department of Correctional Services (DCS) of then transferring the inmates' leaders to other prisons to avoid having to address the prisoners' grievances

### CORRECTIONAL SERVICES' VERSION:

Prisoners had not taken part in programmes since August 12. In order to establish the reasons for their conduct, the regional commissioner was to address them in their communal cells

However, the 560 prisoners in the courtyard refused to enter their cells and, consequently, he addressed 60 of the prisoners in the dining hall who acted as spokesmen for the rest

He made it clear to the prisoners that they should try to resolve their problems by means

of discussions rather than a strike and assured them that their problems would be resolved

This was not acceptable to the prisoners and (those) in the courtyard became riotous and started throwing bricks, stones and other objects at members and damaging prison property

At this stage, the prisoners were again requested to enter their cells. When they failed to respond and continued with their riotous behaviour, teargas was used, but to no avail. The riot squad, armed only with batons and rubber

bullets, consisting of members from the Baviaanspoort, Pretoria and Zonderwater prisons, were then called in to restore order

The situation was brought under control within minutes (it must be noted that DCS said the day after the incident that only teargas was used — no mention was made of rubber bullets or batons)

In the process, some of the prisoners sustained injuries, the most severe being a broken finger and an ankle fracture

"Good order and discipline in prison ensures a healthy and stable prison population. It is totally unacceptable when the good order in prison is jeopardised by the undisciplined behaviour of only a few prisoners. Such situations have to be dealt with in the interest of maintaining an orderly prison community"

"The agitators were identified. The prisoners themselves requested that the agitators be transferred in order that they could continue their work without being intimidated, and consequently were transferred to another prison"

# Pollsmoor warder in dock as prison death comes to court

S/Times (CM) 10/1/91

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By KURT SWART

A POLLSMOOR Prison warder has appeared in court on a murder charge — 18 months after a prisoner died following an alleged assault

Sergeant G A Etzebeth of the Department of Correctional Services was not asked to plead when he appeared in the Wynberg Regional Court. The trial was set down for January 9.

The delay between the alleged murder of prisoner John Delo in April last year and the matter's coming before court has been criticised by the Police and Prison Civil Rights Union (Popcru).

Prisons sources confirmed this week that Sgt Etzebeth had not been suspended from duty at Pollsmoor Prison.

The Cape's deputy attorney-general, Mr J A Niehaus, said the docket had arrived at the AG's office on July 5.

The decision to prosecute was made on September 6, he said.

Allegations of the assault on Delo surfaced in August

during a Department of Correctional Services disciplinary inquiry into the suitability for continued service of 70 Popcru members

Deputy attorney-general Mr Hendrik Klem indicated in August that the AG's office was unhappy about the time taken for the matter to be investigated

In September, Colonel Johan Robberts, who led the disciplinary inquiry, recommended that 63 of the 70 Popcru warders be discharged from the service

The disciplinary hearings arose from Popcru members' involvement in a sit-in during March last year to highlight their dissatisfaction with alleged apartheid practices in the police force and prisons department

The recommendation for the dismissal of the warders has been passed on to the Commissioner of Correctional Services, who is to ratify the finding

If the decision to dismiss them is made final, a Supreme Court application

for reinstatement is to be resumed. The application, brought by two warders, has been postponed until the 63 warders' appeals have been processed

Police and prison authorities are investigating the death of a convict in his cell at Pollsmoor Prison on Thursday, a Department of Correctional Services spokesman confirmed yesterday

The prisoner, Johnny Fisher, had been serving a 3½-year sentence for murder and was being held in a communal cell with 22 others.



# Concern mounts 253 over hunger strikers

Southern

12/11/91

South African  
Press Association

THE Mafikeng Anti-Repression Forum yesterday expressed concern at the condition of some of Bophuthatswana's 23 hunger strikers, with one of them entering the 60th day of his fast.

Maref singled out "political" prisoners Bushy Molefe (30) and George Biya, who are at Bophelong Hospital in Mmabatho.

Molefe entered his 60th day of the hunger strike yesterday

"He is unable to walk and can only speak in a whisper. He is complaining of general body pain, continuous headache and has lost 19kg," Maref said.

Molefe is a former member of the of the homeland's defence force who was jailed for eight years for his part in the 1988 coup attempt.

Maref said Molefe has given instructions that he should not be resuscitated if he lapsed into a coma.

"We are convinced he is determined to carry this out and are extremely concerned that he will in fact lapse into a hypoglycaemic coma very soon," Maref warned.

Biya yesterday entered the 36th day of his hunger strike. Maref said he had lost 20kg, could no longer walk and was complaining of continuous headache and painful kidneys.

"In his condition he could suddenly collapse and die," Maref warned.

Biya is a member of the Azanian Liberation Army and was arrested after making a series of incursions into Bophuthatswana from Botswana.

Maref said both men had indicated they would accept treatment if transferred to a

hospital with better facilities.

The Black Consciousness Movement of Azania yesterday said it would hold the South African Government responsible should Biya die in prison, reports **JOE MDHLELA**.

Biya is living "on borrowed time", sources close to him said.

He was convicted and sentenced to three years by the Mmabatho Regional Court in June for his activities as a liberation fighter.

A spokesman for BCMA, Mr Gilbert Mokoena, said Biya had lost 15.5kg, a fact that was confirmed by the Bophuthatswana health department last week.

Doctors working for the homeland's health department said "he was not well and had lost weight."

## Undermine

A spokesman for the Bophuthatswana Prison Department verified that Biya was on a hunger strike.

The BCM said De Klerk's Government, in collusion with Mangope's government, were working hand in hand to undermine the struggle of the black people.

"Should any harm befall Comrade George Biya, the BCM and the oppressed people of Azania will hold de Klerk and Lucas Mangope responsible," Mokoena said.

## Languish

He said the release of political prisoners was one of the areas in which the South African Government had misled the people and the world.

"Many prisoners still languish in the prisons of the regime. Others are held in prisons run by the puppet bantustan administrations," he said.



# Caged convicts break rocks in labour camps

**P**RISONERS AT Brandvlei and Victor Verster prisons in the Western Cape are each locked into hundreds of low wire mesh cages with no protection from the sun.

Every day each is given a steel mallet to hammer at a boulder for hours, eventually reducing it to stone chips.

This is the "klipkampe" (stone-breaking camps) system of labour some employees of the Department of Correctional Services say is humiliating, serves no useful function and should be abolished.

But according to departmental spokesperson Major Wena Greyling, no prisoner is forced to work in the camps. Some have even asked to be sent there.

Work for maximum security prisoners was limited and had to be structured for maximum protection to fellow prisoners and staff.

Before the stonebreaking camps were introduced, she said, a number of prisoners in maximum security — there mostly because of gang activities — were "brutally murdered by fellow prisoners".

According to warders and officers at Brandvlei Maximum, near Worcester, there were three "klipkampe" at the prison. Each consisted of 111 adjoining cages of heavy wire mesh. Each was about 1.5m square and 100 low for a tall person to stand up in.

According to Major Greyling, the units were designed "in such a way that a person of 1.8m can stand erect with ease".

Prisoners were usually taken to the

**↳ A warrant-officer now stationed at Pollsmoor recalled an incident at Brandvlei in the mid-1970s when he heard a scream from a cell. He found a prisoner, repeatedly refused food for not having met his quota (of crushed stones), had cut a piece out of his calf with a knife and eaten it.**

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Prisoners are issued with puttees to protect their shins from flying rocks, and wire gauze goggles.

"The goggles are supposed to stop chips going into their eyes, but many of them are broken so they don't serve the purpose. And the dust gets in anyway," said a sergeant. "There's a lot of dust if you break stone."

Staff said prisoners remained in cages, breaking stone, until they were taken back to their cells after 2pm. Visits to the toilet were at the discretion of staff who patrolled the camps. A midday meal was pushed under the gate of the cage.

Although prisoners were taken back to their cells when it rained, no protection was provided against the sun and prisoners often tied their handkerchiefs or items of clothing to the inside of the wire to shield themselves on hot days.

In a letter smuggled out of the prison in June this year, one convict spoke of "sweating in the baking sun in open klipkampees".

Major Greyling said prisoners were not denied the use of toilets nor exposed to unbearable temperatures or conditions.

Staff said in the 1960s and 1970s individual prisoners had to fill two wheelbarrows of stone chips a day or they did not get meals. The chips were used in building and other projects in the prison grounds.

A warrant officer now stationed at Pollsmoor recalled an incident at Brandvlei in the mid-1970s when he heard a scream from a cell. He discovered a prisoner, repeatedly refused food for not having met his quota, had cut a piece out of his calf with a knife and eaten it.

"The next morning he was sent out to work again in the klipkampe," he said.

However, the quota system had since been abolished, and there were

no repercussions if a prisoner did not work in the cages.

Major Greyling denied the incident had occurred. Staff said the camps were unsafe for staff members.

"Each cage has a bolt and is supposed to have a lock to keep prisoners in," said one man. "But there are not enough locks for all cages, and many of the locks do not work."

"In one camp there were recently 50 locks missing or out of order, and only two members on patrol. I don't know how they will control them if there is a mass revolt."

Staff said Western Cape prisons competed for an annual award for the institution which had sent most prisoners to work.

"But in their search for a record for the year they forget about the safety of the members and of the prisoners themselves."

"The general feeling is that the klipkampe should be closed and workshops or gardens established behind the maximum section, so the prisoners can be more productive," said a warder.

Prisoners had complained to him. "They ask, 'is this rehabilitation?'"

He said the mere fact of being "shut up in a hok like an animal" had a detrimental psychological effect on prisoners.

Said Major Greyling: "The allegation that some camps do not have locks and that some locks are not in working condition is false."

"Camps which do not have locks are not utilised and strict security and safety measures are maintained."

— Donald Zake



# EXCLUSIVE: Prisoner control methods — necessary restraint or torture?

## Horror ride in a 'Valiant' strait-jacket

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South 14/11/20/11/91

**P**RISONERS AT Brandvlei Maximum have an ironic nickname for the heavy canvas strait-jacket used at the jail. They call it a "Valiant". And the ride it gives them can be horrific

According to eyewitnesses, men who are strapped into the device may be left to defecate and urinate in it, and be forced to clean up the mess themselves when they are let out. Warders allege the device is used as a deterrent and punishment — not merely as laid down in the prison regulations — as an "absolutely necessary" measure to control a violent prisoner, or for "medical reasons".

However, the Department of Correctional Services says abuse of strait-jackets by prison staff "is not tolerated".

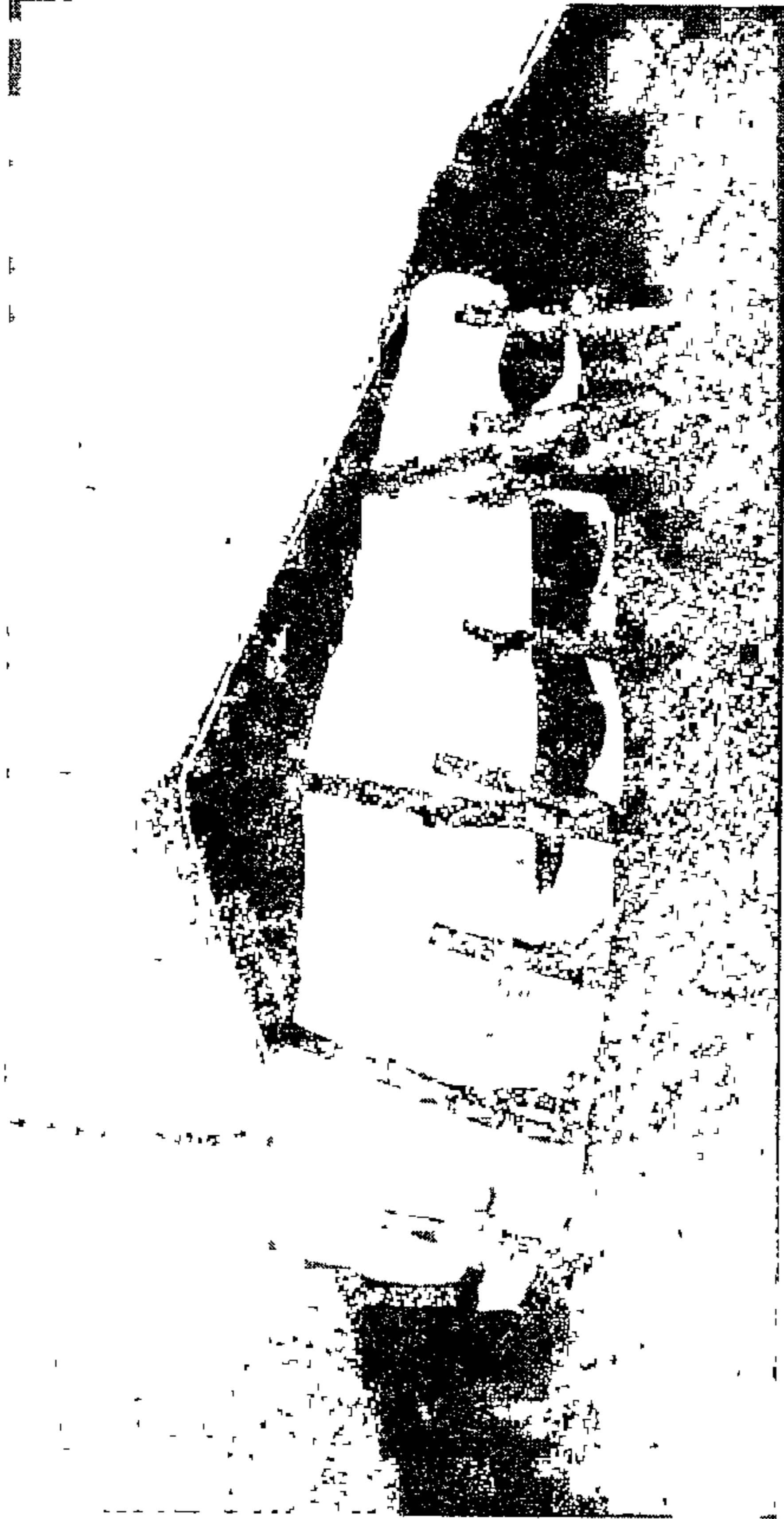
*'We are strapped in with six blankets and three mats, until you provide for the officers the*

*spectacle of the collapse of your dignity and pride by lying in your shit and piss in the strait-jacket.'*

Cont ↓

"A high premium is placed on the professional execution of all policy directives pertaining to the use of strait-jackets and strict control is ex-

The use in SA prisons of the strait-jacket has prison authority at odds with accepted international conventions. **DONALD ZAKE** reports on the practice in the wake of the inquest into the cell death of Carol Meyers who was bound in a strait-jacket for 22 hours:



PICS FRONT PAGE AND ABOVE: YUNUS MOHAMED

this report is rejected, specially when relying on so-called allegations by faceless and nameless members."

The strait-jacket looks like a long white canvas coat with sleeves stitched to the inside like internal pockets and thick leather straps where the buttons should be.

According to a staffer from Brandvlei, the prisoner's arms are put into the sleeves, and he is forced to lie on the floor on his stomach.

Blankets are then placed on the prisoner's back, inside the jacket, as padding to make it as tight as possi-

ble, and the straps are tied behind his back. The prisoner is then unable to move anything but his head and feet.

"They sometimes stand on the prisoner to get the buckles of the straps to the last hole," he says. "When you're done up like that they hoist you up on a shoulder and put you in a single cell. They tell you they will let you out when you've kakked and pissed. If you don't you're not coming out."

When released, the prisoner is required to clean the soiled jacket.

In a letter smuggled out in June this year, a prisoner makes the same

claims: "We are put in strait-jackets, strapped in with six blankets and three mats, until you provide for the officers the spectacle of the collapse of your dignity and pride by lying in your shit and piss in the strait-jacket."

The staffer says a prisoner in a strait-jacket is under constant observation by a warder, and visited regularly by medical staff and the head of the prison, as prescribed by regulation. For this reason the use of strait-jackets is giving way to leg-irons and manacles, which are chained together behind a man's back so that he has to lie in an arched position on the floor. This required less supervision.

**S**TRAIT-JACKETS WERE a sensitive issue for the Department even before the Meyers case. According to a cautionary general circular sent to commanding officers in 1988, it happened from time to time that heads of prisons exceeded their discretionary powers in the use of mechanical restraints "with sometimes tragic consequences for the prisoner himself and/or the image of the SA Prisons Service".

A Cape Town forensic psychiatrist, who has practised in prisons, said that at the large mental hospital where he worked, there was only one strait-jacket made by the hospital's upholstery shop as a teaching aid.

This was used as a restraint only once: for a delusional schizophrenic who heard voices telling him he had to die by his own hand and had already severed an artery in his neck.

Nor was a strait-jacket a suitable way to deal with a suicide threat. "If a person is already depressed, is he going to be feeling any happier after a day or night in a strait-jacket?"

exercised by heads of prisons in this regard," said a spokesperson.

The use of strait-jackets was highlighted last month during the inquest into the 1989 death of Pollsmoor prisoner Carol Meyers.

The magistrate has not yet ruled on the cause of death, but there has been evidence that shortly before she died, she was bound in a strait-jacket for 22 hours because she "threatened suicide without good reason".

Some staff at Brandvlei say the strait-jacket has been used there on at least six occasions this year.

In January, they say, a convict named Steven van Schalkwyk spent 17 hours in a strait-jacket. The reason recorded: "Assaults fellow-prisoners, threatens also to break his cell."

In April Ali Saied spent over 16 hours in a strait-jacket because he "hit Major Stander (the commanding officer of the prison) with fist; threatens further violence".

Reasons for using the device include setting blankets alight, aggression, swearing at staff, tearing clothes and threatening to break cells.

The department's regulations say mechanical restraints, which include chains and irons as well as strait-jackets, will "under no circumstances whatsoever be used as punishment".

The Prisons Act says they can be used "as long as it is urgently and absolutely necessary to secure or restrain any prisoner who has displayed or is threatening violence".

The department's spokesperson says this includes threats of self-injury and damaging property. She says strait-jackets are used as restraints according to internationally accepted rules.

"It should be stressed that a decision to use a strait-jacket is taken with great circumspection and only where there is no alternative," she says.

But Brandvlei staff say they find it



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18/11/91

**Ex-prisoners rearrested**

ABOUT 1 500 of the prisoners released during the first half of this year had been rearrested or were being sought for offences, police said in Pretoria at the weekend.

The police said it was not true that a third of those released were already back in jail, but added that research had shown as much as a third of released prisoners eventually wound up back in jail.

REPORTS Business Day Reporter Sapa-Reuter

TWO African National Congress activists on their 26th day without food today have threatened to continue fasting until they are allowed visits and access to lawyers

Mr Stanley Wanyane (27) and Mr Bathandwa Godlo (24), both of Meadowlands, Soweto, were arrested on September 27 following a shooting incident with a traffic officer in Magaliesberg

The two have already made three court appearances. They have been refused bail and are be-

# Hunger strike to go on

253

By KENOSI MODISANE

ing held at Krugersdorp prison

ANC spokesman Mr Ronnie Mamoepa said yesterday said the organisation had instructed its lawyers to contact police headquarters in Pretoria in an attempt to have the men granted bail

Meanwhile, Bophuthatswana political prisoner Mr Bushy Molefe (30), who is on his 58th day of a hunger strike, was yesterday still at Bophelong Hospital in Mafikeng

A Mafikeng Anti-Repression Forum spokesman said yesterday doctors treating Molefe, who is reported to be ill, had asked he be transferred to Odi Hospital in Garankuwa, Pretoria

Molefe is serving an eight-year sentence for taking part in the 1988 aborted coup in the homeland

# Sharpeville 6: Petition to 3 embassies

Sowetan 20/11/91

253

**FAMILIES** of the Sharpeville Six have delivered petitions to three foreign embassies in Pretoria appealing for assistance from the ambassadors to secure the release of four members of the group still in prison.

The petitions were addressed to the ambassadors of the United States of America, Great Britain and Germany.

US Embassy spokesman Mr Larry Schwartz confirmed that his embassy received the petition from a delegation of 12 people led by Mrs Regina Sefatsa, the mother of Reginald Sefatsa, one of the four members of the Sharpeville Six still in prison.

The petition read "We, the families of the Sharpeville Six and co-accused, appeal to you for further assistance in securing the release of the remaining four: Reid Mokoena, Reginald Sefatsa, Don Mokhesi and Theresa Ramashemola

"We appreciate your past and present support and concern for our loved ones. Without this support the Sharpeville Six would have, in all probability, been executed in 1988," the petition stated.

Furthermore, the families said the re-

## SA Press Association

maining four prisoners should have been released in terms of the Nationalist Government "pronouncement" that all political prisoners were to be released.

"Mr FW de Klerk's government should be persuaded to release the four together with all other political prisoners

"We think . . . such a gesture will go a long way in demonstrating to us and to the world that the South African Government is sincere and serious about reforms," the petition said.

The imprisonment of the six and the continued imprisonment of the remaining four people had caused the families immense suffering and hardship.

"We can no longer accept excuses from the Government for not releasing our people.

"For the past seven years our children have grown up without parents and our aged parents are dying," the petition said.

The four remaining prisoners recently had their death sentences commuted into lengthy jail terms while two of their co-accused were released.

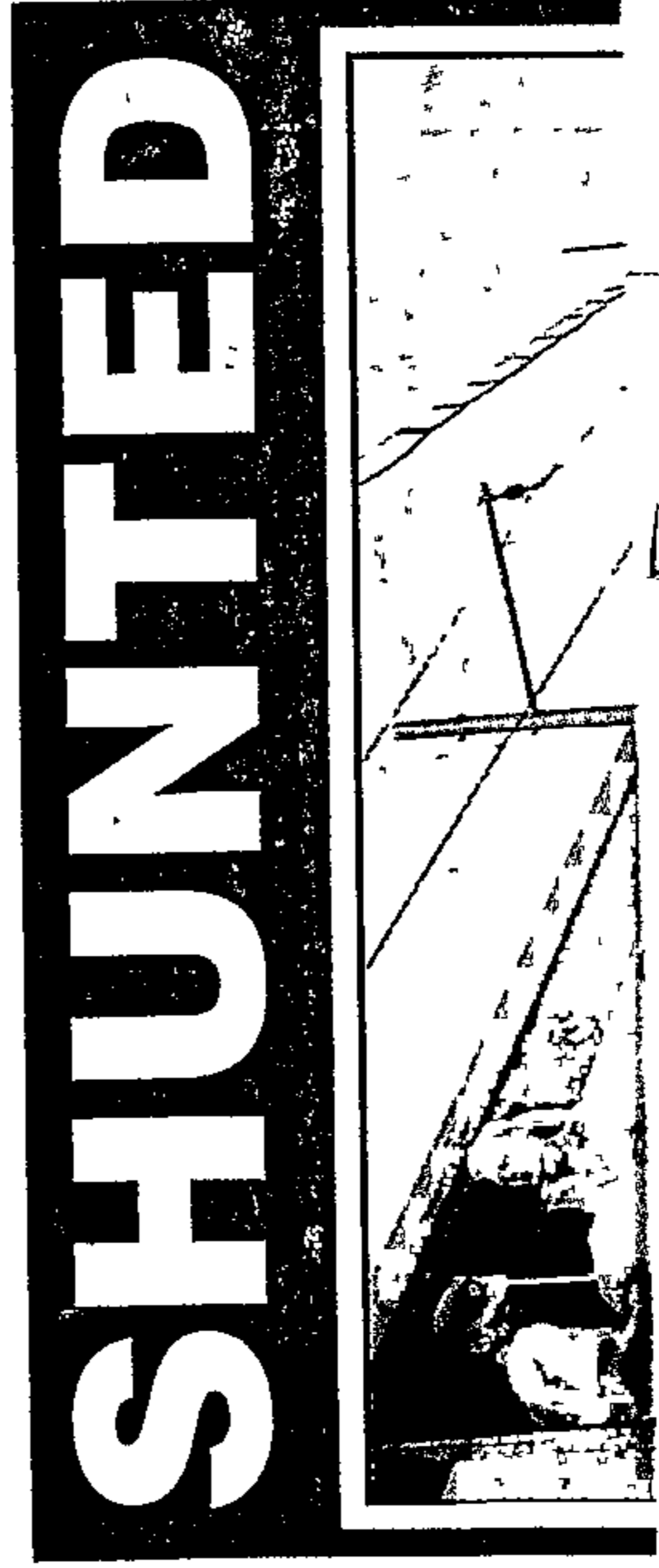


# Strikers in

# mental ward

253

Sowetan 20/11/91



## SHUNTTED

**TWO African National Congress activists, on the 28th day of a hunger strike, have been admitted to hospital and put in a mental ward at Leratong Hospital in Krugersdorp.**

Speaking to *Sowetan* in an exclusive interview at the hospital yesterday, Mr Stanley Wanyane (27) and Mr Bathandwa Godlo (24) said: "The system is trying to torture us mentally by placing us in a ward full of mad people."

### By KENOSI MODISANE

A spokesperson for the Department of Correctional Services, Lieutenant Dert Slabbert, however, said. "There were no mad people in the ward."

"The two prisoners referred to in your report were transferred to the hospital for special medical observation. This was done for their own benefit."

"The suggestion of maliciousness on the part of the authorities is not justified. Allegations that they are kept in the ward full of mad people are totally re-

● To page 2

Mental ward (253) Sowetan 20/11/91

● From page 1

jected," Slabbert said. Wanyane said his experience at the hospital was "the most gruelling experience I have gone through".

"We are mentally tortured by the noise and screams from these poor sick people who do not understand our plight."

"One just walked into my ward with a plate full of food. And I think the authorities want exactly that to happen so that our spirits should be destroyed," said Wanyane.

Wanyane, a third-year law student with the University of South Africa, did not write his examinations.

He has lost 20kg and speaks in whispers.

"I was told by the prison authorities that my trial will be delayed and that I shall not be granted bail or permission to sit for my examinations," he said.

Godlo, whose normal weight is 92kg said he had lost 17kg since he went on hunger strike.

A *Sowetan* team found two policemen keeping guard at the side wards where the men are kept in isolation.

The two, who were arrested on September 27, were admitted to hospital on Sunday when their conditions worsened.

# Prisoners' families petition embassies

PRETORIA. — Families of the Sharpeville Six yesterday delivered petitions to three foreign embassies here appealing to the ambassadors to help secure the release of four members of the group still in prison

The petitions were addressed to the ambassadors of the United States, Britain and Germany  
US embassy spokesman Mr Larry Schwartz confirmed that his

embassy had received the petition from a delegation of 12 people led by Mrs Regina Sefatsa, the mother of Reginald Sefatsa, one of the four members of the Sharpeville Six still in prison.

The petition read: "We, the families of the Sharpeville Six and co-accused, appeal to you for further assistance in securing the release of the remaining four: Reid Mokoena, Reginald Sefatsa, Don

283 CT 20/11/91  
Mokhesi and Theresa Ramashe-  
mola.

"We appreciate your past and present support and concern for our loved ones. Without this, the Sharpeville Six would in all probability have been executed in 1988," the petition stated.

The families said the four should have been released in terms of the government's announcement that all political prisoners were to be freed.

VS

## Two fasters transferred to hospital

(253)  
Star 20/11/91  
Two hunger-striking ANC members — charged in connection with a shooting incident involving policemen earlier this year — have been transferred to hospital, activists said yesterday.

The two, reportedly on the 26th day of a hunger strike, were transferred from Krugersdorp prison to Leratong Hospital.

Stanley Wanyane (27) and Bathandwa Dodlo (24) were arrested on September 27. They are on hunger strike to press for their release on bail, which has so far been denied, according to activists.

A spokesman for Leratong Hospital confirmed the two had been admitted.

● At least nine people in Eastern Cape jails are on hunger strike, according to prison authorities. At the St Albans jail, outside Port Elizabeth, eight prisoners are demanding their release as political prisoners. At J C Steyn prison near Kirkwood, one person has been on strike since last Wednesday. — Sapa



# Fasters may die any day, warns ANC

Political Staff

The ANC has expressed the fear that any one of the 21 Bophuthatswana hunger strikers in Thunong and Bophelong hospitals could die "any day now".

For former soldier Bushy Molefe, jailed for his part in the 1988 coup attempt, today is the 60th day of his protest, while 10 others have gone without food for 48 days.

The Bophuthatswana government has not acceded to a request by the Matikeng Anti-Repression Forum (Maref) for an independent doctor to examine the hunger strikers.

Yesterday, Brigadier Sello Thooe, head of the territory's Prisons Department, said Maref had been informed that its application was being considered "pending receipt of a report".

At lunch-time yesterday, a small group of demonstrators from the Azanian People's Organisation and Maref staged a picket outside the Department of Justice offices in Pretoria, demanding the release of the remaining 100 political prisoners in Bophuthatswana.



**Cause for concern** . . . Bophuthatswana hunger striker George Biya (left) is in the 48th day of his fast. Bushy Molefe, who is in Bophelong Hospital, reportedly lost consciousness for several hours on Monday. He has gone without food for 60 days.

Earlier this week, Maref, which is closely monitoring the strike, stated that Molefe had been unconscious for several hours on Monday. A doctor expressed the view that this temporary loss of consciousness could mark the start of a final decline, as in the case of Irish hunger striker Bobby Sands.

Maref's allegation that the failure to record this period of unconsciousness in Molefe's medical file indicated an attempt to cover up his condition.

"It is not the Bophuthatswana government's policy and practice to hide and cover up information regarding the health of prisoners. This office has received re-

ports from the medical officer at Bophelong Hospital. The latest report received is of an examination on November 19".

Brigadier Thooe did not add any details on the condition of Molefe. According to the ANC, doctors at Bophelong Hospital had authorised the transfer of Molefe and fellow hunger

striker George Biya to Odil Hospital, near Mabopane, but the move had not been made.

Although Biya, a member of the Azanian National Liberation Army, had been fasting for a shorter period than Molefe — 48 days — he was unusually tall and had lost weight dramatically, Maref said. He is in intensive care

with Molefe. "We fear that Bushy Molefe or any other hunger strikers could die any day now," said the ANC. "We are appalled by this callous behaviour. As in the case of Johannes Simeleane, hunger strikers are pushed to the point of death and permanent damage to their health before they are released."

# Return of (253) faster to jail angers ANC

By Abel Mushi <sup>Star</sup> 21/11/90

An ANC delegation which visited Leratong Hospital in Kagiso near Krugersdorp yesterday to see two ANC awaiting-trial prisoners on hunger strike was angered to find one of men had been returned to prison

According to the delegation, Bathandwa Godlo (24) — who had not resumed eating since he started the fast with fellow ANC member Stanley Wanyane (27) 27 days ago — needed further hospitalisation.

Correctional Services spokesman Colonel Dame Immelman said Mr Godlo was sent back to the Krugersdorp prison because, "according to the hospital's superintendent, his health was good"

ANC deputy general-secretary Bavumile Vilakazi described the condition of Mr Wanyane, who is receiving treatment at the hospital, as very serious.

The men were transferred to the hospital from the Krugersdorp prison on Tuesday

The delegation included ANC PWV chairman Jessie Duarte, PWV spokesman Ronnie Mamoepa and welfare department head Winnie Mandela

The two hunger strikers, who were charged with attempted murder, robbery with aggravating circumstances, and illegal possession of firearms, ammunition and explosive devices, were arrested on September 27 after a shootout in which three TPA traffic officials and a civilian were seriously hurt

The two are on hunger strike to press for their release on bail. Their bail application has, according to reports, so far been denied.

● 'Fasters may die any day'



# Hunger striker back in prison

*Sowetan 22/11/91*

**AFRICAN National Congress activist Bathandwa Godlo (24), on his 30th day without food, has been sent back to prison after four days in hospital.**

Prison authorities are reported to have said that Godlo was sent back to

By  
**KENOSI MODISANE**

prison "because the scales showed that he had put on some weight"

ANC spokesman Mr Ronnie Mamoepa yesterday condemned the police action. He said white security officials removed Godlo from the hospital and told the staff he would be brought back.

The prisons department and hospital authorities could yesterday not com-

ment on the issue.

Lieutenant Dert Slabbert, who on Tuesday refuted claims that Godlo and fellow striker Stanley Wanyane were held in isolation in a mental ward at Leratong Hospital; yesterday refused to comment and referred *Sowetan* to a Colonel Immelman, who could not be reached.

Wanyane was yesterday still at the "controversial mad ward" at Leratong Hospital.

Meanwhile, 83 National

(253)

Union of Mineworkers members awaiting trial in connection with the recent two-day anti-VAT strike are on hunger strike at Klerksdorp Prison.

A statement released by the Human Rights Commission said the men embarked on the strike on November 15.

The miners are from Buffelsfontein Mine. They are charged for allegedly harassing workers who did not observe the stayaway on November 4 and 5.



# Murder (253)

## charge for Star 22/11/91 fasters

By Abel Mushi

The two awaiting-trial prisoners, on hunger strike in Krugersdorp to press for their release on bail, will face a murder charge at their next court appearance.

Police confirmed ANC members Stanley Wanyane and Bathandwa Godlo will appear in court on Tuesday in connection with the death of motorist P J Barbas and the attempted murder of traffic officers Leon van Heerden, Carel Lebethe and Ezekiel Moletsane.

They also face charges of robbery with aggravating circumstances and illegal possession of firearms, ammunition and explosive devices.

At a previous court hearing the men were not formally charged nor asked to plead.

At that stage they faced charges of attempted murder, but Mr Barbas has since died of injuries suffered when he was shot on the Magaliesburg-Krugersdorp road in September when four men hijacked his car.

Traffic officials and the four men were involved in a shoot-out. One allegedly shot himself and another escaped.

● Bop govt silent

— Page 7.

Lawyers keep open the debate on political prisoners, writes Jo-Anne Collinge

# UN asked for rethink on amnesty

STAR 25/11/91

053

221

LAWYERS for Human Rights has made an urgent appeal to the United Nations Committee Against Apartheid to ensure that the international community does not accept claims that all political prisoners in South Africa have been set free.

"If the Government feels that it has succeeded in persuading foreign governments that the issue is indeed resolved, it is able to ignore calls from within the country for the release of remaining prisoners," argued LHR national director Brian Currin in a recent report to the UN body.

"The issue we face is political in nature, not legal. Attempts to seek legalistic answers will not help us. We require political action and we require it as a matter of urgency," Mr Currin said.

He added that he believed the leadership of the African National Congress should be encouraged to act "more forcefully" on the issue, but that this would be insufficient. "It has become obvious that more pressure is needed on the Government to ensure that the issue is resolved and, sadly, we believe that the ANC is unable to do this on its own."

The revised strategy of the ANC after the Inkatha slush fund disclosures, when it declared the National Party government the chief obstacle to peace and set its sights directly on achieving an interim government, "mean" that the obstacles (to negotiation) as detailed in the Harare Declaration "have in effect been downgraded", Mr Currin reasoned. This allowed the Government to

assert more confidently that the political prisoner issue had been resolved, he said. LHR pointed out that members of Umkhonto we Sizwe were still in jail and that several members of the ANC national executive committee still had only temporary immunity, remaining at liberty "at Government whim".

The consequences of the failure to free prisoners were not insignificant. Firstly, frustration among prisoners was mounting "and we fear they will resort to desperate measures — hunger strikes being the least of these. Such actions will inflame emotions and cause further turmoil."

Secondly, a "political prisoner psychosis" was being nurtured "Until the issues of releases is

resolved the 'political prisoner psychosis' will continue enabling every person — from the Left or the Right — who commits violent actions with some kind of political motive, to believe that they will be indemnified or released."

Mr Currin argued "The only way to end this kind of psychosis is to clear the jails of all those persons who are imprisoned as a result of their actions (violent or otherwise) in the struggle against apartheid."

"If the Government wants to enter into some arrangement with the right-wing organisations, that they can do. The right-wing issue should not, however, be allowed to delay the release of those people whose organisation entered into the Groote Schuur Minute and subsequent agreements." □

# Funds needed to turn jail into tourist spot

By Louise Burgers  
Municipal Reporter

Financing is being urgently sought for the final phases of the reconstruction of the Johannesburg Fort

Plans to transform the 96-year-old building into a major tourist attraction are well under way, with the first R2,5 million phase of the reconstruction completed.

Two battalions of the Transvaal Scottish will use part of the fort as their headquarters. The officers' and NCOs' messes have been completed.

The Johannesburg Fort Foundation is in charge of restoration and fundraising for the project. It rents the site from the Johannesburg City Council on condition it remains open to the public.

The present site of the Johannesburg Fort was originally that of a prison. The Fort was commissioned by President Paul Kruger in 1895 in response to possible threats to the city by the Uitlanders after the Jameson Raid. The fort was manned by a

garrison of about 150 men from 1899 to 1900 when it fell into British hands with the occupation of the city. It reverted to the Prisons department in 1902 after the Boer War.

Famous Fort prisoners included Boer general Christiaan de Wet, Mahatma Gandhi, murderer Daisy de Melker and the Foster gang.

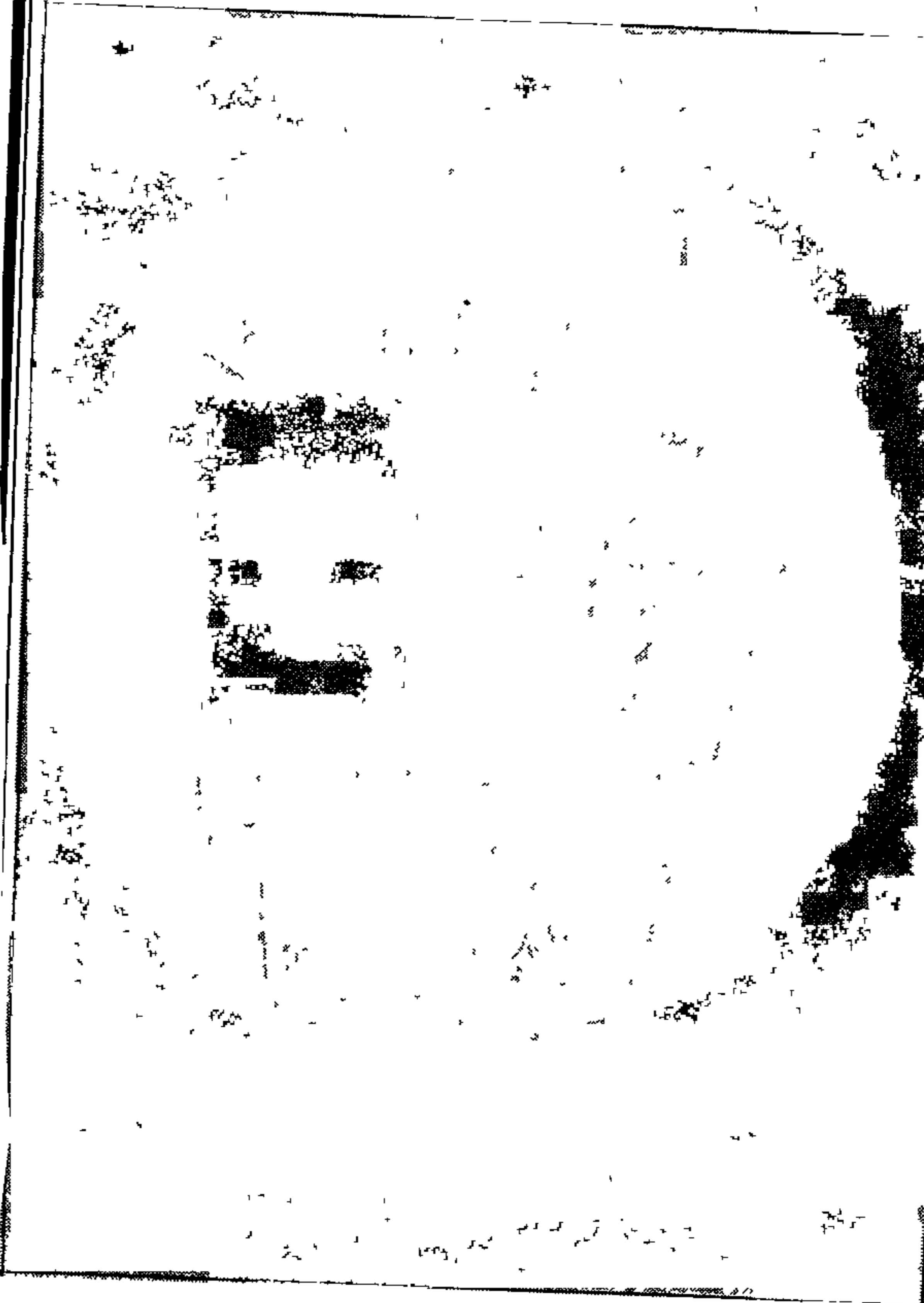
The prison was replaced by Diepkloof Prison in 1983.

A portion of the existing fort will be modified to provide a regimental chapel which will house the regimental colours of the Transvaal Scottish. Care has been taken to retain doors, windows, antique locks and plaster mouldings for re-use or for exhibition in the museum.

Phase two will include the renovation of the south entrance battlements, walkways, stairway, lighting, gun placements, parade ground, guardroom, restaurant and tavern.

Three museums are planned, featuring the Anglo-Boer War, prison services and Transvaal Scottish regiment. Many of the original tiny wire cages which used to house prisoners have been preserved.

STV 22/11/91



On the inside looking out . . . the main gate, as seen through a warder's window. Inside the Johannesburg Fort. Picture Sean Woods



# Bop mum on request for doctor for fasters

By Jo-Anne Collinge

Bophuthatswana authorities had still not given a definite answer to a 10-day-old request for an independent doctor to visit 21 hunger strikers, a spokesman for the Mafikeng Anti-Repression Forum (Maref) said yesterday.

He said Maref remained seriously concerned about Bushy Molefe, who has fasted for 61 days, and George Biya, who is one of 10 prisoners whose protest has reached the 49th day.

Maref members who visited the two men yesterday reported no visible change in their condition and no repeat of Mr Molefe's earlier loss of consciousness, the spokesman said.

But this was little comfort as death could occur suddenly during the advanced stages of a hunger strike.

Similar prison protests are spreading. In Klerksdorp Prison more than 80 members of the National Union of Mineworkers, who were arrested at Stilfontein in the wake of the anti-VAT strike, are on hunger strike, the Johannesburg-based Human Rights Commission reports.

The protest by miners from the Buffelsfontein mine began a week ago in support of the demand that they be granted bail or brought to trial immediately. They are to face charges of intimidation.

On the West Rand two awaiting-trial ANC members, Batandwa Godlo and Stanley Wanyane, have been on strike for 28 days, and eight prisoners at Port Elizabeth's St Albans Prison began fasting on November 8 in an effort to secure their release after their applications in terms of the Pretoria Minute were turned down.

According to Maref there are still 100 political prisoners in Bophuthatswana.

# Bop hunger strikers on the brink

By HUBERT MATLOU

**BOPHUTHATSWANA**  
President Lucas Mangope faces one of the most serious challenges yet to his stance on political prisoners as 11 hunger strikers enter their 49th day without food

Never before in South Africa have so many hunger strikers entered the seventh week — a critical phase — of a protest fast

One of them, former Bophuthatswana Defence Force soldier Bushy Molefe, convicted of treason after the 1988 abortive coup, has spent 61 days without food. On Monday, he lapsed into unconsciousness, and his condition is deteriorating rapidly.

Molefe is reported to have lost 20,4kg — 32 percent of his original 64kg bodyweight — and his blood pressure has plummeted to a dangerously low 70/40 with a pulse rate of 48 a minute. Normal blood pressure is around 120/80.

He is lying in the intensive care unit of Bophelong hospital, having lost consciousness for several hours on Monday morning, said fellow hunger striker George Biya, who is also in ICU.

According to Dr David Green, of the National Medical and Dental Association, this could be the start of his decline into a semi-comatose condition.

*w/ mail* : - 22/11 - 28/11/91  
"It is usual that the person slips in and out of consciousness for several days before dying," he says. "The Irish hunger striker, Bobby Sands, slipped in and out of consciousness for seven days."

When the Mafikeng Anti-Repression Forum (Maref) visited Molefe on Monday morning, he communicated by whispering and complained of having clouds of dizziness and blackness repeatedly descending on him.

Maref expects the authorities to attempt to hide the critical condition of the hunger strikers. Maref members discovered on Monday that doctors treating Molefe had not recorded Sunday's events in the medical file.

Prison Services deputy-commissioner Brigadier Sello Thooe denied the allegations, insisting that his office received regular written reports on the strikers' condition.

Prisons Commissioner General CS Delport has also rejected a Maref request that an independent doctor be allowed to examine Molefe. "This is a contravention of international norms on the treatment of hunger strikers," a Maref statement said.

However, according to Thooe, Maref's request for a private medical examination of Molefe was

being considered

Meanwhile, the other hunger strikers are in similar straits.

According to Maref, any hunger-striker entering his seventh week of fasting could succumb at any time.

George Biya, an Azanian Liberation Army member serving 13 years for armed incursion against military targets in the Lehurutse area of Bophuthatswana, has lost 20,2kg of his 76kg bodyweight and his blood pressure has dropped at times to 80/40, after 49 days without food.

Molefe and Biya are refusing to take a drip and medication unless they are transferred to Odi hospital in Pretoria. While doctors have authorised the transfer, Bophuthatswana is blocking it.

Maref spokesman Paul Daphney says the government has resorted to "divide and rule" tactics by releasing only "coup prisoners" and excluding prisoners convicted of public violence and armed activity. He pointed out that Biya's hunger strike was aimed at highlighting the plight of the non-coup prisoners.

So far, under considerable pressure locally and internationally, the Bophuthatswana government has released a total of 65 prisoners. This leaves behind about 100

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THE

... resigned a year ago with a prophetic warning that a dictatorship loomed, got his old job back this week. Sheverdnadze, one of the architects of perestroika, has had a chequered career, he was once a notorious hard-liner as president of Georgia.

ired upon mourners "for five to 10 minutes", killing 19 people, as a result of a misunderstood order. Witnesses say up to 180 people were killed and nearly 300 wounded. Not even relatives have been allowed to visit the injured in military hospital "to prevent wild rumours".

## APARTHEID BAROMETER

w/mailed 22/11-28/11/91

### HUNGER STRIKERS (253)

TWO African National Congress activists, Stanley Wanyane and Bathandwa Godlo are into the fourth week of a fast they started on October 25, according to a statement from the organisation.

Their fast is to highlight their demands for bail, visits, access to a private doctor and to be allowed to further their studies.

They have had three bail applications opposed by the police and their parents allege that the two won't be allowed any more visits.

The eight political prisoners at the St Albans prison in Port Elizabeth, who have been on a fast since November 8 are still refusing food to demand their unconditional release.

The other hunger striker at the JC Steyn prison is demand to be moved to the St Albans prison. He has not eaten for the past week.

w/mailed 22/11-28/11/91

### DETENTIONS (229)

The organiser of the PWV region of the ANC, Sandile Ndlungwane, has been detained at the Protea police cells since November 13, the organisation announced this week.

### MIXED MARRIAGES (235)

Marriages across the colour bar increased from 1 524 during 1989 to 3 212 during 1990 which represents an increase of 110 percent, according to the latest Central Statistical Services report.

During 1990, 45 660 white, 18 544 coloured and 7 097 Asian marriages and 3 212 mixed marriages or marriages where the population group of the husband and wife differ were solemnised 22/11-28/11/91

Divorces were granted to 20 031 white, 5 217 coloured and 1 421 Asian couples, while 177 mixed couples were divorced

w/mailed 22/11-28/11/91



# Rockman to stay <sup>253</sup> out of <sup>Pen</sup> prison <sup>2/11/91</sup>

AN application for the release of former police lieutenant Gregory Rockman was granted in the Supreme Court in Port Elizabeth this week.

The successful application followed a temporary order granted in September, after Rockman was jailed on contempt of court charges relating to civil debt charges.

He was imprisoned for 90 days on the order of the Port Elizabeth Magistrate's Court on the contempt of court charges.

A sequestration order against Rockman's estate was also provisionally granted by the Supreme Court in September and he was committed for a further 270 days for his three creditors, the Standard Bank of South Africa, SA Randall of Eugene Raymond and Company, and Phillip Saaiman, of Kruger and Marais.

Rockman, the president of the Police and Prisons Civil Rights Union (Popcru), said this week he had not expected the Supreme Court hearings to get so much publicity.

He was positive his luck would change "in a new South Africa".

Rockman is waiting for confirmation of a senior post in the KwaNdebele police force - Pen

# 2 miners end hunger strike

Southern 26/11/91

TWO of the 83 detained miners who have been on a hunger strike for 10 days at Klerksdorp Prison started eating yesterday

According to Department of Correctional Services spokesman Warrant Officer Rudy Potgieter they began to eat yesterday morning

Potgieter said the other 81 miners, who began their "fast to death" with their two colleagues on November 16 are still refusing to

By IKE MOTSAPI

eat.

Among them is the National Union of Mineworkers' Buffelsfontein branch vice-chairman, Mr Jim Mbulawa. (253)

The miners are protesting against their continued detention, according to Mr Jerry Majatladi, the union's Press officer.

He said the detained miners were demanding

bail or release

Their bail application was refused by a Klerksdorp magistrate on November 18.

The miners, members of NUM, were arrested on November 15 after allegedly intimidating 103 workers at the Buffelsfontein gold mine Vaal Reefs during the national general strike against Value Added Tax on November 4 and 5 this year.

# Two Bop hunger strikers transferred to hospital

STAR 26/11/91

By Jo-Anne Collinge

Bophuthatswana hunger striker Bushy Molefe — now on day 65 of his protest and just one day short of the stage at which Ireland's Bobby Sands died — has been transferred to Odi Hospital outside Pretoria.

A spokesman for the Bophuthatswana Department of Information confirmed that Molefe and George Biya had been moved from Mafikeng at the weekend.

## Treatment

Biya has been fasting for 46 days.

The men had been refusing medical treatment before their transfer but resumed treatment after being moved, the spokesman said.

He added that there were still 19 hunger-striking political prisoners in Bophuthatswana.

The other 17 were at the Thusing and Bophelong hospitals in the Mafikeng area. About half the group has been refusing to eat for the last 46 days.

It is understood that a decision on a request by the Mafikeng Anti-Repression Forum

(Maref) for an independent doctor to examine all the hunger strikers has still not been made although the application was made on November 12.

The territory's political prisoners are demanding release on the same grounds as other South African political offenders who have been freed.

According to Maref there are still 100 political prisoners in Bophuthatswana jails.

In all, 65 political offenders, all of them jailed for taking part in the 1988 coup, have been released by the Bophuthatswana authorities this year.

## Arrested

● A group of 41 members of the ANC appeared in court in Mmabatho yesterday to face charges of attending an illegal gathering, a Maref spokesman said.

They were arrested on Friday night while holding an ANC meeting at St Mary's Church in Mafikeng.

Earlier last week more than 40 ANC members in a village near Kuruman were arrested at a meeting.



# Prisoners complain to FW, Mandela <sup>STAR</sup> 27/11/91.

Pretoria Bureau

253

Kimberley prison inmates have accused prison warders and officials of physically and verbally abusing them

In a list of grievances sent to President de Klerk and ANC president Nelson Mandela, a group of inmates alleges that

- They have been assaulted and forced to do hard labour
- Insulting references have been made about their mothers
- They have been called "kafirs" and other names
- The quality of prison food was poor and they did not have

access to basic necessities such as toothpaste and soap

Prisoner Lucas Motheo (31) allegedly began a hunger strike on November 2 to protest against the abuses

The Department of Correctional Services said Motheo embarked on a hunger strike to demand his release from prison

However, sources close to Motheo said the hunger strike was a protest against alleged abuse by prison officials

Prison authorities said Motheo had been transferred to hospital on November 19

The Department of Correc-

tional Services has rejected the prisoners' allegations

A spokesman said "Personnel are trained to perform their duties professionally and to treat all prisoners in a humane and civilised manner

"The department is satisfied that its officials treat prisoners with respect and will not tolerate dehumanising or abusive language or conduct. Complaints in this regard are dealt with strictly in accordance with prevailing rules and regulations," he added

He said no complaint had been registered through official channels

# Death in police custody - unnatural

Sowetan  
25/11/97

253

MR Frederik Cardinal (63), who died in police custody in the West Coast town of Lutzville at the weekend, died of unnatural causes, police confirmed yesterday.

Captain Attie Laubscher of the Peninsula police liaison division said the post-mortem indicated that Cardinal, who was arrested on Saturday and died on Sunday, died of "abdominal injuries".

He said as soon as the inquest was completed the docket would be referred to the attorney-general.

Laubscher said no criminal charges were being investigated at this stage and none of the policemen involved in the incident has been suspended.

An ANC spokesman, Mr Willie Hofmeyr, alleged that Cardinal, who was arrested after he came to the aid of his 16-year-old son Allan as the youth was arrested, was assaulted by police.

Hofmeyr said witnesses claimed Cardinal was bruised and had injuries to his head when first seen by relatives on Sunday.

Laubscher said Cardinal had been treated by a doctor for a stomach ulcer. He said Cardinal and his son were arrested after police were called to the Nerdersetting township to investigate a complaint on riotous behaviour about 7pm on Saturday.

On arrival, the policemen arrested Allan, a member of the ANC, and loaded him into the patrol van.

His father then tried to get him out of the van and police arrested him as well. - Sapa

# Out and down in the 'new' SA

South

28/11-4/12/91



253

FREED POLITICAL PRISONERS are returning home to the same conditions of poverty that motivated them to fight apartheid in the first place, a new study has shown.

Only now, the conditions of poverty are worse — which is why many ex-prisoners say they have been released from their jails into a much larger one without bars.

“A prison without walls” best describes the poverty that holds so many ex-political prisoners captive, following their years of personal and financial sacrifice in detention, prison and exile.

The report reveals that on nearly every front — employment, housing, education and health — nearly all political prisoners are facing very severe pressures as they readjust to mainstream South African life.

In the report prepared for the Centre for Development Studies (CDS) and dealing with the socio-economic conditions of ex-prisoners in the Western Cape, researchers found 66 percent of ex-prisoners were unemployed.

Most of them survived on grants of less than R300 a month.

Nearly half of ex-prisoners were living in shacks or single-sex hostels and more than 40 percent could not contribute to their monthly rent.

On the health front, 57 percent said they

were coping with high or very high levels of stress, with 66 percent reporting significant medical problems since their release.

The statistics were a little more encouraging on their educational qualifications, with more than 65 percent possessing matric certificates

Release from prison brings a certain degree of formal freedom. But for countless numbers of ex-political prisoners socio-economic emancipation remains an even more elusive goal.

More than three years after his release from prison, Mr Zandisile Mayile still does not have a full-time job to support his wife and two children.

Since his release from Victor Verster Prison where he served a year for harbouring ANC guerrillas, Mayile has applied for five jobs and met little success. Employers close the door in his face, saying he is either underqualified and unskilled or they will not hire a former terrorist.

Other than a part-time job as a casual labourer at a warehouse, Mayile has been unemployed since 1987. His family survives on his wife's salary of R480 a month.

Before his imprisonment, he worked for five years as a truck driver at an Eerste River quarry. He lost his job when he was arrested, and the firm refused to re-employ him after

his release.

In many ways, Mayile is typical of ex-political prisoners whose unemployment is in large part due to arrest and imprisonment.

According to the CDS study, 80 percent of unemployed ex-prisoners surveyed said they held full-time, salaried jobs prior to their imprisonment.

“The statistics suggest that post-release unemployment is largely attributable to the career interruptions caused by political imprisonment,” the report concludes.

Most ex-prisoners have had to settle for any job that pays. One former Western Cape prisoner holds a clerking job that demands 12 hours a day, seven days a week in a township shop

For such long working days, he earns a paltry R300 a month and supports a family of eight.

● SOUTH has started a fundraising campaign to assist destitute ex-prisoners including Upington's former death row inmate, Evalina de Bruin.

The campaign will run until December 19, and we hope to collect sufficient funds to ensure that a few ex-prisoners enjoy a reasonably happy festive season

Readers wanting to donate money should contact Rehana Rossouw at 462 2012.



# Man dies in cell of unnatural causes: but cops still on duty

By Rehana Rossouw

28/11/91 - 4/12/91  
According to eyewitnesses, Cardinal

NONE of the policemen implicated in the death of 63-year-old Lutzville resident Mr Frederick Cardinal have been suspended from duty, a police spokesman confirmed this week. Cardinal's death in the northern Cape town last Sunday has angered Cape organisations, which have once again called for independent control over the South African Police.

was arrested by police in the northern Cape town of Lutzville last Saturday. Residents claim Cardinal and his son, Allan, were severely kicked and beaten by police before being taken to the police station.

On Sunday his wife, Mrs Anna Cardinal, saw him in the police cells and said it was obvious her husband had been severely assaulted. He was unable to speak or move from his bed. Police had not brought a doctor to

examine him and Mrs Cardinal insisted they do so immediately. But her husband died before the doctor arrived. Police liaison officer Captain Attie Laubscher said Cardinal was charged with resisting arrest and assisting a prisoner in an escape attempt.

An autopsy performed on Wednesday showed Cardinal had died of unnatural causes due to abdominal injuries. "The autopsy report will be forwarded to an inquest hearing and after that the

dossier will be sent to the Attorney General for his decision whether to prosecute," Laubscher said.

The ANC in the Western Cape said when incidents like these took place in the full view of the public, it undermined what little faith the community had in the police force. ANC spokesperson Mr Willie Hofmeyr said the organisation was outraged at the "inhuman incident" and demanded an independent investigation into Cardinal's death.

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# Old man dies in police cell

WT Man 29/11 - 5/12/91  
253

By GAYE DAVIS, Cape Town

THE African National Congress has called for an independent investigation into the death in police custody of a 63-year-old man whom witnesses claim was severely assaulted by arresting officers Frederick Cardinal, of Lutzville on the Cape West Coast, was arrested by police last Saturday. His 16-year-old son, Allan, an ANC Youth League member, was also taken into custody.

ANC representative Willie Hofmeyr said witnesses claimed that policemen assaulted both father and son. Family members who tried to see Cardinal the following day were initially refused permission to do so.

When they did see him, after approaching the local station commander at home, they found he could neither speak nor move and insisted a doctor be called. Cardinal died before the doctor arrived, Hofmeyr said.

"We demand that a proper and independent investigation be made," Hofmeyr said. "Incidents such as these will continue to undermine what little faith the community has in the police force."

SAP liaison officer in the Western Cape, Captain Attie Laubscher, said police were called to Nedersetting township in Lutzville to investigate a complaint. A 16-year-old youth was arrested and loaded into the patrol van.

"The boy's father allegedly tried to get him out and the police arrested the father. A tussle ensued in which the father assaulted a policeman and resisted arrest," Laubscher said. Both were charged and taken to police cells, "where the father was found dead the following day", Laubscher said.

Police have opened an inquest docket and an autopsy was carried out on Monday.

The Cardinal family have meanwhile instructed a lawyer from the Legal Resources Centre to represent them regarding the death of the father, the alleged assault by police of the son and police charges against the son, which include riotous behaviour, resisting arrest, assaulting a policeman and attempting to escape.

# 'Hunger' lawyer: No steps

PRETORIA — There was no need for action following the professional conduct of lawyer Mr Wim Cornelius, who had represented the right-wing hunger strikers, the Law Society of the Transvaal said here yesterday.

The society's president, Mr A C Hutchinson, said this was the conclusion a committee had come to after a "thorough" investigation during which medical evidence had been studied

Mr Hutchinson said the investigation had followed on the statements made by Mr Cornelius about the hunger strikers.

There was an uproar after allegations that two of the hunger strikers, Adrian Maritz and Henry Martin, had secretly eaten chocolate bars while in hospital. According to reports, the men had also put on weight in preparation for their fast.

Mr Cornelius reportedly made repeated statements that the men were in very poor physical condition. Medical reports subsequently confirmed that they had undergone a substantial loss of weight.

Maritz and Martin, facing a murder charge, have since skipped bail and fled to England — Sapa

(253)

(270) PT 30/11/91



# Warders 'charged after

STAR 23/11/91

253

WARDERS at Bavianspoort prison outside Pretoria believe they are being victimised for recently speaking out against conditions there to the Saturday Star.

A top-level investigation arising from their complaints is being held, allegedly without taking evidence from the four — Warrant Officer Andries Shiko, Sergeant Shadrack Molai and Titus Mampuru, and Warden George Manemane

W/O Shiko and Sergeant Molai have subsequently had several charges laid against them by the Department of Correctional Services (DCS)

Charges were laid just 10 days after this newspaper carried allegations of appalling living conditions and abuse of black prisoners and warders

Warrant Officer Shiko has been accused of instigating a work strike at the prison in August. It ended in violence, with inmates shot with rubber bullets, teargassed and beaten with rubber batons

## But authorities deny claims of victimisation over article

### BRENDAN TEMPLETON

His lawyer, Tiego Mosenke, wants a magistrate to be brought in to lead the hearing. Prison regulations made provision for this, he said

Sergeant Molai has been charged with incidents dating back more than two months. These include allegedly failing to salute an officer, leaving prisoners unattended and being insolent to superiors

The warders distrust a Major Stofberg, the officer heading the DCS investigation into Bavianspoort ordered by Prisons Commissioner Lieutenant-General Willie Willemse after the article. They say they are willing to give evidence to the inquiry if their lawyer is present, but the DCS will not allow this

Approached for comment, the DCS replied "The allegation that warders are being victimised for speaking to the media

is devoid of all truth

"As in any uniform-wearing department, strict discipline has to be maintained. To this end, specific directives exist which have to be complied with at all times, and undisciplined behaviour cannot be permitted

"The statement that charges were only laid against the members subsequent to their having spoken to the press creates the false impression that they were invented to victimise the members for speaking to the press

"The administrative process in respect of the charges laid against the members already commenced during August and September respectively, and include incidents in which one of the members in question allegedly went off duty early without permission, on one occasion allegedly abandoning a group of prisoners he was guarding, so jeopardising public safety — which cannot be regarded as

petty

"Furthermore, the charges for instigating a work strike in prison, which allegedly involved money promised to prisoners, is regarded in a very serious light

"It should also be pointed out that these members are entitled to be assisted by their lawyers in connection with/during their disciplinary hearings

"The commissioner of the Department of Correctional Services ordered the investigation to look into the alleged malpractices at the Bavianspoort prison and certainly not to build incriminating evidence against the members in question.

"Major Stofberg's investigation is therefore directed at establishing the facts with regard to the allegations made by certain members and is not directed at the members themselves. Should disciplinary charges eventually flow from this investigation, the members will be entitled to be assisted in their defence by their lawyers

"The department is satisfied that the investigation is being conducted professionally and the integrity of the officers involved is above reproach"

# speaking out,

PUBLIC SECTOR - GOVT. PRISONS

1991 - DECEMBER

# Prisoners 'force-fed'

By SOPHIE TEMA

AUTHORITIES at Tshepong Hospital in Klerksdorp have been accused of force-feeding hunger strikers held at the hospital under police guard.

The 18 hunger strikers are entering their 17th day without food today. They are among 83 mineworkers who were awaiting trial in Klerksdorp Prison on intimidation charges arising from the recent anti-VAT strike.

A statement by the

ANC Western Transvaal region said the 18 hunger strikers were being force-fed, but hospital superintendent Dr B Vos has denied this.

The ANC further alleged that although a doctor had noted in the treatment charts that the hunger strikers were weak, they were still kept under armed police guard, had their legs handcuffed and glucose drips administered without their consent.

The statement said the handcuffs were only removed after a delegation from the ANC and its

Youth League, led by chairman Zakes Molekane, had negotiated with the hospital superintendent to have them removed.

On Friday Vos told City Press that three of the hunger strikers were eating and half those who would not eat had agreed to drink water.

The others had been put on drips "They have not objected," he said.

The ANC statement said "We condemn the insensitive nature of the Tshepong Hospital authorities," especially the

superintendent, Dr Vos, who despite his authority in the hospital, condoned and abetted the despicable treatment of the said patients in the hospital.

"We challenge President FW de Klerk to command his courts, especially in the rural areas, to treat all in fairness and refrain from being prejudiced by racial tendencies as is the case in this trial.

"In sharp contrast to the random mass arrest of the 83 mineworkers for alleged intimidation, in Welkom 89 people have died and not a single arrest has been made."



# MY crazy time in the human zoo

Former treason trialist BEN TURKOCK returns from 25 years in exile

SOON I shall be able to photograph the Fort, Johannesburg's once-notorious prison, without fear of prosecution I have been frustrated by this gap in my collection of souvenirs of the dramatic old days. Now that the Fort is to become a museum, I shall get my picture of those fearsome wooden doors and surrounding high walls.

I had two spells in the Fort, first with Chief Albert Luthe, Nelson Mandela and the rest of the 1956 treason trialists, and then as an awaiting-trial prisoner on an arson charge in 1962. For me, the adage that history repeats itself first as tragedy and then as farce was reversed.

The Fort held few terrors in the hullabaloo of the Treason Trial. There we were, 156 top and middle-level leaders of the Congress Movement herded into cells in the full glare of world publicity. We had an abundance of food brought in several times a day, more newspapers than we could read and numerous visits from lawyers and relatives. The prison staff were overwhelmed by all this attention and so we were free to talk, sing and do more or less as we liked.

My second sojourn was less amiable. I was up on a serious charge — and alone. And so I had a taste of the real Fort which combined the charac-

teristics of a human zoo and a madhouse.

The Fort was the main holding place for awaiting-trial prisoners in Johannesburg. Murderers, rapists, the mentally deranged (who are often treated as criminals), mingled freely with young first offenders and innocents.

The overriding memory was the waywardness of it all. More than 100 white prisoners slept in individual cages rather like chicken coops, too small to stand up in, just long enough to lie down on a mat in, and wide enough to hold a chamberpot as well. The long night had to be spent wrapped in semier-covered blankets which had not seen water for a long time.

## Unlocked

At lock-up, the inmates entered into the spirit of the accommodation and howled like dogs or mauowed like cats, depending on their mood. Cigarette butts and dagga ends were passed along the line with no warder in sight.

In the dark before dawn, cage doors were unlocked and pandemonium broke out

as prisoners rushed for the yard to empty their pails into a hole in the ground.

Then pot under the tap for a quick sluice, and stand in line for porridge and bread. Only later could one wash, clean one's teeth and even, on good days, take a shower.

Of course the Fort was not designed for this kind of Flotsam picked up daily by the police so they could be lined up for their ration of South African justice.

Looking back, I'm not sure which part of the experience I disliked most. First, isolated with five criminals in a hospital cell, knowing they were spies trying to catch me out so they could earn some remuneration by giving evidence against me. It was a weird set-up since they knew that I knew (one of them blurted it out), and yet we had to co-exist week after week.

There was Jack the self-proclaimed pelvic massage king who nervously contemplated a likely nine to 15-year stretch, Van A the chequered fraudster who had been interned with John Vorster during the war, John, the only really dangerous criminal among us, and the rest

We played cards, talked politics and shared food brought in from the outside, mostly mine. Once my wife sent in a birthday cake made of trifle heavily laced with brandy which was not noticed because of the heavy overlay of cream. We all got quite high on that.

## Plotting

When they could get nothing incriminating out of me, I was thrown to the multitudes in the remand yard. There I was threatened with violence by an escaped lifer from a Bloemfontein mental home, pestered by youngsters wanting money and cigarettes or nagged by old-timers who wanted to be subpoenaed as witnesses in my trial so they could try to escape.

Scheming and plotting is the soul of prison life without which all would shrivel with boredom, including the warders. Excitement was brought by the daily round of visitors in conditions which reinforced the sense of being in a zoo. A dozen inmates were ushered into an interview room where visitors stood at a counter separated from one another only by wire mesh, facing prisoners similarly arranged. At a signal from a warder, all began shouting across the gap so it was perfectly possible to get cross-

conversations with adjacent visitors. Many a new friendship must have started that way.

Another form of release from tension was the weekly religious service when preachers from various denominations, who seemed oblivious of the mountains of sin around them, talked mainly of the glories of heaven.

The Fort was a monstrousity, not a prison. Where else could one find such a disgusting environment or such a strange medley of humans? All were supposed to face the error of their ways, but I fear they were less repentant than I.

# Families torn as freedom splits sons

By NORMAN WEST

WHEN two Cape Town men walk to freedom tomorrow morning after serving six years of their 16-year jail sentences, their parents will be shedding tears of joy and of sorrow

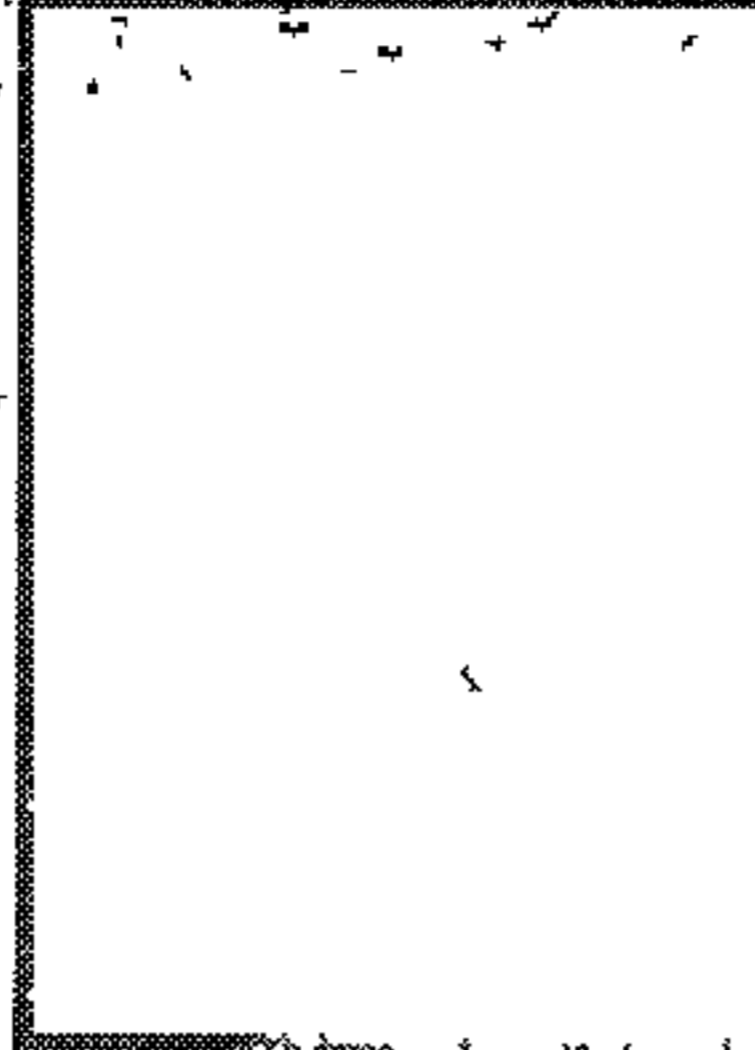
Left behind will be a brother of each prisoner

"Unfair" is how both families have described the decision by the prison authorities to release, in each case, one son and keep the other in jail

Both families said yesterday they would not celebrate but would hold prayer meetings for the speedy releases of the brothers still in jail

In 1986 Yusuf and Nazeem, sons of Mr Ismail Abrahams and his wife, Ghaironessa, of Athlone, were sent to jail for 16 years for robbing and killing a security guard while trying to steal firearms to protect a Mosque during the political turmoil

Convicted of the same crimes and sentenced to identical prison terms were



**ISMAIL ABRAHAMS**  
Son will be freed

two other brothers, Nazier and Said Bhawoodien

The Bhawoodien and Abrahams families will be at the Pollsmoor Prison gates tomorrow morning to fetch Nazir and Nazeem

Said Bhawoodien and Yusuf Abrahams will be left behind

Their crime was committed at a time when police, in their riot gear and boots which violated Islamic tra-

dition, would enter mosques to search for suspects

In addition, it was alleged that members of the defence force fired teargas at members of mosque congregations in Athlone and Wynberg

The brothers told the Cape Supreme Court they had embarked "on a mission of justice" to find arms and prevent the desecration of mosques by police

Civil rights lawyer Mr Essa Moosa confirmed yesterday that he had been told officially that Nazeem Abrahams and Nazir Bhawoodien were to be freed

"The prison authorities did not give reasons or explanations. One hopes that if Nazeem and Nazir are released in terms of the Indemnity Act, it will be a matter of procedure that the release of their brothers will follow"

A spokesman for Correctional Services said last night it was not policy to comment beforehand on the release of prisoners



# Robben Island to be open to public from next year

(253) CT 2/12/91

Staff Reporter

ROBBEN ISLAND is to become a nature reserve that will be open to the public from next year

Dr Johan Neethling, chief director of the Cape Department of Nature and Environmental Conservation, said yesterday that Mr Nelson Mandela and other former political prisoners would be asked to advise on plans to develop their former prison into a museum

A steering committee consisting of Cape Nature Conservation, Correctional Services and the National Monuments Council had been established to oversee the development

Dr Neethling said the northern part of the island would become a provincial nature reserve first, followed by the rest of the island

The Department of Correctional Services, he said, would be "scaling down" its operations gradually until prisoners serving sentences for petty offences could be accommodated in mainland prisons

Victorian houses on the southern part would be converted to accommodate a limited number of tourists

Mr Mandela had made it clear he did not want the island "turned into a circus"

Dr Neethling said the Cape Provincial Administration had given the green light to building a museum on the island which would reflect its fascinating history and the role the ANC had played in the "freedom struggle"

Part of the existing prison would eventually be used as a museum

Mr Nic Malherbe, chairman of the Future of Robben Island committee and vice-chairman of the Tourism Committee of the Western Cape, said Robben Island was one of Cape Town's natural assets and opening it up to tourists would mean a massive injection to Cape Town's economy



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# 36 fasters in hospital

Sowetan 3/12/91

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THIRTY-SIX of the 83 members of the National Union of Mineworkers who have been on a hunger strike for the past 18 days have been admitted to hospital

Tshepong Hospital superintendent Dr Bernard Vos said 22 hunger strikers had been admitted there while 14 others were being treated at Klerksdorp Hospital (253)

He said none of the hunger strikers was in a critical condition (20)

"They are admitted to hospital once they have lost about 15 percent of their body weight," Vos told *Sowetan* yesterday

NUM spokesman Mr Jerry Majatladi said the 36 were transferred from the Klerksdorp Prison to the nearby

Tshepong and Klerksdorp hospitals on Tuesday last week

He said "Our 36 members have been on a hunger strike since November 15 1991 after being refused bail during their court appearance on the same day"

Last week the Prisons Department announced that two of the 81 NUM members had started eating This was denied by Majatladi.

The 83 miners, who are employed at Buffelsfontein Gold Mine in Vaal Reefs in the Western Transvaal, were arrested on November 14 for allegedly intimidating 103 workers during the anti-VAT strike on November 4 and 5.

They appeared in court the next day and were refused bail by a Klerksdorp magistrate

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# False cheer on gloomy death row

Sowetan

4/12/91

253

**ISNEAK** into the prison feeling scared and gloomy at the prospect of meeting George Tau - not his real name - who has been on Death Row for five years.

I needn't have worried. The eyes of the murderer, seen through thick, wired glass, are sparkling, and I am greeted by full-throated, hearty laughter.

Here is a man, aware that the hangman may call on him at any time, who appears not to be worried.

But Tau (33) is a good actor. Beneath the carefree exterior hides a frightened man.

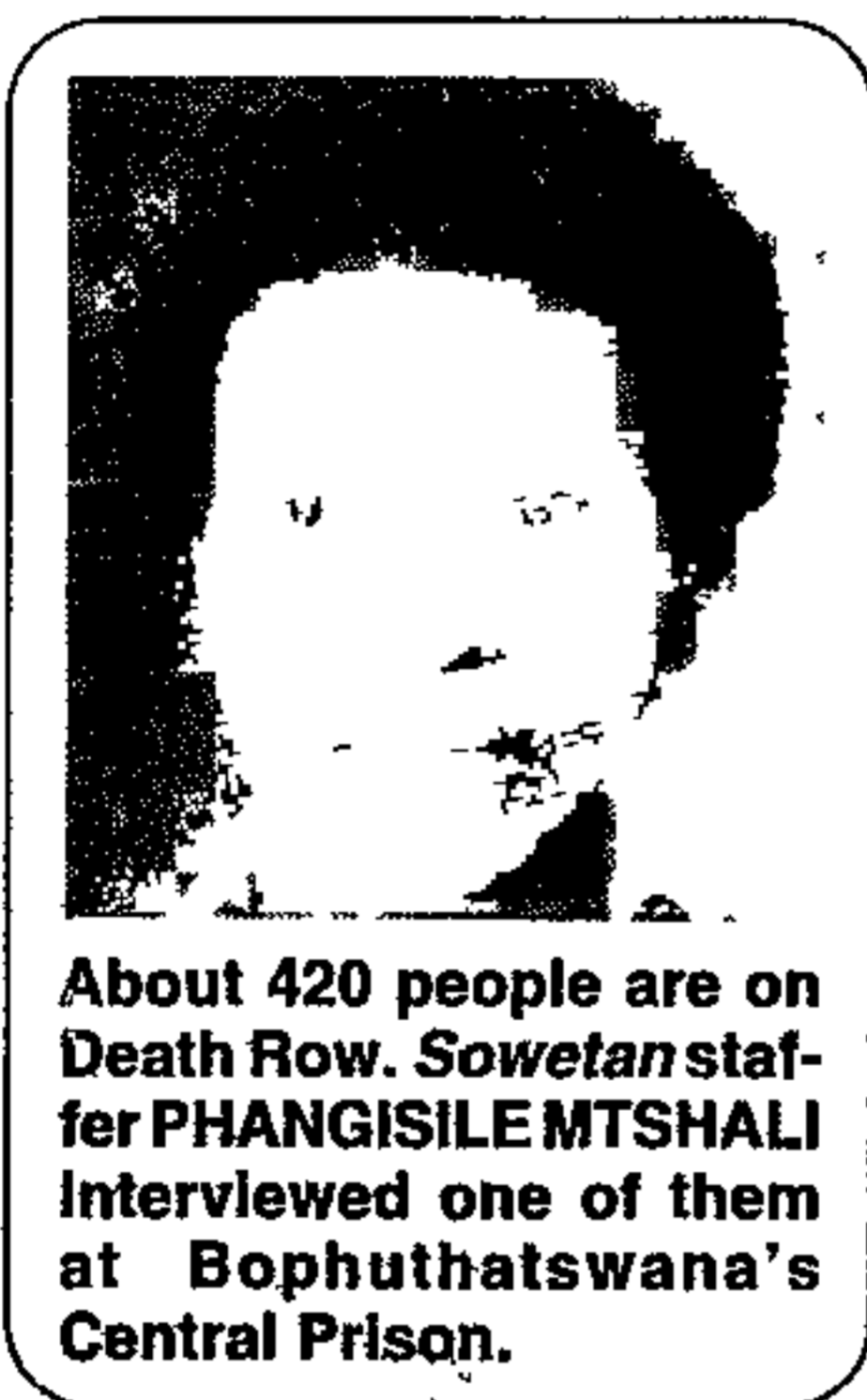
"I don't want to die and I'm real scared," he confesses. "Every night I lie awake wondering if tomorrow will bring me an executioner's visit. I have been on death row for many years and every time the executioner comes to tell one of my brothers his day has come, panic grips me. Sometimes I cry. I have even developed insomnia and other anxiety-related problems."

"We have started a church and have nominated one of us as a priest. It keeps us going."

Although Tau seems to have resigned himself to the fact that he will never again see his two children and wife, his will to live surfaces now and then.

"I do not think I will get out of here alive. I wonder why they have kept me here all these years without a word. You know, I have become so religious. I have stopped smoking and drinking. And I will not drink again when and if I leave this place."

"My cell is not far from the gallows and I can hear the thuds. They mean time is up for one of us."



**About 420 people are on Death Row. Sowetan staffer PHANGISILE MTSHALI interviewed one of them at Bophuthatswana's Central Prison.**

The night before your death they come to measure you up - your neck, body mass and shoe size.

"It is so devastating. The public must understand that we did not kill the victims intentionally. But if they kill us for killing, what message are they sending out?"

Tau is just one of more than 400 men who have an appointment with the executioner in the country's cells. There are 302 at Pretoria Central Prison, 13 in Bophuthatswana, 20 in Venda and 85 in Transkei.

"Despite a call for the release of all political prisoners there are still 12 people on Death Row for politically related crimes," said a spokesman for Lawyers for Human Rights.

Research done by the Black Sash in 1987 showed that 92 percent of

Death Row prisoners were semi-literate blacks, either from poverty-stricken homes, or brought up by single parents.

"Death Row is like a factory which produces corpses. You go in live and come out dead. To produce that product a system is developed. The whole place is serviced. They provide food and they make gardens. They give notice of execution. They hang and they bury," national director of LHR Mr Brian Currin once said.

It is noteworthy that there has been no execution in South Africa since October 1989, while significantly more people are still being sentenced to death.

"The fact that no executions have been carried out since 1989 makes us hope that the Government is seriously reconsidering its stance," the LHR spokesman said.

"We also appreciate that an automatic right of appeal has been amended into the constitution and that now judges can pass the sentence in their discretion rather than on mitigating factors."

"But a majority of Death Row prisoners are blacks sentenced by white judges who have no empathy with the social and economic conditions of the black community."

Mr Justice DJP Curlewis' letter to the South African Journal on Human Rights read: "A person who deserved to hang was more likely to get the death sentence from me or my ilk than (at random) my brothers Roux, MacArthur, Van Schalkwyk, Nestadt, Goldstone or Gordon."

"The reason is that these judges are at heart abolitionists for one reason or another. Obviously, and for that reason, they cannot be sound on the imposition of the death penalty for the good of the

community and for peace of mind such judges, they should not sit on capital cases."

A snap public survey showed resistance to the abolition of the death sentence.

In a radio talkback show held after the sentencing of two Soweto youths for murder and rape of a schoolgirl, 95 percent of callers said the new democratic constitution should retain capital punishment.

On the other hand, abolitionists were quick to point out that the death penalty was irreversible and did not allow for human fallibility, this is also compounded by the use of interpreters who do not convey the answers accurately to the court.

They argue that, should it be found later that there was a technicality or vital evidence that would lead to acquittal, there would be no way to correct the mistake after execution.

Those believing in the death penalty argue that, since there is no cure for psychopathic killers, they should be hanged because they would not be rehabilitated.

Azapo legal spokesperson Mrs Mojanku Gumbi said capital punishment had no deterrent effect.

"It does not accord with justice but the state reduces itself to the level of the criminal," she said.

"To kill a killer does not serve any purpose even to the family of the bereaved because it can never bring that person back."

ANC's Carl Niehaus said the death penalty has become synonymous with apartheid's legal system as many young people who fought against the system ended up at the gallows.

"It is clear black people are far more likely to receive the death sentence than whites," he said.

# Uphill battle over political prisoner status (253)

A year after the publication of guidelines for the release of political offenders, prisoners are still struggling to establish their "political" status through indemnity committee hearings, says Lawyers for Human Rights director Brian Currin.

Today legal representatives are to argue be-

fore three judges that four members of the South African Railways and Harbour Workers Union should be released because the offences they committed during a prolonged strike in 1987 were essentially politically motivated

The four men — Wilson Matshili, Patrick

Molefe, Takalani Mampaga and George Maungedzo — were originally sentenced to death, but long jail terms were substituted in May after their successful appeal

Commenting on the prolonged process of releasing political prisoners, Mr Currin said "We believe that this is the ideal time for President

de Klerk to resolve the political prisoner issue

"By releasing all the remaining political prisoners he would be demonstrating to those committed to peace and reconciliation in our country that his commitment to this process is a genuine one" — Political Staff

STAR 4/12/87



# Robben Island <sup>253</sup> decision today?

By BARRY STREEK

CONFUSION about the future of Robben Island could be cleared up today when representatives of various government departments meet in Cape Town to discuss the matter.

The long-term future of the island, which contains South Africa's most famous prison, is expected to involve a nature reserve and a museum under the control of the Cape Provincial Administration. Today's meeting was called primarily to discuss the position of the many shipwrecks around the island, but other issues would be discussed. Lieutenant Bert Slabbert, a spokesman for the Minister of Correctional Services, Mr. Adriaan Vlok, said yesterday.

The discussions will be attended by representatives of the CPA, the Department of Correctional Services, the Department of Environment Affairs and the National Parks Board.

The nature reserve is to be in the northern part of the island, which contains a penguin and sea bird colony, while the possibility of a museum, to be housed in the current Department of Correctional Services buildings, is being investigated.

The ANC, PAC, Azapo and other political groupings, whose members were prisoners on the island, are to be consulted about these plans.

# TWO released, but brothers still in jail

South 5/12 - 11/12/91

253

By Thoraya Pandey

TEARS rolled down the cheeks of Mrs Ghaironessa Abrahams when her son Nazeem walked into her house this week after spending six years in jail for a politically motivated offence.

Nazeem, 32, was released with co-accused Mr Nazir Bhawoodien, 33, from Pollsmoor Prison on Monday after serving six years of a 16-year sentence for murder, attempted murder and robbery.

Their brothers, Mr Yusuf Abrahams and Mr Shaheed Bhawoodien, are still behind bars.

The four were jailed for attacking and robbing the Lincoln Tavern in Belgravia Road, Athlone, during the 1985 uprisings. A security guard was killed in the incident.

"I am happy my son is home where he belongs but I am very sad they did not release my other son, Yusuf, and his friend Shaheed," Mrs Abrahams said.

"The warders told Yusuf he would not be released because he was a second offender.

"His first offence was exceeding the speed limit. Can you believe it!" Nazeem's father, Mr Ismail Abrahams, said he would continue fighting for his other son's release with the same energy and dedication.

He had been campaigning for their release with almost no support from political organisations.

"I can count on my fingers the people who supported my family, there was no one in sight even when I needed transport to visit my sons," said Mr Abrahams.

"I consider their release my victory, though only a half victory, since Yusuf and Shaheed are still in jail," he said.

"I will continue writing letters to President De Klerk and his government. I've already written more than 200. My disappointment does not lie with organisations like the ANC, PAC and Azapo, they're not the ones jailing my sons. This government is

to blame.

"I will continue supporting any organisation fighting the cause of the oppressed," said Mr Abrahams.

Nazeem, ecstatic to be with his family, said he felt an incomplete person without his brother.

"When I left the prison, I left my heart behind," he said with tears in his eyes.

He rejected his parole when the authorities informed him that only two would be released.

"Yusuf would not hear of it, he forced me to accept the offer and I could see in his eyes it was one of the hardest things he ever had to do."

Bhawoodien said he had mixed feelings about his release.

"I am happy to be with my family but it's so difficult to accept that I am outside while Yusuf and Shaheed are still in jail," he said.

"Their release is being hampered by the oppressors. They are trying to be sincere but no oppressor is sincere, just brutal and inhumane," said Bhawoodien.



**SORROW AND JOY:** Mrs Ghaironessa Abrahams with her son, Nazeem, shortly after his release. They are holding a photo of Yusuf who is still being held at Victor Verster

# Robben Island

STAR 5/12/91

## revamp

Robben Island, prison to black opposition politicians for decades, is about to emerge from its dark ages.

The prison island off Cape Town, where Nelson Mandela spent a large portion of his 27 years in jail, is to become a tourist haven with the emphasis on nature conservation, says Correctional Services Minister Adriaan Vlok.

A transcript of Mr Vlok's speech in Kroonstad on Friday last week, when he revealed the Government's plans for the future use of Robben Island, was released to Sapa this week.

Mr Vlok said the National Parks Board "will establish a presence on Robben Island as soon as possible with a view to the eventual takeover and control of the island".

The Department of Correctional Services will scale down its activities on the island.

### Character

It will change the character of the prison "to an open type of detention facility with the emphasis on the rehabilitation of prisoners".

The plan involves making the island accessible to tourists, offering the use of Robben Island's harbour "to the seafaring community in general", establishing a museum on the island "in which the history of the island will be portrayed and preserved" and establishing a conference centre with overnight facilities.

Application has been made to declare the northern portion of Robben Island a nature reserve.

Mr Vlok said the programme directed at the protection of fauna and flora on the island would be intensified. This would include the marine reserve around Robben Island.

Mr Vlok said a managerial and development plan would be drawn up as soon as possible. — Sapa.



# Ex-prisoners 'must have say' on future of notorious jail

253  
MAR 6 12/91

## DENNIS CRUYWAGEN, Political Staff

THE future of Robben Island, with its special place in the history of the apartheid struggle, cannot be decided without consultation with people's organisations, says Umkhonto we Sizwe chief of staff Mr Chris Ham.

He was reacting to an announcement by Correctional Services Minister Mr Adriaan Vlok that the island is to be opened to tourists.

Robben Island, for 30 years a maximum security prison for black men — many of them leading figures in resistance politics — has served as a people's university and the internal headquarters of the African National Congress, the Pan-Africanist Congress and the Black Consciousness Movement.

Any decision about its future is bound to be controversial.

Following Mr Vlok's announcement, Dr Johan Neethling, chief director of the Cape Department of Nature and Environmental Conservation, said Mr Nelson Mandela and other former political prisoners would be asked to advise on developing the island.

Mr Ham said "Robben Island has a history of being the jail for people opposed to the minority government. It's an island closely linked with the struggle for freedom and liberation. As such, what ever happens to it cannot be decided unilaterally, it must be decided by discussion."

He said the island, especially the maximum security section where political prisoners were jailed, had to be preserved for posterity.

"If we are going to be a democratic country, we need to know our full history and what happened to the people who gave their lives for freedom. There is no way we can forget our history."

He said he, the ANC, and other political movements had not done enough for the cause to preserve Robben Island.

"We must not allow any party to commercialise Robben Island."

This view was echoed by former islanders who left many memories buried there, bitter recollections of years in bondage, of the struggle for freedom.

Mr Mxolise Petane, deputy commander of MK in the Western Cape, "Robben Island has a great heritage that must be preserved. The question of turning it into a museum is a question which must be discussed at great length. Proper consultation will have to take place."

He said the island had to be made accessible to ordinary people.

"Turning it into a haven for tourists will put it out of the reach of ordinary South Africans."

Former chairman of the ANC in the Western Cape, Mr Christmas Timo "Our cells should be left untouched because they are part of the history of the country."

PAC leader Mr Dikgang Mosenke, who went to Robben Island as a teenager "I know it only as a prison. Turning the island into a tourist resort sounds a bit cynical."

Mr Patrick Matanjana, a member of the Luthuli Detachment, was imprisoned on Robben Island from 1970 to 1987. "I feel that the prison must remain as a museum. When I was first imprisoned there I never expected to leave a free man. I thought I would die there."

The first wave of political prisoners who were jailed on Robben Island after Sharpeville worked in the quarry. This is how former Liberal Party member Mr Eddie Daniels, who grew up in District Six, remembers those days.

"We were locked up within the high walls in our section for our first two years. We were not allowed out. We were feeling claustrophobic and asked the authorities to let us work outside. Later we worked in the quarry."

He saw Cape Town "in all its majesty and Table Mountain in all its glory" when he was part of a team collecting seaweed.

"As a little boy in District Six I climbed that mountain so often because it cost nothing to climb. Seeing it brought back many memories. Looking at the mainland you do not measure the distance in miles or kilometres. You measure it in distance of time — it's four years away, or six years away, or 10 years away."

"So it did look beautiful and made one very nostalgic."

Kidney-shaped Robben Island lies 9,3km north of Green Point and 7km west of Bloubaergstrand.

It has a breathtaking view of Cape Town, especially at night when the city becomes a kaleidoscope of light.

Jaan van Riebeeck was the first governor of the Cape to realise the potential of the island as a prison. His successor, Zacharias Wagenaar, continued to send prisoners there to work in the slate quarry and collect shells to make lime.

The Castle and all the stone buildings erected at the Cape during the 17th Century were built with slate and lime from Robben Island.



# Grim story of Newgate men sent to Table Bay

253

AR 6/12/91

**OWEN COETZER describes one brief chapter in the tragic tapestry of Robben Island ...**

and in the morning, the wintry sun filtered through the grimy barred windows. It was bitterly cold and wet on the flagstones of Newgate prison, London, as the criminals of a desperate economy began to shuffle agonisingly about.

For 19 of them it was the start of a new life. But, they knew not where.

They were an experiment, these 19 desperate men. Upon their shoulders was placed the "discourtesy of unknown" places for his "King's Majesty", James I.

They were to be taken by ship and dumped, at the master's pleasure, in the remotest places on earth. One turned out to be Robben Island.

Walter Peyton, of HMS Expedition, tells the story. In January 1615 he sailed from Gravesend.

On the third day, the Expedition, with nine of the prisoners on board, anchored in the Downs with the ships Dragon, Lion and Peppercorn. They waited for a favourable wind. On day 20, possibly with dread that they would never

again see England, some of the Dragon's prisoners and press-ganged crew tried to escape.

They were caught. The next night a prisoner and some crew aboard Peppercorn tried. They each got 50 lashes.

The fleet crossed the Equator on April 14, and on June 5 sailed into Table Bay. After lying there for 16 days they finally decided to leave the condemned men ashore on the mainland.

"Wee send these miserable menne one shoare, with eache manne something for his owne defence".

This included a half pike or a sword to protect them against "wyld beasts" and "heathenish people" as well as two knives, a knapsack to carry "victuals", three pounds of bread, hundreds of fish between them and wine.

JONATHAN Crosse — his crime is not recorded — was chosen as their leader. The men signed an order acknowledging the King's most "gracious favour for freeing them". The letter urged them to live in a Christian fashion with unity of cause.

On the 20th day, in the year 1615, Peyton and the fleet sailed for the East.

The abandoned convicts were almost alone. An unidentified ship lay at anchor far out in the bay. It was to play a significant role in the Crosse saga.

A year later Peyton was back, asking about the men. He later remarked that the "Newgate menne wee left there" had been murdered.

WHAT had happened? Edward Dodsworth, returning from the East in Hope — the ship anchored in Table Bay when Peyton's fleet left for the East, came ashore and met Crosse and his men.

But, as Dodsworth writes, "these men being gone some three myles were sett upon by people and cruellie wounded, some of them to death, which by meanes of our cherrurgone (doctor) were recovered".

Crosse implored Dodsworth to leave him the Hope's long-boat so that he could take the wounded men to Robben Island to recover. Dodsworth agreed, and also left muskets, ammunition and provisions before leaving for England.

Enter Captain Martin Pring, who sailed into Table Bay on March 1 1616, in the ship Gift on his way to England. His crew came ashore and

set up tents and replenished their water bottles.

Pring and his weary crew had no idea that eight kilometres away a party on Robben Island were desperately trying to signal to them.

But when a local, who could speak broken English, pointed to the island and said an Englishman lived there, Pring immediately ordered a boat over.

Hours later three of the original group of prisoners staggered ashore on the mainland. But not Crosse.

After having no success in signalling to Pring and his men — the prisoners' gunpowder was wet — Crosse had built a raft and set sail for the mainland. Halfway two whales rose up and an oar struck one.

Terrified, they returned. Crosse took the raft back to sea alone. They lost sight of him and he was not seen again.

What ultimately happened to the three men on shore is unknown, but Peyton was told they were picked up by a Portuguese ship.

But, the waters of the Island of Death had claimed another victim. Research from Major R. Raven-Hart's Before Van Riebeeck.



**ISLAND PARADISE!** Tourists may soon be able to visit the lighthouse on Robben Island — and have this spectacular view of Table Bay, the city and the mountain. However, former residents want a say in the future of the island.

Picture JIM McLAGAN, The Argus

## APARTHEID BAROMETER

W/Mac 6/12 - 12/12/91.

(253)

### HUNGER STRIKERS

THREE political prisoners are still on hunger strike in Bophuthatswana, according to the Human Rights Commission. The three, who have been fasting for more than 30 days, are Prince Sepato, Norman Dikabe and Erasmus Kamanyane.

Meanwhile, 83 members of the National Union of Mineworkers who are being held in Klerksdorp prison, have been fasting since November 15. They are demanding bail or to be put on trial immediately. They are facing charges of intimidation following the national anti-VAT protest on November 4 and 5.

### DEATH ROW

THERE are more than 400 people awaiting execution — 302 in Pretoria Central Prison, 13 in Bophuthatswana, 20 in Venda and 85 in Transkei.

The Human Rights Commission considers 13 of these people to be political prisoners.

According to research done by the Black Sash in 1987, 92 percent of death row prisoners were semi-literate blacks from poverty-stricken homes, some of them raised by single parents.

### POLITICAL PRISONERS

THE HRC reports that despite the release of 13 political prisoners on November 13, there are still 84 people held in Bophuthatswana who are considered to be political prisoners.

Lucas Boinama, Edward Gaotingwe and Steve Majafe, who the Bophuthatswana authorities did not regard as political prisoners despite being sentenced for public violence, were released on October 16 on remission of sentence.



# Hunger strike: man in coma

C/Prep 8/12/91

By THEMBA KHUMALO

27. (253)

AN ANC cadre who today enters his 45th day of hunger strike lapsed into a coma hours after appearing in a special hospital-ward bail application held in Leratong Hospital on Thursday.

Bathandwa Golo, 24, has since been moved to a private Krugersdorp clinic

Stanley Wanyane, 27, on the same hunger strike, appeared with him on Thursday and alone on Friday. The two Soweto men were to weak to move from their beds during the proceedings.

Wanyane is still being held at Leratong.

The case was on Friday postponed to the Krugersdorp Magistrate's Court where C Koster turned down the application during a special sitting yesterday, saying there was no guarantee the accused would return to face charges if released.

The men face charges of murder, six attempted murders, two armed robberies and three counts of possession of ammunition and explosives.

Their appearance is a sequel to a shootout with traffic officers near Broederstroom on September

The State alleges that accomplice John Mashaba shot and killed himself in the ensuing police chase while an unknown person escaped. Godlo and Wanyane abandoned their vehicle and shot dead Pieter Barbas before they took his BMW.

Subsequently, when cornered by the police, Makarov and AK-47 ammunition was found.

Police later found more arms and ANC Youth League documents at Mashaba's Meadowlands home, the State alleges.

A confession submitted by the State claimed that Godlo and Wanyane admitted being trained MK members.

It also claimed they were trained for self-defence units in Soweto.

This last claim was denied by both accused who alleged that they were tortured and forced to say so.

Opposing bail, Colonel Pieter Kruger told the court he believed the ANC did not approve the actions of the two men because police received no co-operation from MK chief of staff Chris Ham and local ANC leaders Barbara Hogan and Tokyo Sexwale after contacting them.

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# Still '523 political prisoners'

ET 10/12/91

## Political Staff

THERE were still 523 political prisoners in South African jails, 187 of them audited, the Human Rights Commission (HRC) said yesterday

However, the Ministry of Correctional Services disputed the claim and reiterated earlier statements that all "so-called political prisoners" had been released

The ministry reacted in a statement to an ANC announcement that it would lead a picket outside the Supreme Court in Johannesburg today — Human Rights Day — to force the government to release political prisoners jailed for their opposition to apartheid

The HRC said in a statement that the record of the Nationalist government in addressing the issue of the release of political prisoners had been "one of dishonesty, duplicity, breach of agreement and the use of delaying and spoiling tactics amounting to the manipulation of political prisoners as hostages or bargaining chips in the negotiating process"

# Campaign for political prisoners

253

Sowetan 10/12/91

FOURTEEN human rights and political organisations have joined hands for a campaign to pressure the Government into releasing an estimated 523 political prisoners before Christmas.

The alliance will also put the question of political prisoners who have not been released on the agenda of the upcoming Convention for a Democratic South Africa.

ANC spokesman Mr Saki Macozoma said their release would not be "a precondition but a necessary condition" for multi-party negotiations.

At a joint Press conference at the ANC's head office in Johannesburg yesterday, the organisations said International Human Rights Day - celebrated today - had been targeted for several campaigns.

They include a picket at the Rand Supreme Court at noon and a public meeting at the Central Methodist Church in the city from 1pm to be addressed by ANC deputy president Mr Walter Sisulu and SACP general secretary Mr Chris Ham - Sowetan Correspondent.

Healer for





# Campaign for political prisoners

Sowetan 10/12/91

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**THE ANC will lead a picket outside the Rand Supreme Court in Johannesburg today - Human Rights Day - trying to force the Government's hand on the release of political prisoners.**

This was revealed yesterday at a Press conference called by the organisation, Lawyers for Human Rights, the Human Rights Commission and several other anti-apartheid bodies.

"We are calling on the government to release the remaining political prisoners before Christmas," said ANC national executive committee member Mr Popo Molefe

The organisation's branches will also hold a series of campaigns highlighting political prisoners. This will culminate in an Umkhonto we Sizwe conference later this month at which the military wing will add its voice to the campaign.

A statement issued by the Joint Campaign for the Release of All Political Pris-

oners said the Government had failed to resolve the issue more than 18 months after the Groote Schuur Minute.

"This failure constitutes a breach of faith by the Government and, therefore, remains a fundamental stumbling block to full and proper negotiations.

"The intention of this campaign is to secure the release of the remaining political prisoners through increased pressure."

While it was difficult to pinpoint the exact number of political prisoners, there were probably not more than 350 still in custody.

"It is difficult to arrive at a more accurate figure because the Government is not forthcoming with figures of those released in terms of the one-third amnesty for all first offenders."

The statement noted that during the lengthy and protracted process of the release of political prisoners, the Government had in a matter of weeks released some 80 000 criminal offenders with a minimum of bureaucracy - *Sapa*

# Govt pressed to free political prisoners

253

By Esmaré van der Merwe  
Political Reporter

Fourteen human rights and political organisations, including the ANC/SACP/Cosatu alliance, have united in campaign to pressure the Government into releasing an estimated 523 political prisoners before Christmas

The alliance will also put the question of political prisoners, who have not been released, on the agenda of the upcoming Convention for a Democratic South Africa (Codesa)

ANC spokesman Saki Macozoma said their release would not be "a precondition but a necessary condition" for multi-party negotiations

At a joint press conference at the ANC's head office in Johannesburg, yesterday, the organisations said International Human Rights Day — celebrated today — had been targeted for several campaigns including a picket at the Rand Supreme Court at noon and a meeting at the Central Methodist Church in the city from 1 pm

Lawyers for Human Rights director Brian Currin said "It is important this campaign at

last takes place Speaking on behalf of human rights organisations, we should put pressure on the Government to release political prisoners and, in turn, we should put pressure on political organisations, including the ANC, to press the Government"

Responding to the Government's claim that political prisoners remaining in jail were guilty of violent crimes against civilians and could thus not be released, Mr Currin said some of them had indeed committed "horrendous crimes", but others guilty of similar offences had been released

Also, the security forces had brutally killed civilians but had not been prosecuted, he said

Max Coleman, of Lawyers for Human Rights accused the Government of "dishonesty, duplicity, breach of agreement" and using spoiling tactics "amounting to the manipulation of political prisoners as hostages or bargaining chips"

ANC and SACP executive member Ronnie Kasrils, who heads the 14-party committee for the release of political prisoners, warned "People are beginning to get fed up to their back teeth"

# Santa toyi-toyis for prisoners' release

"COMRADE" Father Christmas joined a high-powered ANC-SA Communist Party delegation outside the Rand Supreme Court yesterday to hand over written demands to government to release remaining political prisoners.

A rotund Santa, dressed in traditional red and with a cottonwool beard, earlier toyi-toyied with about 350 other protesters outside the court, demanding freedom before Christmas for about 500 political prisoners whom the ANC says are being held contrary to agreements it has reached

PATRICK BULGER

with government

Government has said all political prisoners are now free.

The demands for the prisoners' release, which have been backed by about 60 organisations, were handed to the court's chief registrar, M.J Lourens by a delegation which included the SACP's Joe Slovo, the ANC's Popo Molefe and officials from Lawyers for Human Rights.

□ To Page 2

## Prisoners

Kasrils said the ANC and the SACP would put the demands to the Codesa meeting on December 20-21

Yesterday's protest was to mark the 43rd anniversary of the adoption of the UN Declaration for Human Rights, which SA has yet to ratify.

Human Rights Commission member

□ From Page 1

Max Coleman later told a meeting at the Central Methodist Church that 500 political trials had taken place so far this year.

Sapa reports a demonstration, also calling for the release of political prisoners, was staged outside Pretoria's Central Prison

● Picture. Page 3





A protester at a Johannesburg demonstration holds a poster demanding the release of prisoners before Christmas.

# Protest over prisoners

By NKOPANE MAKOBANE

ABOUT 300 people protested outside the Rand Supreme Court yesterday demanding that the Government should release all political prisoners before Christmas

The demonstration, given spectacular colour by a toyi-toying Father Christmas and two manacled men in green prison clothes, was also to commemorate International Human Rights Day and the 43rd anniversary of the United Nations Declaration of Human Rights

Later a nine-man delegation entered the court building to present a memoran-

dum to the chief registrar Mr MJ Lourens

Lourens promised to pass it on to State President FW de Klerk and Justice Minister Kobie Cotsee.

SA Communist Party executive member Mr Ronnie Kasrils told the protestors that more than 60 organisations and individuals had united in a campaign to pressure the Government into releasing an estimated 523 political prisoners before Christmas

# New drive to free political prisoners

By Kaizer Nyatsumba  
Political Staff

STAR 11/12/91

Ten days before the Convention for a Democratic South Africa sits, the ANC-led tripartite alliance yesterday said it placed the release of political prisoners at the top of Codesa's agenda.

Calling for the immediate and unconditional release of political prisoners, the ANC-SACP-Cosatu alliance — joined by more than 10 church, human rights, professional and political

organisations — yesterday staged an hour-long picket outside the Rand Supreme Court.

A delegation of the Co-ordinating Committee for the Release of Political Prisoners, led by ANC and SACP executive committee member Ronnie Kasrils, handed a declaration calling for the release before Christmas of political prisoners to Supreme Court registrar M J Lourens.

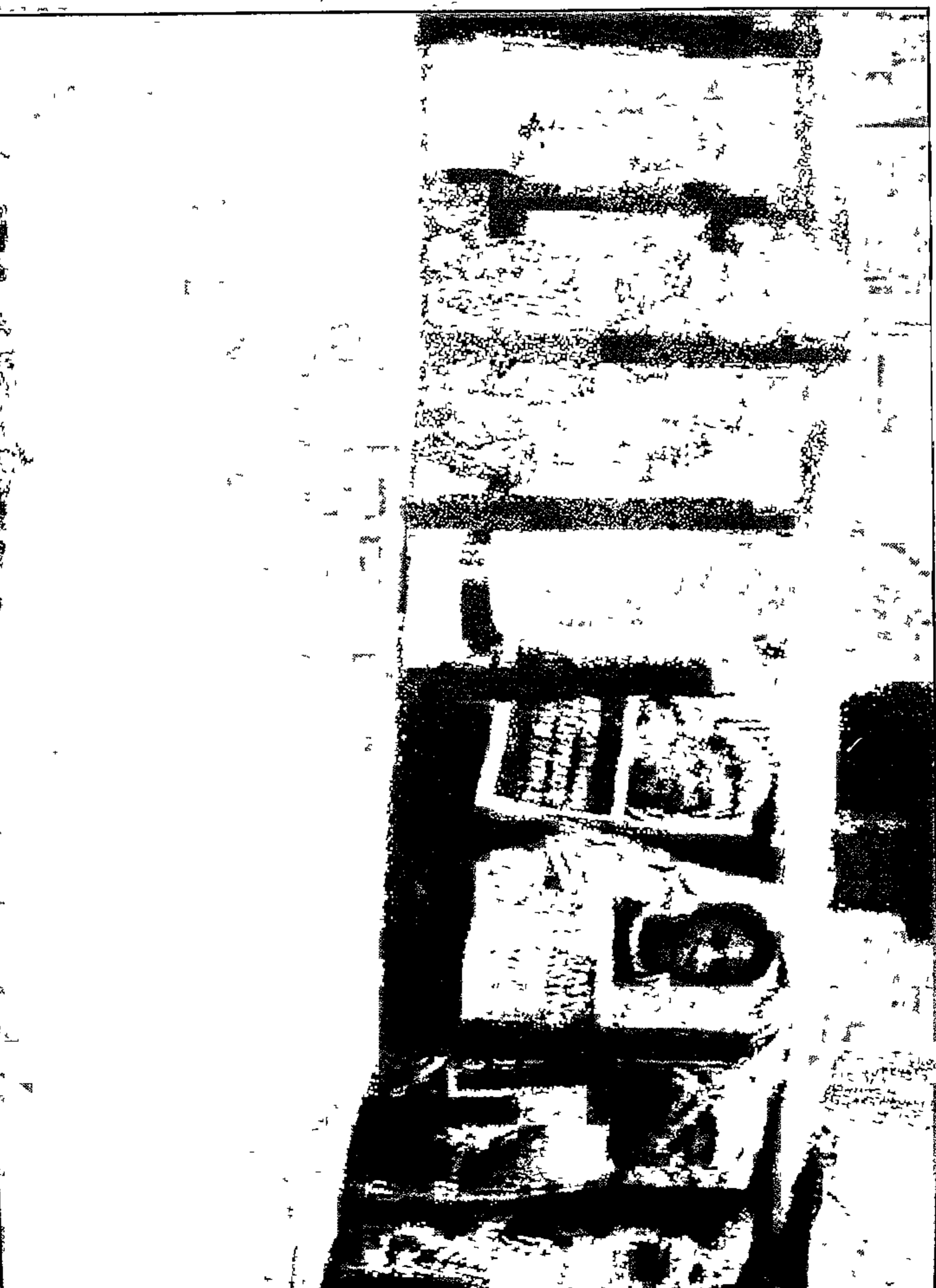
Mr Kasrils said the declaration, signed by ANC president Nelson Mandela and endorsed by 14 organisations, would be forwarded to Law and Order

Minister Hermus Kriel, Justice Minister Kobie Coetsee and President de Klerk.

Police were present, but did not take any action.

● The Democratic Party last night released names of its 12-member team to participate in the forthcoming convention.

DP leader Zach de Beer said the delegation will include himself, Colin Egin, Ken Andrew, Dr Denis Worrall, David Dalling, Kobus Jordaan, Helen Suzman, Dr Richard van der Ross, Mahmoud Rajab, Peter Soal, Errol Moorcroft and David Gant.



Father Christmas joins picket . . . protesters outside the Rand Supreme Court in Johannesburg

253/61  
Law set  
48  
to act on  
dangerous  
STAR  
psychos  
12/12/91

By Helen Grange  
Pretoria Bureau

The law governing treatment and sentencing of dangerous psychopaths looks set to become far stricter — a move which would prevent the recurrence of releases such as that of psychopathic killers Freddie Phillips and Keven Brits

A commission of inquiry investigating the continued inclusion of psychopathy as a certifiable mental illness, and the sentencing and release of sexual and violent offenders, is currently finalising its report

But proposals have leant strongly towards indeterminate prison sentences for dangerous psychopathic criminals, it was revealed yesterday.

The issue of how to deal with psychopaths has again become a point of angry debate in the wake of the release back into society of Phillips (27) and Brits (26) — who last week left a trail of murder, attempted murder, robbery and abandoned stolen cars, days after being released from prison

Commission chairman Mr Justice WH Booysen said yesterday that, as a result of worldwide acknowledgement by psychiatrists that psychopathy cannot be treated, the commission was considering recommending that psychopaths be excluded from the Mental Disorder Act — which is based on the principle that mental disorders can be treated and patients rehabilitated

### Criminals

It was likely to be recommended, therefore, that criminal psychopaths found by the courts to be dangerous should be sentenced to indeterminate imprisonment — and released only upon another court hearing following a recommendation for release by a statutory body

The current position is that psychopathic criminals have access to the same prison conditions as ordinary criminals — and can qualify for the one-third remission of sentence as well as another one-third remission for good behaviour.

They need not return to court to be released

The commission's report is expected to be finalised in March and will then be handed to the state president

A Department of Correctional Services spokesman said most psychopathic criminals were sent to Zonderwater prison for treatment of up to four years

This period at Zonderwater may or may not be included in their prison sentence

Brits was in Zonderwater for five years before being released last December after being decertified as a psychopath (He was originally sentenced to 7½ years' jail in 1983)

Phillips was decertified and released after three years in Zonderwater in February 1988 (He was originally sentenced to four years and four months' jail in 1984)

They again fell foul of the law this year — on dagga and theft charges respectively

They were subsequently both briefly in prison before being released days before another crime spree which ended in both committing suicide



# Sharpeville two 'to walk free today'

(253)  
CT 13/12/91

JOHANNESBURG. — Two of the so-called "Sharpeville Six" who were sentenced to death in 1986 for their involvement in the death of a city councillor in the unrest which had erupted in the Vaal Triangle two years earlier, are due to be released this morning.

Mr A Soman, lawyer for the six, said he was informed of the planned release of Reid Mokoena and Theresa Ramashamole yesterday.

Mokoena and Ramashamole were sentenced in the Pretoria Supreme Court to death by Mr Acting-Justice Human five years ago today.

A spokesman for the Department of Correctional Services confirmed they were to

be freed.

Earlier this year two of the six were released.

Mr Soman said Mokoena was sentenced on his 21st birthday and was told by the judge he would be "hanged by the neck until you are dead."

The case of the "Sharpeville Six" attracted worldwide attention as the group was convicted in terms of the principle of "common purpose."

Heavy international pressure was placed on the government to show clemency.

The six were later reprieved from Pretoria Central Prison's death row and given life sentences instead.

Mr Soman said Ramashamole would be freed from the Diepkloof Prison, south of

Johannesburg, while Mokoena would be released from the Leeuhof Prison in Vereeniging.

Strict conditions had been placed on their release.

- They had to find employment,
- They had to have a fixed address,
- They had to report once a month to the head of the prison in their area,
- They would have to expect a weekly visit from prison authorities,
- They would not be allowed to leave their magisterial district without the prior consent of the prison head, and
- They had to remain home at night.

Mr Soman said he expected the pair's release between 8.30 and 10am today, although this would depend on the formalities to be completed — Sapa

## Sharpeville pair due for release today

TWO of the so-called "Sharpeville Six", sentenced to death in 1986 for involvement in the death of a city councillor in unrest that had erupted in the Vaal Triangle two years earlier, are due for release today, according to their lawyer.

Lawyer A Soman said that five years ago today, the two — Reid Mokoena and Theresa Ramashamole — were sentenced in the Pretoria Supreme Court to death by Mr. Acting Justice Human.

A Correctional Services spokesman confirmed the two were to be freed.

The Sharpeville Six case attracted worldwide attention as the group was convicted in terms of the principle of "com-

mon purpose" International pressure was brought to bear on the SA government to show clemency.

The six were reprieved and given life sentences, instead, and earlier this year two were freed.

Soman said he had been told Ramashamole would be freed from Diepkloof Prison, south of Johannesburg, while Mokoena would be released from Leeuhof Prison in Vereeniging.

Conditions of their release were that

- They find employment,
- They have a fixed address,

To Page 2

## Sharpeville

- They report to the head of the prison in their area once a month,
- They expect a weekly visit from prison authorities,
- They not leave their magisterial district without prior permission, and
- They remain home at night

DARIUS SANAI reports that Lawyers for Human Rights director Brian Curren said yesterday the release was part of the aftermath of the amnesty granted earlier this year by President F W de Klerk to first offenders

He said he expected the two remaining members — Mojalefa Sefatsa and Francis Mokgesi — to be released from jail within the next few months.

Oupa Dimiso and Joshua Khumalo, the first two to be released, were granted parole under the conditions of the amnesty in July.

The ANC protested at the time that the two, which it said were political prisoners, were being released as common criminals, with restrictive parole conditions — Sapa.

From Page 1

STAR 13/12/91

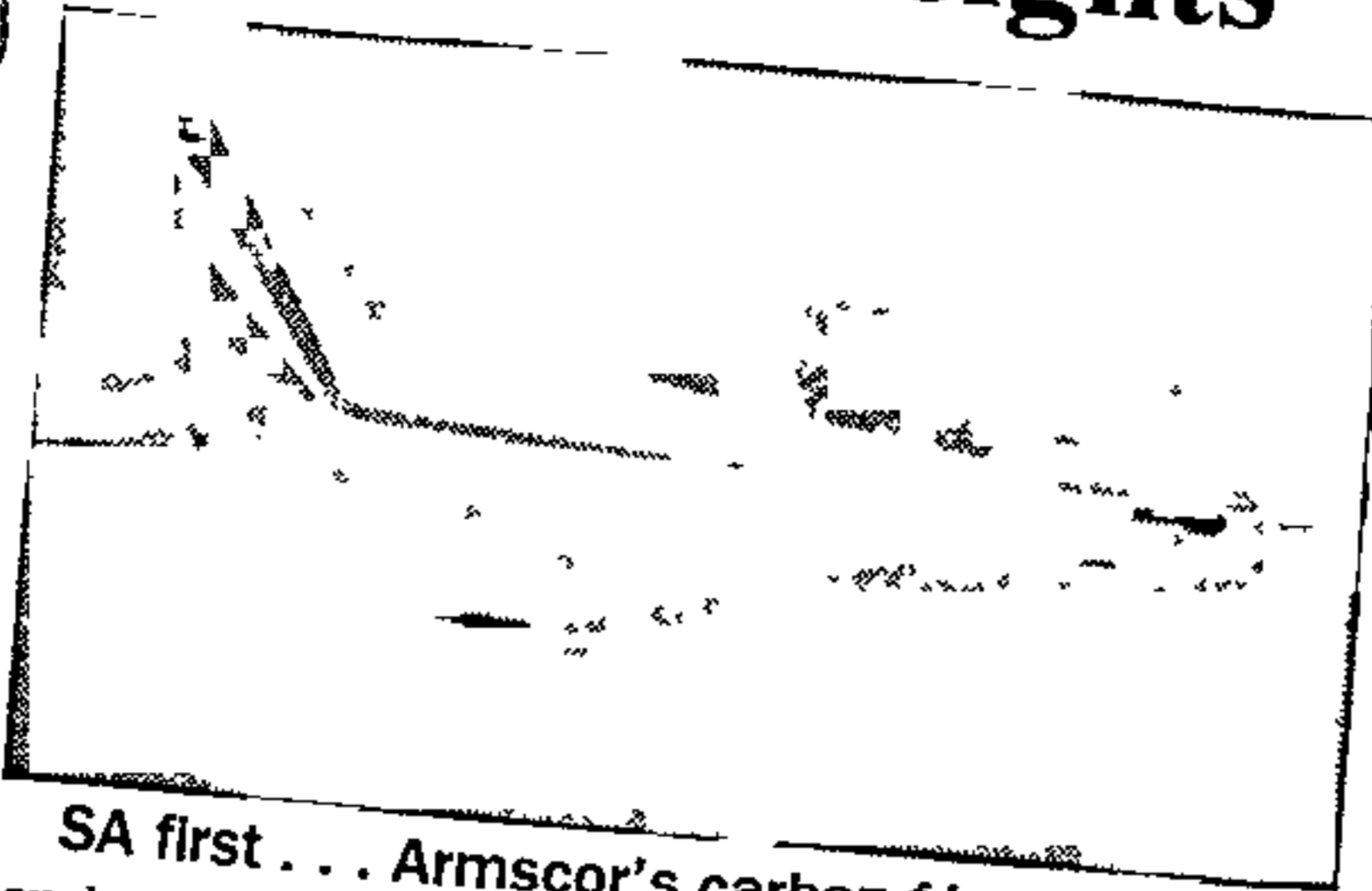
# Armcor reaches new heights

By Helen Grange

Armcor yesterday unveiled a technological breakthrough in the form of a carbon fibre two-seater fixed wing aircraft — the first of its kind to be made in SA

The aircraft is the result of a project launched by Armcor and the Council for Scientific and Industrial Research to develop sophisticated composite materials which will have major technological advantages for SA

Composite material refers to the application and binding of fibre in



SA first . . . Armcor's carbon fibre aircraft.

such a way that particularly high ratios of strength to mass are attained. Besides this advantage over steel and aluminium, the material is also rust-resistant

The project was begun in 1986 as a result of a mutual commitment of the SA Defence Force and Armcor to making provision for future technological requirements

## Two more of Sharpeville Six to be released today

By Shirley Woodgate

Two more of the Sharpeville Six who were sentenced to death in 1986 for their part in the killing of Lekoa deputy mayor Kuzwayo Dlamini during the Vaal Triangle unrest in 1984 will be released today, said their lawyer, A Soman

They are Reid Mokoena and Theresa Ramashamole, who were found guilty of murder with Oupa Diniso, Joshua Khumalo, Reginald Sefatsa and Don Mothesi exactly five years ago in the Pretoria Supreme

Court by Mr Acting Justice Human

Two members of the "Six", Diniso and Khumalo, were released in July this year after sentences of the five men and one woman were commuted to terms of imprisonment ranging from 18 to 25 years

Mr Khumalo, who planned to pick up Mr Mokoena at Leeuhof Prison this morning, said the prisoner was being freed on his birthday

"On the one hand, two more of the Sharpeville Six are being released, but, on the other, two are still sitting in jail."

## Prizes for a poster

Calling all young Star readers . . . you can win super cash prizes up to R200 in our new Peace Poster Competition

If you are between six and 14 years old and can draw, even just a little, don't miss out on your chance to top up your piggy bank

All you have to do is design and colour a poster aimed at promoting the cause of peace in South Africa

Think you would like to give it a try? Full details are in the Saturday Star's Weekend section tomorrow

## Retrenched miner lives on the edge

By Thabo Leshilo

Gladman Nqwiliso fears the prospect of waking up one day to find that he and his family are without a roof over their heads

The father of three young children is one of about 60 residents of Khuma township, Stilfontein, who live under the threat of losing their homes because of the closure of the Stilfontein Gold Mine

The former catering worker now depends on a monthly unemployment benefit payout of R724 and has to pay a monthly bond of R850 on his 5½-roomed house

Mr Nqwiliso, like many others, blames Genmin, owners of the Stilfontein mine, for his predicament, saying Genmin should have foreseen the demise of the mine and not "encouraged" him to buy the house. The mine should pay his bond

Gengold managing director Gary Maude denied the company had encouraged the miners to buy houses even though it had been aware the mine would close

"There is no way anybody could have known the price (of gold) would fall," he said

So far, 2 600 miners have been retrenched



# APARTHEID BAROMETER

## ~~SA~~ SOUTH AFRICAN POLICE

There are 4,6 policemen to every 1 000 people in South Africa — unlike Western Europe where the ratio is roughly 7,5/1 000, according to a new publication by the South African Institute of Race Relations, *Riot Policing in Perspective* by Dr Anthea Jeffery.

The figure drops to 2,6/1 000 people when the "independent" homelands are included. Jeffery contends that it is not unusual for a 30-member riot contingent to face a crowd of more than 20 000 people, the publication says.

At Sebokeng in March 1990, 93 policemen confronted about 50 000 marchers. Five people were killed and 161 injured in the resultant skirmishes.

Jeffery says riot units had to cope with an average of 18 protest marches a day during the last two years. From January 1 1990 to July 31 1991 there were 9 500 "illegal" gatherings in South Africa.

## POLITICAL PRISONERS

Despite the release of another 73 political prisoners by Bophuthatswana authorities, a further 11 remain in the homeland's

W/Mail 13/12 - 18/12/91

Rooigrond prison, according to the Human Rights Commission.

They are ANC members Rodney More, serving 15 years for sabotage; Petrus Mothupi, 15 years for attempted murder; and John Pilane 12 years for attempted murder.

(253)  
Peter Modisane, Chocike Modise, Theebitsile Mokgautsi, Stephen Molema, Siphon Ramesega — all serving sentences up to two years for public violence. James Ramesega 12 months for attempted murder. Alfred Modise is serving three years and Timothy Phiri 18 years for their part in the 1988 coup attempt.

Based on HRC figures, the total of political prisoners still held is 450 countrywide.

## INKATHA MEN KILLED

THREE Inkatha officials were killed in Port Shepstone over the weekend in what the Inkatha Institute described as an "ongoing campaign to assassinate the Inkatha leadership in order to torpedo peace talks". The institute said that 16 Inkatha leaders had been killed since August and there had been 40 other attempted assassinations.

W/Mail 13/12 - 18/12/91

# Sharpeville 6: Two walk free

ET 14/12/91 (253)

JOHANNESBURG. — Two "Sharpeville Six" prisoners, Theresa Ramashamole and Reid Mokoena, were released yesterday.

An emotional Ramashamole walked out of Diepkloof Prison here to freedom and a big hug from her mother, Mrs Julia Ramashamole.

Ramashamole, who served six years of a life sentence, told reporters she was angry with her jailers and insisted she was innocent.

Mokoena was released from Leeuhoof Prison in Vereeniging.

Ramashamole, who was wearing a pink and white floral dress and white shoes, shied away from many questions.

"I feel bad I can't believe I have been released," she said.

She was initially sentenced to death with five others following the much-publicised "Sharpeville Six" trial six years ago. The sentence was later commuted to life.

"I have always believed I would be released — I did not kill anyone," she said. "I was sentenced for nothing."

Fighting tears and visibly

## ANC welcomes Fante's release

THE ANC yesterday welcomed the release from Pollsmoor Prison of Mrs Phyllis Nontuthuko Fante, the last woman political prisoner in the Western Cape.

Mrs Fante, an ANC member, was conditionally released after serving four years of a sentence for attempted murder in 1986. Her original 15-year sentence was cut to five years.

ANC regional secretary Mr Tony Yengeni said, however, that her release came too late, because the deadline for the release of all political prisoners had long since expired.

angry, she said she had "fights" with warders and fellow prisoners while in jail.

She has been offered a job with the African National Congress. One of the conditions for her release was that she find employment.

The ANC PWV region said at a press conference yesterday the releases represented a major victory in the struggle for the release of all political prisoners.

Regional media officer Mr Ronnie Mamoepa said more than 500 political prisoners were still being held in South Africa and Bophuthatswana.

The "Sharpeville Six" were convicted under the principle of "common purpose".

Heavy international pressure was placed on the South African government to show clemency.

Eventually the six were reprieved from Pretoria Central Prison's death row and given life sentences instead.

Earlier this year two of the six were freed.

Ramashamole and Mokoena were released under strict conditions.

These include that they find employment, have a fixed address, report once a month to the head of the prison in their area and that they expect a weekly visit from prison authorities — Sapa



# Sharpeville 6 pair are freed

Weekend Argus Correspondents

**JOHANNESBURG** — Two of the "Sharpeville Six" were released from prison in Johannesburg and Vereeniging yesterday — exactly five years after they were sent to Death Row — and immediately placed under house arrest.

Released were Miss Theresa Ramashamole, 31, whose father died while she was in prison, and Mr Reid Mokoena.

There was double cause for celebration for Mr Mokoena — it was his 29th birthday and the same day on which he was sentenced to death five years ago.

Looking somewhat dazed, the former labourer was met outside the Sharpeville police station by the media and a small group of relatives and friends shortly after his release from the prison at about 9 am.

Adamant that he would not grant any interviews or pictures at the police station, Mr Mokoena was whisked off in a car to his house several blocks away, where a large chanting crowd awaited his arrival.

Within minutes the gathering grew as the young, the old and wide-eyed toddlers surrounded house 8317 to get a glimpse of and welcome home their "comrade".

school teacher, and his mother Leah, totting a roll of pink toilet paper to mop up the flood of tears.

"I prayed so much and now God has given my son back to me I know in my heart that he was innocent," she said.

"When the last two members of the Sharpeville Six are released, my happiness will be complete."

Mr Mokoena briefly said he was touched by the welcome he was given.

"I can hardly believe I am finally home. Everything has happened so fast. Sharpeville seems so different and does not look at all like I remember. The township, it's so dirty now."

Mr Mokoena said he was told of his impending release at the Diepkloof Prison, south of Johannesburg, shortly after 8 pm on Thursday before being transferred to Leeuhoof Prison.

Asked about his several years in jail and spell on Death Row, he simply remarked "It was miserable. An experience I never want to go through again."

Mr Mokoena still maintains he and the other members of the "Sharpeville Six" were merely "innocent bystanders" on the day Lekoa deputy mayor or Mr Jacob Dlamini was murdered.

"I had nothing to do with his death at all. I was not even involved with the organisation of

the murder, and was just an innocent bystander," he stated.

Mr Mokoena said he had no immediate plans for the future. He thanked the human rights lawyers, the Sharpeville Six defence team and everyone else who fought for their release. Two of the six are still being held, at the Leeukop Prison.

**□ FREEDOM HUG:** Mr Reid Mokoena (left), sentenced to death in 1985 and released yesterday is embraced by former fellow inmate Mr Durma Khumalo.

**□ TEARS OF JOY:** Miss Theresa Ramashamole hugs her mother Mrs Leah Ramashamole outside Diepkloof Prison. Four of the "Sharpeville Six" have now been released.

They are Mojalefa Sefatsa and Don Mokhesi.

Two members of the group, Dhinso and Khumalo were released in July after sentences

on all of them were commuted to terms of imprisonment ranging from 18 to 25 years.

They were sentenced to death by Mr Acting Justice Hu-

253 MKG 14/12/91

man in the Pretoria Supreme Court in 1986 for the death of the Lekoa deputy-mayor during the September 1984 Vaal Triangle uprisings.

Ms Ramashamole and Mr Mokoena, speaking from the PWV offices of the ANC in Johannesburg, said they were not happy with their releases because two of their friends were still in jail.

The case of the "Sharpeville Six" attracted worldwide attention as the group was convicted in terms of the principle of "common purpose" and heavy international pressure was exerted on the South African government to show clemency.

Those released yesterday were released on condition that they must have found employment on coming out. This is the first time that a prisoner has been told to get a job while still behind bars.

Other conditions are that they must have fixed addresses, report once a month to the head of the prison in their area and expect a weekly visit from prison authorities. They would not be allowed to leave their magisterial district without the consent of of the prison head and they had to remain home at night.

The ANC PWV, SACP and Cosatu, said in a joint signed statement yesterday that the release of the pair represented a major victory for all demo-

cratic forces in this country and the international community in the struggle for the release of all political prisoners.

"Whilst the ANC PWV Region welcomes this release, it believes that their release was long overdue. We express our dismay and disgust at the fact that over 500 political prisoners still remain incarcerated both in South Africa and Botswana."

"It is unacceptable that the De Klerk government continue holding our people in these prisons whilst at the same time, talk to leaders of the same people denied liberty. In our view this casts doubt about the sincerity of the commitment of the government to the peaceful solution of the country's problems."

"President De Klerk owes the country an explanation of why so many of our patriots like Robert McBride, Bathanda Godlo, Mithetheleli Ncube, Mojalefa Sefatsa, Timothy Phiri, Dieter Gerhardt, 18 NUM members, four Sarhwalu, nine Numsa, six Saccawu, four Pwawu members and others remain in racist dungeons of our country."

"We refuse to accept the government characterisation of these comrades as criminals. They were arrested and convicted for acts committed in the fight against the apartheid system. They are therefore political prisoners."



# Phyllis Fante released

APR 15 12/91

252

ONE of the last remaining political prisoners in the western Cape, Phyllis Nontuthuko Fante, has been released from Pollsmoor Prison.

This was confirmed on Friday by her attorney, Alan Dodson.

Fante was serving a 16-year sentence for public violence and attempted murder.

The ANC on Friday welcomed her release although it is conditional.

Fante, the last woman political prisoner in the western Cape, had already served four years of

her five-year sentence.

ANC regional secretary Tony Yengeni said the release was late because the deadline for the release of all political prisoners had long expired.

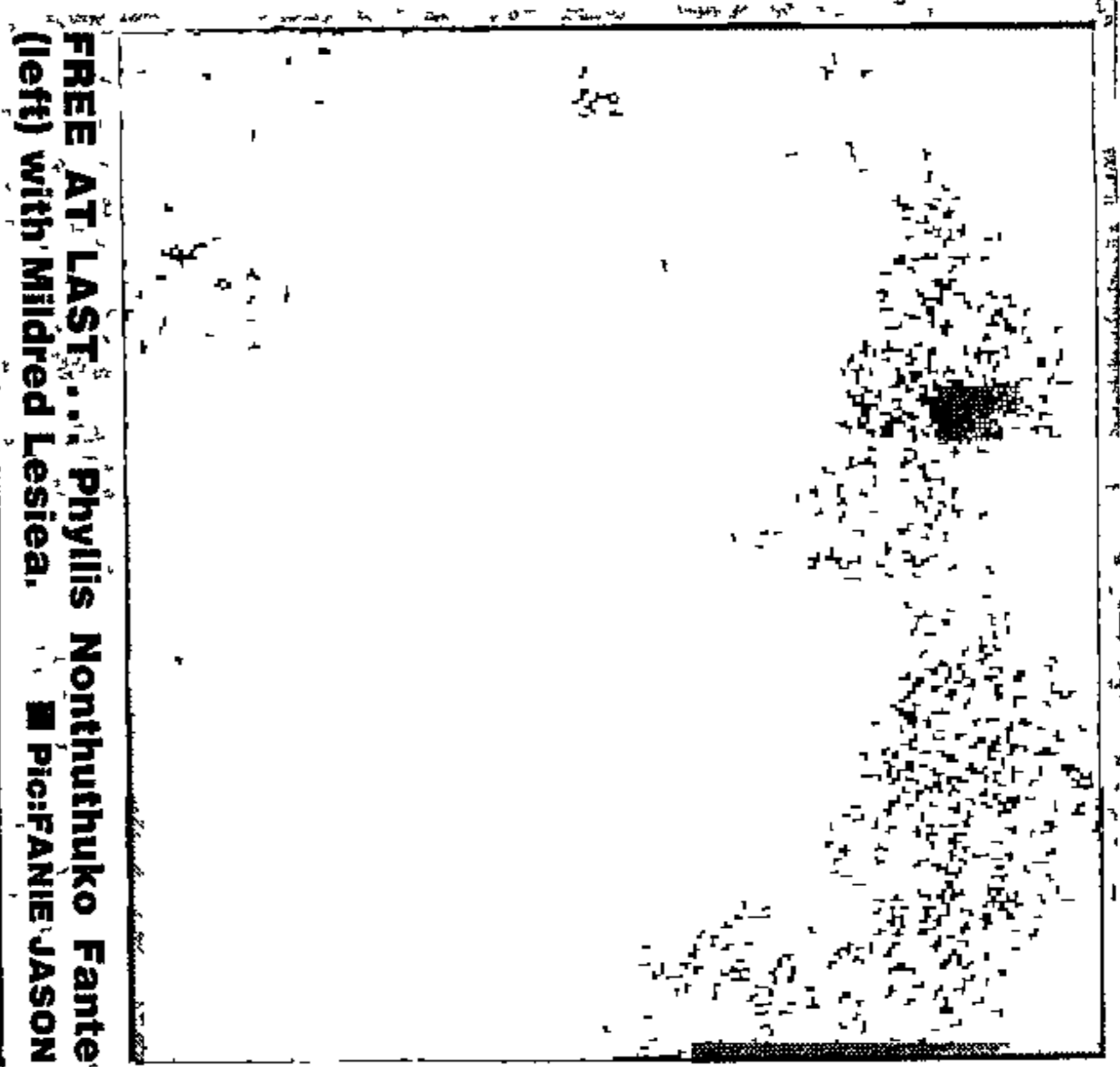
Fante must live in Guguletu, and will only be permitted to leave home between working hours - 9am to 5 pm - and the duration of transport to and from work.

She will also be allowed to attend church, do shopping and take part in sports activities, provided she has proof of such.

Yengeni said her conditions were more reminiscent of old banning orders than a normal parole.

"This is house arrest," he said.

Fante, of Zolani township near Ashton, was sentenced to 15 years in prison. She went on a 13-day hunger strike in July and her sentence was later reduced to five years.



**FREE AT LAST... Phyllis Nontuthuko Fante (left) with Mildred Lesiea. ■ Pic: FANTIE JASON**

# Christmas in jail for political prisoners

By THEMBA KHUMALO (253)

AS Christmas nears, the plight of 23 political prisoners languishing in South Africa's jails remains unresolved

The latest figures were released by the Human Rights Commission this week after identifying more prisoners who were imprisoned for offences related to political unrest

The commission has entered into new row with the government after accusing the authorities of holding the remaining prisoners "as hostages"

Since the signing of the "Pretoria Minute" the authorities have been inconsistent with their criteria of defining political prisoners, the commission alleged

The release process has been dogged by the breach of agreements and distortion of definitions, the commission alleged

*C/pen 15/12/91*  
"The glaring inconsistencies smack not only of an attempt to distort the agreed criteria, but an evasion of obligations under the Pretoria Minute," said the commission

The commission also accused the government of giving remission of sentences to criminals at three different stages since December last year

"There is no doubt that a number of prisoners classified by us as political have gone free under this amnesty. But since the authorities refuse to issue a list of names of those freed, the number is difficult to estimate with any accuracy," said the commission

To highlight the prisoners' plight, their parents and activists belonging to 15 different organisations marched to the Rand Supreme Court in Johannesburg and to Pretoria Central Prison where at least 13 political prisoners are being held on Death Row

The marchers, among them Joe Slovo, national chairman of the South



**JOE SLOVO ... Joined a march to the Rand Supreme Court.**

African Communist Party, said they chose the court as their target because it symbolised "the unjust legal system of this country and the prison because it symbolised the incarceration of freedom fighters"

Among the prisoners are Mzondeleli Nondula and Mthetheleli Mncube, both of whom have been on Death Row since May 1988. Robert McBride escaped the hangman's noose after his death sentence for the murder of three people in Durban in 1986 was commuted to a life sentence

The commission said there were ongoing trials involving Umkhonto we-Sizwe cadres. Among them were Jeremy Seeber, Jacob Rapholo, Siphon Elias Mabena and Joseph Koetle

Two others are Bathandwa Godlo and Stanley Wanyane, both of whom have been charged with murder and six attempted murders which arose from a shootout with three traffic officers and the alleged shooting to death of a motorist

The two are presently on hunger strike demanding their release

# Hunger strikers' lawyer seeks bail

By THEMBA KHUMALO

AS ANC guerrillas Bathandwa Godlo and Stanley Wanyane enter their 50th day on hunger strike today, their legal representative SC Mhinga, has made another appeal to the Krugersdorp Magistrate's Court for their release.

The lawyer last week refused bail by SC Mhinga, a local magistrate who found that there were no reasonable grounds for granting bail. He said he was not convinced they would return to court.

Last Friday, Bathandwa was admitted to a private clinic in Krugersdorp after he lapsed into a coma and Wanyane is in a psychiatric ward at Leratong Hospital. Their bail application was heard in their absence in a ward that was converted to a room at Leratong. They were transferred last month from Krugersdorp Prison after they embarked on a hunger strike to demand their release.

They are charged with murder, six attempted murders, possession of rounds of ammunition, weapons of war and robbery.

The charges arose from a shootout with the police and three traffic officers who tried to stop their car between Broderstrom and Krugersdorp on September 27.

The State alleges that subsequent to the shootout, their accomplice, John Mashaba, committed suicide by shooting himself. Another unknown accomplice escaped.

In the appeal, Mhinga said Koster erred when he found that Godlo, Wanyane would not return to face the charges.





FREE AT LAST ... Mrs Phyllis Fante, right, gets a hug from Ms Nomatyela Hangana of the ANC Women's League. Picture: AMBROSE PETERS

# Fante is freed <sup>(253)</sup> but <sup>(278)</sup> shackled by parole

By **GLEND A NEVILL**

<sup>STimes (CM)</sup>  
<sup>15/12/91</sup>  
THE only woman political prisoner in the Western Cape has been released on parole — but her conditions have been described by the ANC as “inhuman”

Mrs Phyllis Fante, with seven others, was sentenced in 1987 to 15 years' imprisonment for attempted murder during the civil unrest which divided Zolani township near Ashton.

Her sentence was reduced in July to five years following her 11-day hunger strike in June. Mrs Fante had begun a hunger strike because her application for indemnity in terms of Pretoria Minute had been turned down and because prison officials refused to treat her as a political prisoner

Mrs Fante was released

on Friday, but in terms of her parole conditions, she may leave her lodgings only between 9am and 7pm and for the “duration of transport to and from work”, or for the “duration of organised sports activities or church attendance”.

She is allowed four hours' shopping a week on Sundays and may not leave the Cape Town magisterial district without the approval of the head of the Pollsmoor Female Prison.

Her nine-year-old daughter, Wiseka, has been living in Oudtshoorn with her Mrs Fante's mother since her father, Matthew's death earlier this year

“The conditions are remi-

niscent of old banning orders rather than a normal parole release,” the ANC regional office in Cape Town said in a statement.

“We demand the immediate lifting of the extraordinary and inhuman parole conditions”

At a press conference after her release on Friday, regional secretary Mr Tony Yengeni said the ANC “protested strongly against Mrs Fante's conditional release”

Mrs Fante's lawyer, Mr Alan Dodson, said although she objected to the conditions, she would abide by them

She is to work for the ANC Women's League during her parole, which ends in November 1993

2 SUNDAY TIMES, December 15 1991 ★

**NEWS ROUND-UP****Freed 'Six' man to  
defy government**

FORMER Sharpeville Six prisoner Reid Mokoena vowed yesterday to defy the restrictions imposed on him after he was released this week.

Mr Mokoena was released on his 29th birthday together with Theresa Ramashamole, 31, after serving five years of a life sentence for the murder of Lekoa's deputy mayor in 1985. (253) (38)

Mr Mokoena was ordered to report to the head of the prison every month and not to leave his magisterial district without permission.

But Mr Mokoena said: "I won't obey those restrictions because my release proved that I am innocent. I won't obey because we were wrongfully charged. We were imprisoned for being bystanders."

The trial of the six began in 1985. Their death sentences on murder charges were commuted to life imprisonment in 1988.

**OUT AT LAST ... Sharpeville Six trialist Theresa Ramashamole (centre) celebrates her release - flanked by co-accused Reid Mokoena (left) and Oupa Diniso - at the ANC offices in Johannesburg.** PIC:EVANS MBOWENI

# After death row, tough curbs on release

By **THEMBA KHUMALO**

STRINGENT conditions have been attached to the release of Theresa Ramashamole, the only woman in the Sharpeville Six trial, who spent years on death row

The main condition was that she should find employment before she could be released. In a desperate bid to secure her freedom, the ANC had to find her a job within its structures

Ramashamole, 31, who was sentenced to death for the murder of a councillor in 1984, was freed from Johannesburg Prison on Friday

Reid Mokoena, 28, her former co-accused, was also released from Leeuwhof Prison on the same day after his attorney,

Soman Kamdar, found him a job in a law firm

Their release brings to four the number of Sharpeville Six trialists released this year. Joshua Khumalo and Oupa Diniso were released four months ago. The ANC has vowed to fight for the immediate release of the remaining two, Don Mokgesi and Mojalefa Sefatsa

Other conditions for Ramashamole and Mokoena's release were that they should not leave their homes at night without official permission. They must report to the head of the local prison once a month and they must expect weekly visits from prison authorities

They are also not allowed to leave their magisterial district without the permission of the

prison. ANC spokesmen described these conditions as "ridiculous".

The organisation would take up the matter with the authorities as a matter of urgency

Ramashamole described her imprisonment, especially on death row, as "appalling".

She said a month after she landed on death row, she resigned herself to her death. She didn't care whether she was hanged or not. She also alleged that the prison warders ill-treated her. "It was so bad that a month after my period on death row I gave up and resigned myself to my death. I didn't care whether I was hanged or not. I think I've been through such hell I can write a book"

She said during that period

she spent her time knitting table cloths and bedspreads which she sent home. Her boyfriend and family members were the only source of inspiration during this period. They visited her almost daily and her boyfriend did everything to make her happy, Ramashamole said

However, her boyfriend later jilted her for another woman

"At first I couldn't believe that he had left me, but later I learnt to live with it. I don't want another man in my life," said Ramashamole

At the Johannesburg Prison Ramashamole studied Std 8 through a correspondence college. She stayed in a communal cell with other women convicts. Her cellmates knew about her case and respected her, she said

253 B68



A LIST of "political" prisoners made public by the Human Rights Commission this week includes the names of 27 people who are no longer in prison.

The list — which the newly-formed Co-ordinating Committee for the Release of Political Prisoners will place on the agenda at next weekend's Codesa meeting — also names 103 prisoners of whom the Department of Correctional Services has no record

In addition, the committee is demanding freedom before Christmas for five rapists, one convict who is on the run, and another who has been declared an habitual criminal for theft and housebreaking

Not on the list is Wit Wolf Bar-end Strydom, serving a 25-year sentence for murdering eight people in Pretoria.

HRC spokesman Miss Safoora Sadek said he was excluded because political prisoners were broadly defined as "people incarcerated for their opposition to apartheid"

The HRC's list, released on Monday, was reduced from 523 prisoners to 450 after 73 political prisoners were released in Bop-

# Murderers and rapists join the 'political' list

By CHARIS PERKINS

huthatswana between December 9 and 11. Two more prisoners, Sharpeville Six members Reid Mokoena and Theresa Ramashamole, were released on Friday

At least four other names on the list were accidentally duplicated

## Rape

Twenty-eight people on the list, including three on death row, are incarcerated in the homelands. According to the HRC, 11 people are imprisoned in Bophuthatswana

All in all, the Department of

Correctional Services can trace only 310 people on the HRC list in its prisons

Among those are prisoners serving sentences for offences including rape, stock theft, armed robbery and vehicle theft, and drug-possession.

Mbuyiseh Blom — whose "political" crime is listed by the HRC as public violence — is in Grootvlei prison serving a 17-year sentence for rape and murder

The HRC lists Mzikayise Matlala's crime as "unknown". He is serving 25 years for rape and murder in Pretoria

Bonakele Nobathana, on the HRC's list for public violence,

was imprisoned for seven years for rape

C Mphunyana has been at Leeuwkop prison since November 1986 serving 11 years for rape. The HRC says he is in for arson

H Minnies, who the HRC says was jailed for public violence, is another rapist — serving five years in Helderstroom

Simon Phakathu, also on the HRC's list for public violence, is in Leeuwkop prison for 30 years on 10 counts of stock theft, eight of theft, and for trying to escape from prison

## Murder

J Zathu, declared an habitual criminal and incarcerated for theft and housebreaking since October 1985 is also, according to the HRC, in for public violence

Sidwell Mpumolo — jailed for murder and public violence according to the HRC — is serving an effective 16-year sentence in Pretoria for four counts of housebreaking, six counts of theft and two counts of escaping from prison

Andile Dakusa has been in prison since January 1987 serving a 14-year sentence for housebreaking, theft and robbery. The HRC says he was jailed for public violence

Miss Sadek said it was "possible" that some of the prisoners listed would have criminal records. "But according to our information, they are political prisoners," she said

"The list is compiled from information gathered from human rights lawyers, community-based organisations, family members, letters from prisoners and our monitoring of political trials"

Correctional Services say that between February 1990 and November 1991, 1191 prisoners were released in terms of the Pretoria Minute and other related measures

## Fair

This week the Department of Correctional Services said all so-called political prisoners in South Africa had been released

"There is no doubt that the South African government has been most fair and even-handed in its approach to the release of prisoners and has fulfilled its obligation in this regard," said a department spokesman.

The HRC list differs from two earlier ANC and HRC lists of prisoners identified as at April 2. Of the 448 prisoners on the new list, only 257 were on the original lists. The HRC said it had been able to remove 449 names

# Jail list

(253)

CT 17/12/91

## HRC replies

JOHANNESBURG — The Human Rights Commission said yesterday it had noted the Department of Correctional Services' denial of the HRC's claim that there were still 523 political prisoners in jail.

The HRC said "The DCS is reported as saying that our list contained 27 names of people no longer in prison."

With this information the HRC was able to reduce its tally to 421.

### 'Unknowns'

The HRC said the DCS also claimed to have no record of 103 names on the list.

"We point out that during our audit committee meetings in May-June this year, this figure was as high as 365 at one point. However, as a result of mutual investigations and providing additional information a substantial number of these 'unknown' prisoners were discovered in prison records, and we were able jointly to reduce the number of untraced prisoners at successive meetings."

# Two more of the Six set free

253

Sowetan  
17/12/91

**MS THERESA Ramashamole and Mr Reid Mokoena, the latest of the Sharpeville Six to be released from prison, are probably the first South Africans to look for work while inside prison.**

Mokoena (28) and Ramashamole (31) were released from prison on Friday after spending six years behind bars, five of them on Death Row, for common purpose in the murder of Lekoa deputy mayor Mr Jacob Dlamini who was killed in the anti-racist increase violence in Sharpeville in March 1984

The two were released with what has been described in legal and political circles as severe restrictions

They were released on condition they found work. They also have to report to prison authorities once a month and will be visited by prison officials at least once a week

Mokoena and Ramashamole may not leave the Vereeniging magisterial district

By **THEMBA MOLEFE**  
Political Staff

without permission from prison authorities.

It is believed Ramashamole will work for the ANC while Mokoena will be employed by his attorney, Mr Amichand Soman

The first of the Six who were released in June were Mr Oupa Dimiso and Mr Duma Khumalo

The Six hit the headlines when they were sentenced to death on the controversial common purpose clause by Mr Acting Justice WJ Human in the Pretoria Supreme Court on December 13 1985

The death sentence was commuted to prison terms ranging between 20 and 25 years by the Bloemfontein Appeal Court last year

Friday, December 13 is of particular significance to Mokoena

He was born on Friday December 13, sentenced to death on Friday December 13



# ANC storms over Fante restrictions

Sowetan 17/12/91

B210

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THE ANC has branded as inhuman parole conditions of former political prisoner Miss Phyllis Fante, who was released from Pollsmoor Prison on Friday

"In fact, the conditions are reminiscent of old banning orders rather than parole release. We have never heard of parole conditions similar to those imposed on her," the ANC's Western Cape region said in a statement

Fante of Zolam township, Ashton in the Western Cape, had served four

By **THEMBA MOLEFE**  
Political Staff

years of a 16-year term

Therefore, she may not be found guilty of similar offences before the year 2002

In terms of these conditions Fante must live in Gugulethu Township and will only be permitted to leave the area between 9am and 5pm during the week. She is allowed to do her shopping only on Sunday, must not leave the magisterial district of Cape Town

without approval of the prison authorities to whom she has to report once a month

The ANC said "Ironically, the order is so strict that she is not even allowed to be in the area of Wynberg in which she is under house arrest. She is allowed to do her shopping for four hours only and on Sunday afternoon

"The ANC rejects these conditions which are a total transgression of basic human rights, and from a government which regularly lectures the ANC about human rights"

# Help solve row over political, dept exhorted

STAR 18/12/91

253

By Jo-Anne Collinge

The Human Rights Commission has called on the Department of Correctional Services to resume the "joint audit process" to sort out disputes about the number of political prisoners remaining in jail.

The joint audit committee, created earlier this year, was a means of co-ordinating the records of Government departments and human rights groups as they related to political offenders.

The HRC refuses to concede that the department could be right in its claim that it is holding no political prisoners.

And the HRC is further demanding that the Government now hand over to an "independent or fully representative body" to determine whether the prisoners whose political status is contested qualify for release in terms of the Pretoria Minute. To date, the Government has been the sole arbiter.

The HRC does acknowledge that its November 30 count has been somewhat reduced by the release of two members of the Sharpeville Six, 73 Bophuthatswana prisoners and 27 prisoners of whom the HRC was unaware.

Noting that Correctional Services stated it had no record of 103 persons whose names appeared on the HRC list of political prisoners still held, the HRC commented that while the audit committee had been meeting in mid-year it had succeeded in discovering "a substantial number of these 'unknown' prisoners in prison records".

It added "Unfortunately the Department of Correctional Services suspended the audit committee without consulting us, and progress was halted".

But the HRC argued that even if it crossed the 103 "unknowns" off its list, "that would still leave 318 'known prisoners' among whom are 187 names jointly agreed on by the HRC and the department during the course of our audit as falling within the department's categories of security, unrest-related and Death Row prisoners for the purpose of candidacy for release under the Pretoria Minute".

The HRC accused the department of avoiding any reference to agreement reached within the audit process "as if it never happened".

There was "a clear case for the early resumption of the joint audit process".

# ANC strikers fight for bail <sup>(253)</sup>

By KENOSI MODISANE

TWO ANC members on day 54 without food yesterday appealed against the refusal of their bail application

Mr MC Koster last week refused the two hunger strikers Mr Stanley Wanyane (27) and Mr Bathandwa Godlo (24) bail

The two are awaiting trial on charges in connection with a skirmish with police in Magaliesberg earlier this year

The two hunger strikers are alleged to have taken part in a shooting incident in which a white man died. They are also being charged for possession of firearms, taking part in a robbery and attempted murder

Their lawyer Mr Cedric Mhinga yesterday said he "hoped the appeal will be heard soon"

He said Godlo had collapsed last week and admitted to a private clinic in Krugersdorp

"But he has since been sent back to prison in Krugersdorp," Mhinga said

"Our bail application was refused last week but we filed papers last Friday to appeal," Mhinga said

Wanyane and Godlo made headlines after a *Sowetan* investigation revealed the two were being kept in a mental ward at Leratong Hospital

Wanyane is still in mental patients' section of the hospital



# Protest over prisoners

18/12/91  
Soweto

953

THE African National Congress (ANC) PWV region is planning two pickets and candlelight marches in Johannesburg and Pretoria tomorrow to highlight the plight of political prisoners.

The pickets will start at 5pm from the Johannesburg City Hall and Central House in Central Street in Pretoria.

The region said in a statement that 500 political prisoners were still in jail.

Pre

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# 'Donated equipment is ours' — ex-prisoners

South

19/12/91 - 15/1/92.

253

By Thoraya Pandey

FORMER Robben Islanders are locked in a dispute with prison authorities about donated recreational equipment left behind on the island.

The equipment, valued at about R100 000, was donated to prisoners by international anti-apartheid organisations.

Major Wena Greyling, spokesperson for the Department of Correctional Services, is adamant the equipment will remain the property of the prison.

"Although the equipment was donated and not bought by the department, it will continue to remain the property of the prison and be utilised for the benefit of other prisoners," said Greyling.

Legislation allowed prisons to retain certain donations to prisoners, she said.

She said the practice was administered at all prisons and was an internationally accepted principle.

"The prison is still operating and should it close down, it would still remain prison property," added Greyling.

The ANC's Mr Mathews Phosa said his organisation would continue negotiating for the equipment to be returned to "its rightful owners".

"The equipment does not belong to the prison, they were donated, and since all political prisoners on the island have been released, the equipment should be returned to them.

Association of Ex-Political Prisoners (AEPP) spokesperson Mr Aitken Ramudzuli said his organisation represented all political prisoners and should be the recipient of the equipment.

The AEPP, with a membership of 4 000, held a conference two weeks ago where it was decided to negotiate with prison authorities for the equipment.

"The ANC has been taking its time and we can no longer wait. We are awaiting responses from all our regions before giving our lawyers the go-ahead," said Ramudzuli.

"Political prisoners held discussions on the island, long before their release, and there was unanimous support for the equipment being returned to an organisation that represented different political persuasions," he said.

Meanwhile, the future of Robben Island remains unclear as plans to turn the island into a resort gain momentum.

Recently the cabinet decided to include the Department of Environmental Affairs, the National Parks Board and the South African Navy in a working committee on the future use of Robben Island.

Headed by the commissioner of Correctional Services, the committee would address, among other things.

● The changing character of the prison to an open detention facility with the emphasis on rehabilitating prisoners

● The National Parks Board eventually taking control of the island.

● An intensified programme to protect fauna and flora

● The extension of the cultural-historical conservation of the island

● Establishing a museum in which the history of the island would be portrayed and preserved.

● A tourist component making sights accessible to the public

● Offering greater accessibility and better utilisation to the seafaring community.

The Future of Robben Island Committee (FRIC), a non-governmental structure, envisages similar proposals.

"The future of the island should include the views of a wide range of people, including political organisations, the Muslim community, the defence force, tourist groupings, nature and environmental groups, island residents and, of course, government structures.

"There is so much that can be done, it is vital everyone has a say in its future," said chairman of the committee, Mr Nic Malherbe.

The committee was established in 1985 when Sun City boss, Mr Sol Kerzner, wanted to turn the island into another Sun City, said Malherbe.

"We had strong feelings against the idea and started looking at alternatives.

He added a symposium will be hosted by the organisation in February 1992 to discuss the future of the island.

The AEPP and other political organisations have not discussed their envisaged plans, although they would be consulted by the government working committee and FRIC.

**POLITICAL VIOLENCE** (253)

More than 3 000 people were killed and about 7 000 injured in violence between July 1990 and June this year. And 1 281 people died in 5 307 unrest incidents between January 1 and July 31 this year

Wim Booysse  
19/12/91 - 2/1/92

**PRISONERS**

About 57 000 prisoners were released under the three prison amnesties announced since December 1990, bringing the prison population down to 86 594. About 121 000 serious crimes were reported during May - the highest figure in South African history.

(253)

Wim Booysse  
19/12/91  
- 2/1/92



By Thoraya Pandey

# 'Inhumane restrictions' on released prisoners

South Africa 1991-12-19 (15/11/92) 253

A FORM of banning, reminiscent of the pre-'February 2' era, has been introduced following the release of the latest group of political prisoners. Restriction orders imprison them in their homes, residential area and workplaces.

Remaining political prisoner held at Pollsmoor, Mr Litha Mlahleki, is due for release this week in his home town in Port Elizabeth and issued with the same restrictions imposed on Ms Phyllis Fante on her release last Friday, December 13.

Mlahleki, who in the past refused to apply for indemnity, this week accepted the stringent parole conditions submitted by the prison authorities, said his attorney, Mr Stefan Raubenheimer.

He was sentenced to 108 years, re-

cently reduced to 42 years and was due for release in 2009.

Fante, the last woman political prisoner in the Western Cape, this week instructed her lawyer to contest the "unnecessary and inhumane" restrictions placed on her Conditions for her release were that she:

- Have a permanent home address and occupation.
- Visit the head of prison on a monthly basis.
- Not leave the magisterial district of Athlone without permission.
- Be home to receive regular weekly visits by the parole officer.
- Provide duration and proof of participation in sporting activities
- Attend church on Saturdays be-

tween 8am and 2pm

● Do her shopping on Sundays between 12pm and 4pm

Fante said she could not visit the grave of her husband in Ashton nor see her nine-year-old daughter, Vuyseka, who lives with her mother in Oudshoorn. Her husband died while she was in jail.

Similar but harsher restrictions were placed on well-known former death row prisoners Miss Theresa Ramashamole and Mr Reid Mokoena.

The two were placed under house arrest and instructed to find employment and a permanent home address. "This is the first time a prisoner was told to find a job or face continued imprisonment," said Fante.

Spokesperson for the Department of Correctional Services, Mr Bert Slabbert, said those released were not recognised as political prisoners but criminals. He said the conditions would be reviewed after every six months.

"According to our records, all political prisoners have been released," he said.

"That's a blatant lie," responded Mr Chris Hanu of the ANC. "There certainly have been no guidelines agreed upon with the government that all prisoners have been released."

He said both the ANC and SACP would raise the matter at the Codesa conference this week and demand the restrictions be lifted and all political prisoners be released.

NONSESSION REPRESS HINOS 4

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## Free political prisoners, says ANC picket

The Argus Correspondent

JOHANNESBURG — About 100 members of the ANC-SACP-Cosatu alliance took part in a candlelight picket in John Vorster Square to call for the release of all political prisoners.

A light drizzle failed to deter the Johannesburg protesters who began their march from the City Hall at 6pm.

Two former prisoners, manacled and dressed in prison clothes, led the toy-toying crowd which carried placards.

ANC and SACP executive committee member Mr. Ronnie Kasrils told a police official at the police station in the square that the group had gathered to make a statement against the continued imprisonment of political prisoners.

Mr. Kasrils requested the official to convey the message to President De Klerk and Minister of Justice Kobie Coetsee.

While the Convention for a Democratic South Africa was involved in seeking ways to resolve the country's problems on the eve of the season of goodwill, the remaining 450 political prisoners, including 15 on death row, should be released, Mr. Kasrils said.

# Long road to prison reform goes on for Miles



**CHAIN OF PROTEST:** Golden Miles Bhudu says activists ignore common-law prisoners' rights.

STAR 21/12/91 (253)  
CHARISMATIC prison rights activist Golden Miles Bhudu may soon hang up his chains and give up trying to achieve a just and effective prisons system.

He believes he has been let down by human rights organisations — including the ANC and its president Nelson Mandela — in his fight for the rights of common-law prisoners.

After spending more than four years in jail, the former laboratory technician embarked on a protest campaign for prison inmates' rights.

Mr Bhudu has made an eye-catching sight on Johannesburg's streets since his release in July — draped in heavy chains and wearing prison fatigues.

He said he believed prisoners in South Africa were treated inhumanely and their "rehabilitation" in no way prepared them to be reaccepted back into society.

But, even though many human rights activists have first-hand experience of South African jails, it has become clear to Mr Bhudu that common-law prisoners do not rate highly on their agendas.

He says that when it comes to prisons, human rights organisations are interested only in political prisoners — as an ANC official told the Saturday Star. "We have our priorities. Proper reform of prisons will only

**BRENDAN TEMPLETON**

really come about once we have a transitional government."

Mr Bhudu believes this is an about-face by the organisation and Mr Mandela. He says the ANC leader personally promised in August that he would take "certain steps in order to rectify the position" in prisons.

The promise was made to a weeping Mr Bhudu who fell to his knees when approached by Mr Mandela. Clad in his protest attire, he had trudged into the ANC headquarters demanding to see the ANC leader.

Something about the little man melted even the stony stares of the ANC's security guards, and Mr Mandela, accompanied by Walter Sisulu, came down to hear his story.

Mr Mandela said the prison situation was "of great concern to us".

But now Mr Bhudu feels the great man — who shared the misery of common-law prisoners for 27 years — has let him down. So too have all the other organisations he approached and, he says, he now might have to abandon his campaign.

But, Mr Bhudu says, he will try once more to get some assistance for his group — the SA Prisoners Organisation for Human Rights — before he hangs up his chains.

day

The front-page story of the hijacked edition of Reporter/

A western spokesman said he was not aware of the incident



# FW says no to prisoners

253

Howden 23/12/91

PRESIDENT FW de Klerk has refused a request by the Convention for a Democratic South Africa that an amnesty be granted to political prisoners by Christmas.

"General amnesty out of the air is impossible. One has to define political prisoners," De Klerk said.

ANC president Mr Nelson Mandela on Friday called for such an amnesty for remaining political prisoners.

De Klerk said the Government had fulfilled its obligations in terms of an agreement reached with the ANC about the release of political prisoners.

He said the Government could not deviate from the principles laid down in an agreement reached with the ANC in June without further discussion - which it was ready to undertake.

SA Communist Party secretary general and Umkhonto we Sizwe chief of staff Chris Ham said the SACP would not withdraw from Codesa if the amnesty was not granted.

Ham said the Government should respond to the "reasonable call" and thereby contribute to the creation of a climate of free political activity.

Sapa

# Last political at Pollsmoor is freed

*Southern 23/12/91 (253)*  
**THE last remaining political prisoner at Pollsmoor Prison in Cape Town was released last week.**

Mr Litha Mlahleki was freed after giving in to family pressure to accept conditional release

He was transferred from Pollsmoor to Port Elizabeth's North End prison and released on Thursday evening - ending some 14 years of imprisonment

Mlahleki was originally sentenced to 108 years imprisonment for politically motivated crimes, but this was later reduced to 42 years

During recent months in prison, Mlahleki remained steadfast in his demand for an unconditional release as a political prisoner and embarked on a series of hunger

strikes to press home this demand

He said he was pleased to be home and still remained firm in his objection to the notion of a conditional release

He did not give any details about the conditions of his release but said "no true nationalist or self-respecting politician" (he said he was both) could be expected to give "in to dictates"

His brother, Mr Zolisa Mlahleki, who himself tried to secure his brother's release by attempting a sit-in at the United States Embassy in Cape Town and at Pollsmoor Prison, said the family had convinced him to accept conditional release

"He had no option but to compromise with the family"

Prison authorities in Pretoria were not able to provide details of the conditions of Mlahleki's release - PEN

# Pilot programme for SA prisoners

Sowetan 23/12/91

SOUTH Africa has joined other international countries in introducing a pilot programme of "correctional supervision" as one of judicial punishment options.

With the recent development in the field of criminal justice, the approach of most leading countries today is possible to serve the punishment motives

Correctional supervision is a community-based sentence which implies that an offender serves his sentence within the community

The offender is subjected to various programmes over a period of time, for example, community service, correctional supervision and training

At the same time it affords the offender the opportunity to enhance his self-respect by being able to do something positive for the community by being able to continue working and maintaining family ties

A spokesman of correctional services in Pretoria, R Potgieter, said the growth pattern of the prison population was a cause for great concern worldwide - and South Africa is no exception

"The imposition of imprisonment has become popular over the years and is supposed to serve the punishment motives of deterrence, retribution, protection of society and rehabilitation or reform

"However, there is little doubt that imprisonment on its own only serves these motives to a certain degree," he said

According to Potgieter, in order to achieve the objectives of correctional supervision, it was necessary for the Criminal Procedure Act and the Prisons Act to be amended

Legislation, he said, of the social welfare authorities relating to this matter had also to be brought into line with these acts. The Correctional Services and Supervision Matters Amendment Act, 1991 was thus adopted by Parliament

The Act amends the Prisons Act and the Criminal Procedure Act respectively. In the latter Act, provision has been made for the imposition of supervision as an alternative sentencing option

In the second instance, the Act amends the Prisons Act which provides that the Department of Correctional Services, be entrusted with the responsibility of implementing the new sentencing option of correctional supervision

The Act also provides that the Justice Minister may make regulations to institute pilot projects with a view to launch correctional supervision as an alternative sentencing option

"It is under this stipulation that a pilot project was launched in the magisterial districts of Pretoria and Wonderboom on August 15, this year

"A court in these districts can now impose correc-

253  
By NKOPANE MAKOBANE

tional supervision and imprisonment, which can be converted by the Commissioner of Correctional Services into correctional supervision as penalties on a person who has been convicted of an offence and impose conditions for such penalties

"Besides other stipulations, the Act also enacts that a correctional supervision officer and the parent or guardian of a person under the age of 18 years be informed of the latter's arrest

"In addition it states that a person under the age of 18 years who has been convicted of an offence, may, subject to certain conditions, be placed under the supervision of a correctional officer"

Potgieter explained that the purpose of correctional supervision is to control, monitor and rehabilitate people. The application of supervision is based on the principles that imprisonment as sanction must only be applied as a last resort

According to him, supervision as opposed to imprisonment has certain advantages. These include that

- + The community-based normalising influences in the correctional process are utilised to the full,
- \* Physical and psychological degrading experienced in prison is eliminated,
- \* The rehabilitation process is humanised;
- \* The greater costs of institutional care are counteracted,
- \* The isolating and labelling effect of imprisonment is avoided, and,
- + Problems which are normally associated with imprisonment such as disruption of family life and deterioration of mental health are eliminated.

Potgieter pointed out that the application of supervision is always accompanied by certain set conditions. Firstly to enable the correctional official to keep the necessary control over the probationer and secondly to lead the probationer to improve himself

"One of these conditions can be the performance of community service for a set number of hours. Community service is a free service to the community by a probationer for a specific number of hours"

He listed the advantages of community service as follows

- + Essential services are provided free of charge to the advantage of community,
- \* The probationer is enabled to "compensate" the community for damage done, and,
- + The community is involved in corrective administration of justice

Community service can vary from unskilled labour like cleaning of roads, parks, streets, riverbanks and gardening, to skilled labour like building, painting, typing and administrative tasks. Nobody must profit directly from the service



# FW refuses Codesa amnesty for prisoners by Christmas

ESTHER WAUGH  
Political Staff

PRESIDENT De Klerk has refused a Codesa amnesty by Christmas for remaining political prisoners.

"General amnesty out of the air is impossible. One has to define political prisoners," Mr De Klerk said.

ANC president Nelson Mandela on Friday called for the amnesty which was supported by the SACP

"Among the proposals that have emerged, we would like

ARC 23/12/91  
to highlight the call for a Codesa amnesty for all remaining political prisoners before Christmas," Mr Mandela said

Mr De Klerk said the government had fulfilled its obligations in terms of an agreement reached with the ANC about the release of political prisoners.

He noted that hundreds of political prisoners had been released this year.

The government could not deviate from the principles laid down in an agreement reached with the ANC in June

without further discussion which it was ready to undertake.

SACP secretary-general and Umkhonto weSizwe Chief of Staff Mr Chris Hanu said the Communist Party would not withdraw from Codesa should the amnesty not be granted.

He said ultimatums were not the best thing when one was involved in negotiations

The government should respond to the "reasonable call" and thereby contribute to the creation of a climate of free political activity, Mr Hanu said.

## Man found hanging by neck in cell

A PRISONER was found hanging by his neck from a blanket in his cell at the Mondeor, Johannesburg, police station yesterday (253)

A police spokesman said the dead man, Fernando Francisco, was found at about 7.30 am when police held their regular cell inspection. S.M. 28/2/91

Mr Francisco was arrested in Mondeor on Thursday after a complaint that he had been disturbing the peace. A case of malicious damage to property was opened when he allegedly damaged a police vehicle after his arrest.

An inquest docket has been opened, but police do not suspect foul play. — Crime Staff.

PUBLIC SECTOR-GOVT. PRISONS

1992

JANUARY - MARCH



# No gift from De Klerk for Nofomela

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By ELIAS MALULEKE

WHILE two white policemen who hired themselves out as assassins relished their reprieve from Death Row, black police hit squad agent Almond Butana Nofomela spent a lonely sixth Christmas on the row.

He told City Press that, unlike freed political prisoners and police colleagues who have been reprieved by State President FW de Klerk, there was no special treat for him on Christmas Day.

He did not get any visit, nor did he join other Death Row prisoners in the prison church for prayers on Christmas.

## Hopes dashed

Although his faith in God has been strengthened since he was convicted in 1986, he said his prayers had not helped him much.

He had hoped in vain that the State President would either commute his death sentence or reprieve him in time for a Christmas dinner with his family.

Instead he said that as the hours ticked closer without word from De Klerk, he began to think again of the rope tightening around his neck.

Yet he says he has grown to accept death. "It is not that I'm scared of dying, it's that I don't want to leave my two kids, my parents, my three brothers and five sisters without a breadwinner. But if I must die, so be it," he said.

Nofomela still regards himself as a breadwinner although he has not been able to provide for his children for six years.

He said that although Lawyers for Human Rights had gone to great lengths to save his life, time was "running out".

Nofomela was sentenced to death in 1986 for the murder and robbery of Johannes Hendrick Lourences, a Brits farmer who was repeatedly stabbed by Nofomela and his co-accused.

He was given an 11th-hour stay of execution in 1989 after making sensational disclosures about his alleged police hit squad activities.

He said he was in an alleged police assassinator squad which was responsible for the murder of Durbar lawyer Griffiths Mxenge.

Last month he lodged an unsuccessful application to have his death sentence set aside and the trial reopened to consider new evidence.

Among other things, Nofomela claimed that he had been trained and taught to kill by his police handlers and that a new trial could find a mitigating factor.

Bloemfontein Appeal Court Judge Nienaber turned down the application, saying Nofomela had told so many lies, for so long and on so many occasions, that little if any credence could be attached to his new evidence.

"Arrogance is not a mitigating factor and that he was a policeman was a distinctly aggravating factor," Nienaber found.

Nofomela said a report by Lloyd Vogelmann, a clinical psychologist, showed a positive prognosis for his rehabilitation.

He said other convicted policemen had been freed by the stroke of a pen.

## Mass killer

He mentioned mass-killer Barend Hendrik Strydom, who had eight death sentences commuted, former capt Jack la Grange and Sgt Robert van der Merwe who also had double death sentences commuted and are now free.

"La Grange was not just an ordinary cop, he was a police commander who was found guilty of committing robberies and murders.

"Strydom stood in a court of law for the murder of eight people and proudly stated that he would kill again if given the chance. He showed no remorse for his deeds and got eight death sentences.

"Today Strydom is no longer in Death Row, he is almost like a free man because any day from now he can walk out and be united with his family.

"I was used, exploited and betrayed, but I do not want to cry over spilt milk, instead I again ask for forgiveness from all the people I have wronged and pray that they forgive me," he said.

Lawyers for Human Rights intend to petition De Klerk to free or commute Nofomela's death sentence.

The ANC said it had called for a moratorium on executions.

# Upington duo released on parole

The Argus Correspondent (253)

PRETORIA. — Two of the three remaining Upington 25 prisoners have been released on parole

The three men remained in jail when the rest were released after the Appeal Court in Bloemfontein overturned their convictions last year

The Department of Correctional Services yesterday confirmed the release of Mr Justice Bekebeke and Mr Zohle Yona

The two men and Zonga Mokatle, who is still in prison, were sentenced to death in 1989 for the murder of a Paballelo municipal policeman

Mr Bekebeke and Mr Yona had their death sentences commuted to 10 years in May last year

Mokatle's sentence was commuted to 12 years. The three were incarcerated in Kimberley Prison

A prisons spokesman said the two

were released under the standard parole condition of being restricted to the magisterial district in which they lived

ARG 9/1/92

The men can leave the Kimberley area only if the head of the Kimberley Prison grants permission.

The spokesman said Mokatle did not qualify for parole because of the long sentence he was serving and because of his previous conviction

His attorney, Mr Stefan Raubenheimer, confirmed that Mokatle was convicted on a charge of assault when he was a juvenile

Mr Raubenheimer said his client received lashes for the offence and did not serve a prison sentence

Mokatle's wife, Ms Cathleen Sidebottom from Pretoria, and members of the Black Sash appealed to the authorities to have compassion and release him because the rest of the Upington 25 were free

# Two of 'Upington

## 25' prisoners

### freed on parole

By Mckeed Kotlo  
Pretoria Bureau

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STAR 9/1/92

Two of the three "Upington 25" prisoners who remained in prison when the rest were released after the Appeal Court in Bloemfontein overturned their convictions last year, were released this week on parole.

The Department of Correctional Services yesterday confirmed the release of Justice Bekebeke and Zolile Yona, who together with Zonga Mokatle, who is still in prison, were sentenced to death in 1989 for the murder of a Paballelo municipal policeman.

Mr Bekebeke and Mr Yona had their death sentences commuted to 10 year prison sentences in May last year. Mokatle's sentence was commuted to 12 years.

A spokesman for Correctional Services said the two were released under the standard pa-

role condition, including being restricted to the magisterial district of Kimberley.

They could only leave the area after the head of the Kimberley Prison had granted them permission.

The spokesman said Mokatle did not qualify for parole as a result of the long sentence he was serving and also because of his previous conviction.

His attorney, Stefan Raubenheimer, confirmed that Mokatle was convicted on a charge of assault years ago when he was still a juvenile.

Mr Raubenheimer said his client received lashes for the offence. He did not serve a prison sentence.

Mokatle's wife, Cathleen Sidebottom, from Pretoria, appealed to the authorities to have compassion and release him since the rest of the Upington 25 were free.



against his sponsors. Police have said they are to turn out  
● No violence against Paul S

By PETER DENNEHY  
ROBBEN ISLAND will be open to tourists by September, predicts the chairman of the Future of Robben Island Committee, Mr Nic Malherbe.

Mr Malherbe said he had held talks with two cabinet ministers on the subject and both indicated the island would soon be open to tourists.

The committee has also consulted the ANC on plans for the island. The organisation had given a go-ahead for a museum.

Mr Malherbe said initially day-trippers would be allowed to visit the island and predicted as many as 1 500 tourists would make the trip.

He said that eventually tourists would be able to spend nights in the village there.

Mr Malherbe said he expected that an extra R230 million a year would be spent by tourists in Cape Town once Robben Island was opened up, and thousands of new jobs would be created.

He had held a series of meetings with Dr Org Marais, the Minister of Trade, Tourism and Industry, whom he said had been very up-beat about the tourist potential.

He had expressed the hope that South Africa could increase its tour-

# Island to go open 'this year'

CT 11/1/92 (253)

ism income from 1% of Gross Domestic Product to above the world average of 9,2%.

Dr Marais had said the future of Cape Town lay in tourism, and that the private sector would have to provide the necessary investment, Mr Malherbe said.

Dr Marais could not be reached for comment yesterday.

Mr Louis Pienaar, Minister of the Environment, had informed Mr Malherbe that the cabinet had decided to eventually hand the island over to his (Mr Pienaar's) department.

Mr Adriaan Vlok had subsequently made a statement in Kroonstad about

● V & A rentals jump — Page 17

To page 5

From page 1

## Robben Island

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the island possibly going to the National Parks Board, but this small confusion would soon be sorted out, he said.

Mr Malherbe said the Robben Island prison was full at present, but cost considerations would ensure that the prison would be moved off the island.

It cost four times as much to maintain a prisoner on the island as it did on the mainland.

When the warders moved out, they would leave more space for tourists to sleep in the 600-bed village, Mr Malherbe said.

The committee hoped that the village, which takes up just 26ha of the 574ha island, would fall under the control of a private company with a long-term lease similar to that of the Victoria and Alfred Waterfront Company.

The company will renovate, sensitively, the 22 historical Victorian buildings in the village, so that it would become like another Matjiesfontein.

# CCB murderer's plea for freedom is turned down

By ALINAH DUBE

AN application for the release of a Naboomspruit farmer and former Civil Co-operation Bureau member serving an eight-year sentence for murder has been dismissed with costs by a Pretoria Supreme Court judge.

Zonderwater prisoner, Jacobus Leeb (30), who claims to have committed the crime for political reasons, brought the application before Mr Justice van Dijkhorst on Friday.

The prisoner conducted his own case.

Leeb was convicted in the Tzaneen Circuit Court during November 1989 for the murder of Mr Simon Snyders.

Reading his statement to the court he said he was entitled to be released be-

cause of a number of political statements made recently.

He said he was convicted of a crime during his eight-year service to his country.

Leeb added that he spent that period protecting the country and its people and that if his "former enemies" were being released from prison or receiving indemnity from prosecution, he was also entitled to be released.

"The only motive for my actions was in the interest of security," he said.

Van Dijkhorst said departmental policy was that second offenders had to serve a third of their sentence before being considered for parole.

He also pointed out that the court, excluding the Appeal Court, had no power to reconsider a sentence.

Sanderson 13/1/92

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## Azayo president 'held under Section 29' (253)

The Argus Correspondent AUG 16/1/92  
JOHANNESBURG — Detained Azayo president and anti-Paul Simon campaign leader Thami Mcerwa is being held for interrogation under section 29 of the Internal Security Act.

This was confirmed by Witwatersrand police spokesman Captain Eugene Opperman.

The Act provides for detention without trial for up to 10 days, renewable for further 10-day periods with the approval of a Supreme Court judge.

He was originally held under section 50 of the Criminal Procedure Act, which allows for only 48 hours' detention after which an accused must be charged or released.

Mr. Mcerwa was detained for questioning on Monday in connection with last week's hand-grenade attack on the offices of PA Sound — the company responsible for sound equipment at Simon's concerts.

Responsibility for the blast was claimed by a man saying he was from the Azanian National Liberation Army (Azanla), the armed wing of the exiled Black Consciousness Movement of Azania.



# Strait-jacket death: Prison warder 'lied'

CT 16/1/92

Staff Reporter

(253)

A POLLSMOOR warden lied when she claimed she had not heard the agonised cries of a teenage prisoner who died after being confined in a strait-jacket for 23 hours, a Wynberg inquest heard yesterday.

A fellow prisoner of the deceased testified yesterday saying her cell in the juvenile section was directly opposite that of Miss Carol Anne Meyers, 19, at the time of her incarceration in a strait-jacket.

The witness, who is now an honours student at UCT and did not wish to be named publicly, said she first saw Miss Meyers in the strait-jacket when she went to her cell about 9 30 on the morning of June 29, 1989.

"Debbie (as she was known by fellow inmates) was not crying but looked very depressed.

"That night she was still in the jacket but screamed in pain saying she needed to urinate. The patrol warden on duty gave her pills — I think they were for pain — and she was quiet till the following morning when she once again became completely hysterical.

"She called a warden, Warrant Officer Wilhelmina Schwartz, saying her bladder hurt and she was in pain. WO Schwartz, a big, strong woman, gave her a hefty shake and further ignored her," said the witness.

The witness said she later called WO Schwartz back to see to Miss Meyers, but WO Schwartz threatened to put her in the jacket "next".

## The inquest continues

The magistrate is Mr M H Jones. He is assisted by Dr K Payne and Professor J C Botha. Mrs S Ringstrand is the prosecutor. Mrs S Liebenberg and Mr C Whitehead appear for the family of Miss Meyers and Mr J Treurnicht appears for the Department of Correctional Services. Mr F van Zyl appears for district surgeon Dr Peter Fisher.

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South 16/11 - 22/11/92 (253) 

# Probe into 'police violence'

By Mbuyiselo Mtsheketshe

SENIOR police officials are investigating charges of assault against policemen following a spate of deaths and assaults in custody over the past four months

• An Oudtshoorn man, Mr Koos Wagenaar, 34, died at the Brandvlei Prison in Worcester on January 7, according to his family.

His mother, Mrs Lemie Jansen, said when the family collected her son's body the next day, they found it was badly bruised. Police told them he had died of a heart attack.

"When we asked why he was bruised, the police said it must have happened while they were transporting him from the prison," Jansen said.

A post-mortem at Tygerberg Hospital on Monday found Wagenaar died of natural causes, but the family have not accepted the findings.

"My son has never complained about heart problems, and the last time his girlfriend visited him, she saw he had gained weight and was looking healthier than ever," Jansen said.

Responding to the family's allegations, a spokesperson for the Department of Correctional Services said Wagenaar's death certificate showed he died of a heart disorder.

The spokesperson said there was no indication on the certificate of any bruises or marks on his body.

• An awaiting trial prisoner, Mr Pom Ndakana Dladlamba, was also found dead in Worcester police cells on Sunday.

Dladlamba was arrested with his wife and his brother, Mr Johnson Dladlamba, for alleged possession of dagga. They were granted bail in the Worcester Magistrate's Court last Friday.

Dladlamba said his brother did not have enough money to pay his bail and was returned to the police cells.

"When I visited him the next day I was told that he was dead," he said.

He said his family was planning legal action against the Minister of Law and Order.

A police spokesperson, Captain Gys Boonzaier, said Dladlamba died of natural causes.

• A Montagu policeman who allegedly slapped a man arrested for drunkenness, has been charged with assault, police confirmed.

A docket has been opened to investigate claims that a constable hit Mr Stoffel Pieterse last Saturday. Once the investigation is completed, the case will go to the Attorney General for his decision whether to prosecute.

Montagu advice office worker Mr Danny Jacobs said complaints about police behaviour in Montagu had been submitted to the Commissioner of Police, General Johan van der Merwe.

Residents' grievances had also been taken up with the divisional

command in Worcester and Cape Town.

Jacobs said the Montagu Advice Centre was investigating about 20 allegations of torture and assault by the security forces in the area since October last year.

He said the most recent incident occurred last Sunday when Mrs Sally Marten, 30, of Montagu, was arrested for trespassing.

The Marten family alleged that police slapped their daughter during the arrest and sprayed teargas at her while standing close to her.

When her parents visited her at the Montagu police station, Jacobs accompanied them.

Jacobs said earlier that evening he had had only one beer.

"The policemen on duty treated us very arrogantly," Jacobs said.

"A warrant officer Conradie said I should be arrested for drunkenness, and I was arrested at about 12.30am," he said.

"When I came to the police cells, there were three men in custody who all had been assaulted by the police.

"Two of them were full of blood and the other man was severely bruised."

Marten was released on Tuesday and her family have laid a charge of assault against the police.

Captain Boonzaier said Jacob's allegations would be investigated "as a matter of urgency".



KENNISGEWING 48 VAN 1992 ADMINISTRASIE: VOLKSRAAD DEPARTEMENT VAN LANDBOU- ONTWIKKELING		NOTICE 48 OF 1992 ADMINISTRATION: HOUSE OF ASSEMBLY DEPARTMENT OF AGRICULTURAL DEVELOPMENT	
<p>KENNISGEWING VAN VERGADERING VAN SKULDEISERS KRAGTENS ARTIKEL 22 (1) VAN DIE WET OP LANDBOUKREDIET, 1966</p> <p>Hierby word 'n vergadering van ondergenoemde applikant en sy skuldeisers op die plek en datum hieronder genoem, belê, met die doel om skuldeisers in staat te stel om hul vorderings teen die applikant te bewys en 'n skikkingsvoorstel van die Landboukredietraad te oorweeg</p> <p><b>J. H. SMIT,</b> Direkteur Direkoraat Finansiële Bystand, Departement van Landbou-ontwikkeling</p>		<p>NOTICE OF MEETING OF CREDITORS IN TERMS OF SECTION 22 (1) OF THE AGRICULTURAL CREDIT ACT, 1966</p> <p>A meeting of the undermentioned applicant and his creditors is hereby convened at the place and date mentioned hereunder for the purpose of enabling creditors to prove their claims against the applicant and of considering a proposal for a compromise by the Agricultural Credit Board.</p> <p><b>J. H. SMIT,</b> Director Directorate Financial Assistance, Department of Agricultural Development.</p>	
Aansoek van Application by	Plek van byeenkoms Place of meeting	Datum en tyd Date and time	
Dirk Jacobus Coetzee (Id 351023 5029 001), van die plaas/of the farm Kameel, Posbus/P O Box 312, Bloemhof, 2660	Kantoor van die Landdros/Magistrate's Office, Hoopstad	21 Februarie/February 1992, om/at 09 00	

(17 Januarie 1992)/(17 January 1992)

KENNISGEWING 49 VAN 1992 ADMINISTRASIE: VOLKSRAAD DEPARTEMENT VAN LANDBOU- ONTWIKKELING		NOTICE 49 OF 1992 ADMINISTRATION: HOUSE OF ASSEMBLY DEPARTMENT OF AGRICULTURAL DEVELOPMENT	
<p>KENNISGEWING VAN VERGADERING VAN SKULDEISERS KRAGTENS ARTIKEL 22 (1) VAN DIE WET OP LANDBOUKREDIET, 1966</p> <p>Hierby word 'n vergadering van ondergenoemde applikant en sy skuldeisers op die plek en datum hieronder genoem, belê, met die doel om skuldeisers in staat te stel om hul vorderings teen die applikant te bewys en 'n skikkingsvoorstel van die Landboukredietraad te oorweeg.</p> <p><b>J. H. SMIT,</b> Direkteur Direkoraat Finansiële Bystand, Departement van Landbou-ontwikkeling</p>		<p>NOTICE OF MEETING OF CREDITORS IN TERMS OF SECTION 22 (1) OF THE AGRICULTURAL CREDIT ACT, 1966</p> <p>A meeting of the undermentioned applicant and his creditors is hereby convened at the place and date mentioned hereunder for the purpose of enabling creditors to prove their claims against the applicant and of considering a proposal for a compromise by the Agricultural Credit Board.</p> <p><b>J. H. SMIT,</b> Director Directorate Financial Assistance, Department of Agricultural Development.</p>	
Aansoek van Application by	Plek van byeenkoms Place of meeting	Datum en tyd Date and time	
Dietlof Stephan Gabriël Maré (Id. 570213 5084 008), van die plaas/of the farm Mont Mare, Posbus/P O Box 1, Eerstegoud, 0701	Kantoor van die Landdros/Magistrate's Office, Pietersburg	27 Februarie/February 1992, om/at 09 00	

(17 Januarie 1992)/(17 January 1992)

KENNISGEWING 50 VAN 1992 SUID-AFRIKAANSE REGSKOMMISSIE		NOTICE 50 OF 1992 SOUTH AFRICAN LAW COMMISSION	
<p>Die projekkomitee oor strafoplegging van die Suid-Afrikaanse Regskommissie stel ondersoek in na die volgende onderwerpe</p> <p>* 'n Evaluering van bestaande strafvorme en nuwe moontlikhede, wat insluit die effektiwiteit van gevangenisstraf, alternatiewe vonnisse en strawwe vir jeugdige oortreders, met</p>		<p>The project committee on penology of the South African Law Commission is conducting an investigation into the following subjects</p> <p>* An evaluation of existing forms of punishment and new possibilities, including the effectiveness of imprisonment, alternative sentences and forms of punishment for juvenile</p>	



inbegrip van 'n peiling van die gemeenskap se persepsie van die effektiwiteit van bestaande vorme van straf

- \* Die gemeenskapsinspraak en individuele belange by strafoplegging, onder andere vergoeding van slagoffers
- \* Voorvonnisprosedures, veral met betrekking tot jeugdige oortreders
- \* Opleiding van voorsittende beamptes, onder andere inligting oor strafoplegging, die kurrikula van regs fakulteite, 'n permanente eenheid vir navorsing oor strafoplegging en empiriese werk oor strafoplegging
- \* Die huidige effektiwiteit en toekomstige wenslikheid van die verkorting en verlenging van aanhouding deur die uitvoerende gesag
- \* Voorkomende optredes ten einde misdaad te bekamp.
- \* Dekriminalisasie en depenalisasie van geringe misdade en nuwe vorms van straf

Die Kommissie ontvang graag voor 28 Februarie 1992 gemotiveerde skriftelike voorstelle vir die ontwikkeling, verbetering, modernisering of hervorming van dié fasette van die reg

Die Kommissie se kantore is op die Agste Verdieping, NG Kerk Sinodale Sentrum, Visagiestraat 228, Pretoria. Korrespondensie moet asseblief gerig word aan

Die Sekretaris  
Suid-Afrikaanse Regskommissie  
Privaatsak X668  
0001 PRETORIA

Telefoon (012) 322-6440 (Mev Kruger)

(17 Januarie 1992)

#### KENNISGEWING 51 VAN 1992

##### RAAD VAN HANDEL EN NYWERHEID

ONDERSOEK NA DIE BEWEERDE DUMPING VAN GEBREIDE TRUIE EN AKRIEL- OF MODAKRIEL-VESELS INGEVOER UIT OF AFKOMSTIG VAN DIE REPUBLIEK VAN SJINA EN KOREA

Die Raad van Handel en Nywerheid het 'n klag van die South African Worsted Spinners en Garment Knitters Association, Posbus 78416, Sandton, 2146, aanvaar waarin beweer word dat gebreide trui van akriel- of modakrielvesels indeelbaar by tariefsubpos 6110 30 20 vanuit die Republiek van Sjina en Korea op die Suid-Afrikaanse mark gedump word, waardeur wesenlike skade aan die Suid-Afrikaanse nywerheid berokken word of dreig om berokken te word

Die Raad van Handel en Nywerheid het besluit om invoer van die betrokke produk by tariefsubposte 6002 93 90 en 6117 90 90 ook by die ondersoek in te sluit aangesien die produk in halfvervaardigde vorm verkeerdlik by hierdie subposte geklaar word

Ten eiende die Raad van Handel en Nywerheid behulpsaam te wees met sy ondersoek na die oplegging van antidumpingregte op die betrokke produkte afkomstig van die Republiek van Sjina en Korea, word belanghebbende instansies versoek om binne 21 dae

offenders, including establishing the community's perceptions of the effectiveness of existing forms of punishment (252) (253)

- \* The community's participation and individual interests in sentencing, *inter alia* compensation for victims
- \* Pre-sentencing procedures, with special reference to juvenile offenders
- \* Training of presiding officers, *inter alia* information on sentencing, the curricula of law faculties, a standing research unit on penology and empirical work on penology
- \* The present effectiveness and future desirability of shortening and extension of detention by the executive.
- \* Preventive measures to combat crime.
- \* Decriminalisation and depenalisation of petty offences and new forms of sentencing

The Commission would like to receive, before 28 February 1992 reasoned suggestions in writing for the development, improvement, modernisation and reform of these facets of the law

The Commission's offices are on the Eighth Floor, NG Kerk Sinodale Sentrum, 228 Visagie Street, Pretoria. Correspondence should be addressed to

The Secretary  
South African Law Commission  
Private Bag X668  
0001 PRETORIA  
Telephone (012) 322-6440 (Mrs Kruger)

(17 January 1992)

#### NOTICE 51 OF 1992

##### BOARD OF TRADE AND INDUSTRY

INVESTIGATION INTO THE ALLEGED DUMPING OF KNITTED JERSEYS OF ACRYLIC OR MODACRYLIC FIBRE IMPORTED FROM OR ORIGINATING IN THE REPUBLIC OF CHINA AND KOREA

The Board of Trade and Industry has accepted a complaint by the South African Worsted Spinners and Garment Knitters Association, P O Box 78416, Sandton, 2146, Alleging that knitted jerseys of acrylic or modacrylic fibres, classifiable under tariff subheading 6110 30 20, originating in the Republic of China and Korea are being dumped on the South African market resulting in material injury or threatened material injury to the South African industry

The Board of Trade and Industry decided to include imports of knitted jerseys of acrylic or modacrylic fibres, imported under tariff subheadings 6002 93 90 and 6117 90 90 in this investigation owing to the fact that the product in semi-finished form may be incorrectly cleared under these subheadings

In order to assist the Board of Trade and Industry in its investigation into the imposition of anti-dumping duties on the products concerned, originating in the Republic of China and Korea, interested parties are invited to send written representations, comments or

## Detainees innocent, claims PAC

Political Staff File 17/1/92

29

THE PAC has denied that any of its members currently detained are implicated in recent attacks on policemen, and the organisation has challenged Law and Order Minister Mr Hennis Kriel to either charge or release them.

Police are holding at least eight prominent PAC members, apparently in connection with investigations into attacks on SAP and SADF members, 14 bombings and a hand-grenade attack on a police station.

# Restraint injuries were fatal

253

CT 17/1/92

By EUNICE RIDER

**BOUND**  
Carol Anne Meyers

A TEENAGE Pollsmoor prisoner — restrained in a strait-jacket for nearly 24 hours — died as a result of internal bleeding, kidney failure and muscle collapse, doctors told a Wynberg inquest yesterday.

Previous evidence was that Carol Anne Meyers, 19, was bound in the strait-jacket by Pollsmoor youth cells wardens when she threatened to commit suicide on June 29, 1989.

She had been upset by the death of her grandmother.

She died at Grootte Schuur Hospital on July 2.

Dr Brian Lindsay Rayner, specialist general practitioner and consultant at Grootte Schuur's renal unit, said that when he examined Miss Meyers on July 2, she said she had been placed in an "extremely tight" strait-jacket. He said Miss Meyers had stabilised

for a while, but suddenly complained of dizziness and nausea, and collapsed.

"Shortly after having had her temperature and blood pressure taken, Miss Meyers regressed into her shocked state and died a while later."

Dr Reyner said he agreed with the evidence of the head of forensic pathology at the University of Cape Town, Professor Gideon Knobel.

Prof Knobel, who performed the post-mortem on Miss Meyers, said that in his opinion Miss Meyers died from crush injuries suffered by muscles and internal organs during her 23 hours in the strait-jacket.

The inquest continues.

The magistrate is Mr M H Jones. He is assisted by Dr K Payne and Prof J C Botha. Mrs S Ringstrand leads the evidence. Mrs S Liebenberg and Mr C Whitehead appear for the family of Miss Meyers and Mr J Treurnicht appears for the Department of Correctional Services. Mr F van Zyl appears for district surgeon Dr Peter Fisher.



**POLITICAL PRISONERS**

FOUR political prisoners held in Rooigrond prison in Bophuthatswana are on hunger strike, according to the HRC (253)

They are Siphon Amos Ramasega, Peter Modisane, Petrus Mothupi and Andel Lourengio  
w/maw 17/11 - 23/11/92.

## Detentions inhuman, claims Boerekommando

JOHANNESBURG — The Boerekommando has condemned the detention of five of its members under security legislation, which it described as "inhuman" and "discriminatory" (253)

ARC 211192  
A spokesman for the rightwing organisation said yesterday that Mr Gawie Volschenk, Mr Karel van der Merwe, Mr Keith Robinson, Mr Marnus van der Wal and Mr Wian Steynberg were being held under Section 29 of the Internal Security Act

The arrests followed police investigations into rightwing attacks on schools and other buildings. The spokesman said no charges had yet been laid against its members and alleged that arrests were being made "to intimidate people and to ignore and trample on basic human rights". — Sapa

# Former prisoners slam extended restrictions

By Thoraya Pandy

FORMER political prisoners Mr Nazir Bhawoodien and Mr Nazim Abrahams, released in December under harsh restrictive orders, lashed out at prison authorities for extending their house arrest by two months.

Bhawoodien said: "Being caged in my home is making it very difficult to adjust to civilian life again."

"This is not freedom, it's another form of imprisonment — psychological imprisonment," he said.

Bhawoodien is under house arrest from 10pm to 7am, initially for two months, now extended to four.

"I was informed by Warrant Officer Peter Williams of Pollsmoor in a telephonic conversation of the extension of my house arrest. Before I could ask the reason for the extension he put the phone down," he said.

Apart from being under house arrest, Bhawoodien and Abrahams:

- Are restricted to the Wynberg

Magisterial District.

- Have to report to the Head of the Prison and to the National Institute against Crime and the Rehabilitation of Offenders once a month.

- Cannot leave the country, apply for passports or attend political meetings.

The two were arrested with their brothers, Shaheed Bhawoodien and Yusuf Abrahams, in 1985 for attacking a guard at the Lincoln Tavern, in Athlone to get a gun.

Three were jailed for 16 years and Yusuf for 17. Shaheed and Yusuf are due for release in March 9.

A spokesperson for the Department of Correctional Services, Mr Bert Slabbert, said it was decided to extend the period of restrictions because of the length of their original sentence and seriousness of the crime.

"The government treated them fairly by releasing them on parole after serving only four and a half of 16 years. This is a small price to pay," said Slabbert.

253

South 23/11-29/11/92



# Strait-jacket: Doctors told of 23-hour ordeal

South 23/11 - 29/11 92 (253)

By Donald Zake

ON her deathbed, 19-year-old Carol Meyers told doctors how she was forced to defecate and urinate in the strait-jacket into which she had been strapped for 23 unrelieved hours at Pollsmoor Prison.

She arrived at Victoria Hospital hours after being released from the jacket bleeding from her genital and urinary tracts, with blood pressure so low as to be unrecordable, a pulse rate of 140, a blood glucose level of zero and a temperature noted as 33 degrees — two degrees below the lower range of a clinical thermometer.

Prison staff told the Victoria Hospital casualty department she had been vomiting blood and passing black stools

Two days later her heart, lungs and kidneys stopped working, and she died.

At an inquest which resumed in Wynberg last week, medical experts from Groote Schuur Hospital agreed her death was most probably caused by being bound very tightly in the jacket for such a long period.

The inquest also heard evidence from a UCT student, who was at the time serving a sentence for fraud in the female section at Pollsmoor, that Meyers

had screamed in agony for hours on end after being put in the jacket on the morning of June 29, 1989

The student said Meyers was given pain pills during the night by a prison staffer, but not unstrapped, and that when she began screaming again the next morning the wardress who came to take prisoner's complaints merely shook her roughly and left her lying on the floor — still strapped in.

The student, who did not want to be named, said when Meyers was finally released she was unable to stand, and was dragged off to the prison hospital in a prison blanket.

The head of forensic pathology at UCT, Professor Gideon Knobel, told the inquest that Meyers' death was consistent with the "crush syndrome" seen in earthquake victims.

A person could be tightly restricted and suffer little apparent ill effects while the jacket was in place. But when the restriction was loosened the sudden release of toxic metabolites from compressed or damaged muscles would lead to a cascade effect including large-scale coagulation of the blood and kidney failure.

Other evidence was that wardresses had packed blankets against Meyers' body in the jacket to make it as tight as possible, and that Warrant Officer

Martha Louw had put her foot on Meyers' body to pull a strap to its tightest notch.

The inquest was told a Captain Muller had ordered that Meyers be put into the jacket after Meyers and a close friend, Ms Leah Matthys, were overheard talking about committing suicide on the evening of June 29.

It also heard that she was put into the jacket not that evening but only the following morning

Knobel told the magistrate, Mr N Jones, "as a medical doctor I find that unacceptable as treatment of psychological distress".

He did not think anyone should be put in a strait-jacket unless that person was uncontrollably violent

Knobel also said he was told by Dr Pieter Fisher, a Wynberg district surgeon, that he had signed the prison's strait-jacket register to certify that Meyers and Matthys were fit for the straitjacket after being assured by prison staff that they were among prisoners examined earlier in the morning. Earlier, Matthys had told the inquest that she and Meyers had not been examined by Fisher.

Meyers, who grew up in Ivy Road, Parkwood Estate, was serving a sentence for assault.

The inquest resumes on May 15

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# Stompie lawyer <sup>25 33</sup> pulls out

By CATHY STAGG

AN attorney representing the "coach" of the Mandela United Football Club, Jerry Richardson, has withdrawn from the case because of a lack of funds

Attorney Kathleen Satchwell confirmed she was no longer representing Richardson, 43, who has been on death row since August 1990. He was convicted for his part in the murder and kidnapping of Stompie Seipei.

Miss Satchwell said she had withdrawn as Richardson's attorney last Thursday after approaching several organisations and being told there were no funds.

She said she had intended to use the funds to brief an advocate to argue Richardson's appeal. The state will now appoint a *pro deo* advocate.

Miss Satchwell expects a lack of funds will also affect the representation of Xoliswa Falati and John Morgan, each sentenced to six years' jail for their part in Stompie case.

### 'Deep concern' over releases

EVERYONE involved in the administration of justice was deeply concerned about the "wholesale and indiscriminate" release of prisoners serving long jail terms for serious crime, said the new Judge President of the Cape. (253)

Judge Gerald Friedman takes over from Judge GGA Munnik, who retires as Judge President on February 3. CPNen 26/1/92

He said apart from the serious effects it could have on the community, these actions on the part of the authorities could only serve to undermine the authority of the courts.



# Community service to be extended countrywide

By Shareen Singh

253

An alternative sentencing option will be implemented throughout South Africa from March, which would enable petty crime prisoners to serve their sentences in the community, Correctional Services Minister Adriaan Vlok announced yesterday

The alternative sentence, known as Correctional Supervision, would allow certain categories of prisoners to work in the community, free of charge, under certain conditions and supervision

This means that except for normal working hours and "other essential purposes" such as shopping and transportation of children, a probationer could not leave his home without approval

Probationers were obliged to work 16 hours out of every month of their sentence

They would be carefully monitored and would have to report to Correctional Service offices

on a weekly or monthly basis. The system came into effect in the Pretoria/Wonderboom districts last year and would be extended to Cape Town early in March and to other parts of the country from April

Mr Vlok said for every 100 000 South Africans, 357 were languishing in jails at the expense of taxpayers and the numbers were increasing rapidly. It cost R41,85 a day to keep a person in prison

The system had worked well in the Pretoria/Wonderboom districts where 1 300 people had been sentenced to Correctional Supervision since August 15 last year, for crimes relating mainly to housebreaking, theft, fraud, reckless and negligent driving, failure to pay maintenance, possession of dagga and other drugs and culpable homicide

But in some cases, people guilty of more serious crimes had been placed under Correctional Supervision, Brigadier Gert Jonker, director of Community Corrections of the Department of Correctional Ser-

vices, told The Star

A few people guilty of assault and one guilty of rape had also been given the alternative sentence

The courts had to inform a Correctional Supervision official in every case it intended imposing the new sentence, and the official would decide whether the person's circumstances enabled him to serve the sentence, Brigadier Jonker said

If the person had fixed accommodation, did not pose a threat to the community and was employed or supported by family or friends, Correctional Service would suit him

In some cases unemployed people were given Correctional Supervision with the undertaking that they would find a job, he said

Lawyers for Human Rights said that broadly speaking it welcomed the new sentencing option but needed to study it carefully before commenting further

A spokesman said "Categories of offenders who qualify must be carefully defined"

STAR 28/1/92

## NEWS IN BRIEF

### 1 000 prisoners more a month

THE country's prison population was increasing at a rate of 1 000 a month, Correctional Services Minister Adriaan Vlok told a media briefing in Cape Town yesterday. *Blodan 28/11/92*

He said the country's jails held 96 909 prisoners while there was only room for 83 000. An average of 10 000 prisoners were released every month, while 11 000 were admitted — a monthly increase of 1 000 prisoners a month at a cost to government of R41,85 a prisoner a day. *(253)*

SA had 357 people in jail for every 100 000 of the population, compared with 425 in the US, 71 in France and 96 in England, Vlok said.

NEWS

**Court's  
new  
scheme  
is 'a  
success'**

By Helen Grange  
Pretoria Bureau

Magistrates in the Pretoria area have sentenced 265 petty criminals to correctional supervision since the alternative sentencing option was introduced in the area in August last year.

Although 11 percent of these criminals did not comply with the curfews and restrictions imposed on them, the project — started as a pilot in the Pretoria/Wonderboom magisterial district — has been dubbed successful by the Department of Correctional Services.

Correctional supervision is to be implemented in the Cape Peninsula in March and in other parts of the country from April.

Director of Community Correctional Brigadier Gert Jonker, said although 11 percent of those sentenced in this manner had failed to comply with the prescribed conditions, authorities still had immediate control over the convicts as long as they remained in the magisterial district.

A few had slipped through the net and left the district — "but the percentage is small".

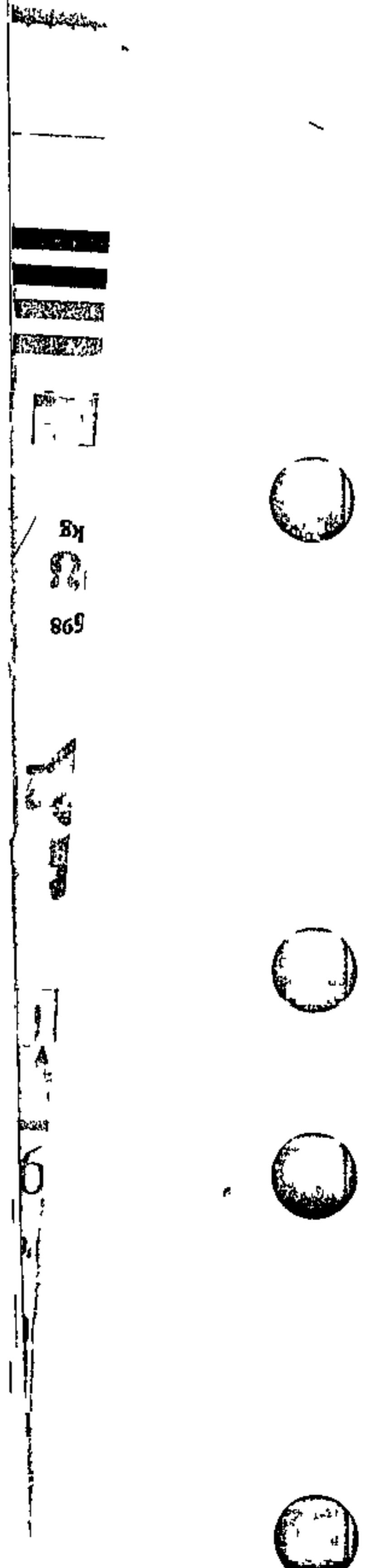
**Strict**

A "very small number" of the convicts had repeated petty crimes, but the Department still considered Correctional Supervision strict enough to prevent the majority from again committing crimes.

"We find the sentence fills their time quite amply. The sentence can only be passed if the convict has a fixed address in the community and can be cared for in some way," said Brigadier Jonker.

Correctional supervision had only been in practice in Pretoria for five months and some of the convicts sentenced to this option had yet completed the sentence term, so it was difficult to accurately assess the success of the project, he said.

The sentence is directed at petty criminals and allows them to work in the community, free of charge, under constant supervision.





# Concern over prisoners out on parole

STAR 3/2/92 253

By Helen Grange  
Pretoria Bureau

The Government's drive to alleviate overcrowded prisons via alternative, community-based sentencing has met with growing concern that society will not be able to sustain prisoners with jobs or adequately control them.

The conditions of a recently instituted sentencing option — correctional supervision — as well as of community service, are that the prisoner must have a fixed address and an occupation.

## Difficult

The fact that the worsening economy has resulted in increasing unemployment means the prospects for prisoners getting jobs are very slim, says Jeanette Schmid, social services manager at the National Institute for Crime Prevention and Rehabilitation of Offenders.

"Although it is difficult to come up with alternative conditions for community-based sentences, most prisoners would not be able to fulfil the current conditions.

"Only the elite will be able to get a job and accommodation. Most black prisoners will simply be unable to qualify for community-based sentences," said Miss Schmid.

Another worry was that the community may be loaded with more supervisory re-

sponsibility than it can bear. "The more prisoners there are in the community, the more responsibility has to be shouldered by community organisations looking after them. Nicro already has an enormous case load, and we are only partly subsidised by the State," said Miss Schmid.

A possible answer was for the State to buy out the prisoner control service from the welfare or community organisations concerned. This would mean that people in the community appointed to ensure parole or supervision of prisoners would be paid by the State for their services.

However, Nicro agreed that prisoners could be better rehabilitated in the community, where they could make visible retribution for their crimes.

For serious criminals, though, jail still seemed to be the only option.

A source in the Department of Correctional Services said hardened criminals — who had to be behind bars — were in the minority. Therefore, a substantial number could be conditionally released back into the community.

He stressed that decisions of this nature were taken with great circumspection, and not without strict parole or supervision.

South Africa has a prison population of 357 for every 100 000 citizens — the second highest ratio in the world after the US, with 425.



...n Mandela after lunch at the Elysee Palace      Picture AP

## 'Inspiration to mankind'

STAR 4/21/92

PARIS — No one would have thought it possible that two prisoners of the past could transcend history and defend a goal worth not just their country but of their continent, Dr Henry Kissinger yesterday

"They are an inspiration to mankind," the former US Secretary of State added in his capacity as chairman of the Unesco jury which

awarded the Houphouet-Boigny prize to President de Klerk and Nelson Mandela

Mr Mandela had taken his people towards negotiation without bitterness

"Mr de Klerk is taking his people, imprisoned in its own traditions of 300 years, on the painful road of accepting the shared dignity of all people of that great and beautiful country" (253)

THE SAGA OF BASIL CONTINUES



# Inspiration to mankind'

STAR 4/2/97

PARIS — No one would have thought it possible that two prisoners of the past could cause history and defend a goal worthy of not just their country but of their continent, Dr Henry Kissinger yesterday.

"They are an inspiration to mankind," the former US Secretary of State added in his capacity as chairman of the Unesco jury which

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"Mr de Klerk is taking his people imprisoned in its own traditions of 300 years, on the painful road of accepting the shared dignity of all people of that great and beautiful country" (253)



# Popcru demands probe into prison violence

South 6/2-12/2192

253

By Sabata Ngcai and Donald Zake

THE POLICE and Prisons Civil Rights Union (Popcru) has demanded an urgent investigation into alleged assaults by Brandvlei warders on prisoners.

Popcru has also demanded that the warders implicated be prosecuted.

The attorney-general of the Western Cape, Mr Niel Rossouw, earlier de-

clined not to prosecute the warders.

More than 66 charges of assault were laid by prisoners against warders after they quelled unrest at the jail in August last year.

A Popcru spokesperson said: "The South African Police must look into the matter and find out if the prison warders used more violence than necessary to restrain the prisoners."

The unrest had been sparked off by prisoners' dissatisfaction over the government's amnesty programme

for first-time offenders.

"According to the Prisons Act, whenever a prison warden commits a crime of assault against a prisoner, whether it is a serious crime or not, the matter is referred to the police for investigation," the Popcru spokesperson said.

"The attitude of the attorney-general can only give members of the correctional services an assurance that they are above the law and are capable of doing whatever they want to do."

Rossouw said his office had also decided against prosecuting prisoners on one charge of assault and 11 of malicious damage to property, related to the same incident.

The Western Cape attorney-general, who is now serving on the Goldstone Commission of Inquiry, referred all queries to the acting attorney-general, Mr Frank Kahn.

Kahn said it was not the policy of the attorney-general's office "to furnish reasons for a decision to prosecute or not to prosecute".

**HUNGER STRIKERS**

Christopher Makgale (48) has been on hunger-strike since December 13, last year, according to the HRC. He is currently at Bophuthatswana's Odi Hospital (255). He was sentenced to 15 years for attempted murder following the killing of a Bophuthatswana government official when the Bafokeng tribe voiced their grievances about the administration of their territory. His co-accused have since been released as political prisoners.

W. Man 7/2-13/2/92

**By THEMBA KHUMALO**

**MONTY** Mottoung, one of the first three ANC guerrillas to be infiltrated into the country soon after 1976, has been released from a mental asylum.

He was arrested in 1977 after the Goch Street shooting, in which two white men were killed in a warehouse on the western fringes of Johannesburg's city centre.

Mottoung was part of the squad led by Solomon Mahlangu, one of the best known ANC guerrillas, who was sentenced to death as a result of the shootings and hanged in 1979.

Mottoung has been reunited with his mother, Martha Masilela, and the rest of the family, 16 years after the Goch Street incident in Fordsburg.

He was declared a State President's discretion patient in 1977 and could not stand trial with Mahlangu.

The third guerrilla in the group disappeared on the day of the shootings and has not been seen since. His identity is unknown to this day.

Mottoung was released in December last year and spent Christmas with his family for the first time since 1977.

Masilela said that after his arrest she was allowed

# Fighter home from asylum



**AT LAST ... Monty Mottoung at home in the care of his mother. Now she hopes he will recover fully.**

to see her son in hospital, where he was admitted to a psychiatric ward.

"I asked for an explanation for his state of mind but no one knew,

**AT LAST ... Monty Mottoung at home in the care of his mother. Now she hopes he will recover fully.**

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PI: SIPHIWE MHLAWI

study motor engineer-

what happened, including the police. They only told me that they arrested him with guns, that's all.

When he left he was normal and he wanted to study motor engineering. The Monty now back with his family is a different man. "When he was released

he had lost weight and he was moody. Up to now he keeps to himself and says virtually nothing to us. We often have to ask him if he is hungry and he responds by either shaking his head or nodding," Masilela said.

When City Press spoke to his mother, Mottoung sat motionless, staring outside.

"It's a legacy of long spells of solitary confinement," said Aitken Ramudzuli, publicity and office administrator of the Association of Ex-Political Prisoners (AEPF).

Ramudzuli said he spoke to Mottoung for two hours after his release. His impression of him afterwards was that life came to a standstill an hour before he and Mahlangu were arrested.

"As far as Mottoung is concerned Mahlangu is still alive. He hasn't passed the trauma of his arrest and his experience

in detention. His memory wanders back to 1977," Ramudzuli said.

Mottoung's behaviour has forced AEPF to ask social workers at Wits Trauma Clinic to treat him. But Mottoung has flatly refused to cooperate with the social workers by refusing to attend counselling sessions at the clinic. However, the social workers have agreed to treat him at home, said Ramudzuli.

He said: "We are doing our best to help our comrade to recover. We've donated R7 768 to his family to meet his basic needs."

"The ANC branch in Duduza plans to start a trust fund for him. We appeal to anyone sympathetic to Mottoung's plight to contribute generously to his trust fund."

Masilela said since his release there was a slight improvement in her son's condition.

Cipien 9/2/92



# Hunger strikers in court

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By MARTIN NTSOELINGOE

C/P/M  
9/2/92

TWO ANC guerrillas who went on hunger strike because a magistrate refused to grant them bail, appeared in the Krugersdorp Magistrate's Court again this week.

The case was adjourned to February 20.

Bathandwa Godlo and Stanley Wanyane went on a 50-day hunger strike and were admitted to hospital when they became ill.

During the hunger strike Bathandwa was admitted to a private clinic in Krugersdorp after he went into a coma and Wanyane was sent to a psychiatric ward at Leratong Hospital.

Their bail application was heard in their absence.

They are charged with murder, six attempted murders, robbery and possession of rounds of ammunition and weapons of war.

The charges arose from a shootout with traffic officers and police who tried to stop their car between Broedestroom and Krugersdorp on September 27 last year.

## COMMUNITY SERVICE INSTEAD OF JAIL FOR SOME CRIMINALS

# Bold new plan for over-full prisons

S/Times [CM] 9/2/92

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By KURT SWART

**A DRAMATIC new system to reduce the swollen prison population — allowing convicted criminals to do community service rather than go to jail — is soon to be introduced in the Western Cape**

Thousands of criminal offenders could pay their debt to society without ever seeing the inside of a prison cell once the new system of "correctional supervision" is implemented in April.

"It is envisaged that the system will be introduced in the Cape Peninsula at the beginning of April 1992 and an announcement will be made shortly in this regard," a spokesman for the Department of Correctional Services said this week.

Department minister Mr Adrian Vlok announced at the end of last month that "if everything goes to plan" the system will have been implemented nationally by the middle of this year.

### Overloaded

The new scheme is the result of an amendment to the Prisons Act which was gazetted on August 14 last year. A pilot project, on which the "correctional supervision" system is based, was launched at the Pretoria and Bayiaanspoort Prisons the following day.

The system has been introduced because South Africa's prisons are overloaded beyond their design capacities.

It is also aimed at reducing the annual cost to the South African taxpayer of R131 million a year — an average of R6 860 a prisoner.

At present it costs a daily average of R38,47 for each prisoner held in a South African jail. Correctional supervision will reduce this to only R8,81 a day.

Official estimates are that the prison population will increase from 110 000 in 1990 to 135 000 by the year 2000, even with the implementation of the new system.

South Africa has one of the highest prison populations in the world with 357 people per 100 000 in jail, compared to other countries: 42 in Sudan, 71 in France, 96 in England and 425 in the United States.

"The situation could only be kept within manageable limits by government intervention," the spokesman said.

This included the mass early release of prisoners last year.

"Prior to the imposition of correctional supervision by a court, each case will be assessed individually by behavioural science experts."

Conditions of the system include house arrest and community service.

"This varies from unskilled labour (cleaning of parks, streets, rivers and gardens) to skilled labour (building, painting, typing and administration, etc) provided that nobody makes a direct profit from this service. The advantage is that essential services are provided free to the advantage of the community."

### Victims

Probationers could also be subject to direct monitoring and the court or the commissioner could also order them to pay compensation to their victims.

Initially 18 permanent officials will be based at a Correctional Supervision office in Cape Town.

Since the implementation of the Pretoria pilot project 300 people have been sentenced to correctional supervision for offences including housebreaking, theft and fraud, reckless, negligent and drunken driving, possession of stolen goods and drugs, trading in dagga and alcohol, malicious damage to property, culpable homicide and possession of firearms without a licence.

Sentences have varied from a few months to three years.

From August 15 to November 30 last year, only 13 percent of probationers broke the conditions of house arrest, while 10 percent defaulted on their community services.

The department insists that correctional supervision is not an easy way out for the criminal.

"Only those who have the potential to be dealt with successfully within the community context will be considered for this system. Imprisonment as a sanction will remain a reality. All offenders who pose a real danger to society will still be detained in prison."



Cop faces  
prison

# n break charges

STimes 9/2/92

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## Constable <sup>(253)</sup> is accused of plot to free criminals

A MEMBER of the SAP's Brixton Murder and Robbery Squad is facing charges in connection with the escape of dangerous criminals from Johannesburg's Diepkloof Prison.

Constable NJ Oelofse was arrested in November, it was disclosed yesterday by the head of the crack Brixton squad, Colonel Chris Earle.

He said further arrests in connection with the disappearance of 75 awaiting-trial prisoners from the prison in the past year were expected soon.

Colonel Earle said suspects in what appeared to be a well-organised plot to free dangerous criminals included police, warders and prisoners

"This is an extremely serious situation and one that is receiving top priority," he said

"The people escaping from this prison are hard-core criminals, but following months of investigation, we are on the verge of a breakthrough."

### Shooting

The latest in a series of escapes from Diepkloof is that of Blue Light gang member Gavin Schultz, 18, convicted in November of attempted murder and armed robbery

Schultz and accomplice Clinton Kramer were found guilty of shooting Rand Merchant Bank executive chairman Gerrit Ferreira. Posing as traffic cops, they got away with his BMW750i after pulling him off the road in Bryanston near Johannesburg.

It was revealed this week that Schultz and East Rand businessman Godwin Webb, who is being held in connection with a R3,7-million foreign exchange fraud, were taken from the prison on January 30 by a

By PETA KROST

man in a police uniform

In an affidavit filed this week to support his bail application, Mr Webb said he and Schultz were told to get into a white car, driven by a second man wearing a police uniform, and driven about 100m from the prison gates to a waiting yellow Opel Kadett

Mr Webb said he was told by the driver that the two men in civilian clothing in the Kadett were also SAP members

He was ordered into the car and ordered at gunpoint to lie flat on the floor

About 45 minutes later, the car stopped at a garage and Mr Webb was taken into an adjoining room. The men — called Tokkie and Chris — then began questioning him about

forged R50 notes and diamonds, Mr Webb said

He was held for three days, questioned and assaulted and then dumped on an Alberton highway last Sunday. He phoned his attorney, who returned him to Diepkloof.

### Warders

Schultz is believed to have left the country

Last year, at least 75 dangerous Diepkloof inmates were helped to freedom in similar fashion

An internal inquiry resulted in more warders being transferred to Diepkloof and intensified administrative procedures.

Among those freed from Diepkloof Prison was Office Nkopo Nkuma, due to stand trial for the rape and murder of Financial Mail journalist Pat Kenney in November 1989

## Off to court in style

FORMER TV1 personality Annette du Plessis arrived at the Randburg magistrate's court in a Rolls-Royce this week to plead not guilty to a charge of shoplifting a blouse worth R219,99.

The car was driven by her lawyer, Mr AP Joubert

An Artes winner and former *Agenda* and *Good Morning South Africa* presenter, Miss du Plessis, 41, was charged with stealing the blouse from Stuttafords in Sandton on December 1 last year

The case was postponed to March 5.



MARRIED ... Rian, 27, and his bride, Nicolette, whose wedding day bliss was marred by the tragedy

"He and the seller could not understand why the gun was not working. Thinking it was dirty, they dismantled it on the bar counter

"All the time they were making jokes about the pistol. After putting it together, Werner told his friends there was no way the gun would work

"To show them just how wrecked he believed it was, he put it in his mouth and pulled the trigger

"It went off and killed him. Werner had expert knowledge of guns

"I know he was grossly negligent and should never have played around the way he did"

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# Judge in Bhamjee trial slams prisons for early release

6/19/92 11/2/92

SUSAN RUSSELL

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THE Rand Supreme Court judge who last month convicted former National Soccer League PRO Abdul Bhamjee of stealing R7.4m from the league, yesterday strongly criticised the early release of criminals sentenced to lengthy prison terms.

Mr Justice M J Strydom made his remarks after Bhamjee's trial resumed for closing arguments on sentence.

Bhamjee, who did not testify, pleaded not guilty, claiming he was entitled to the money as a 10% commission on sponsorships he obtained in terms of an agreement between himself and the NSL management

committee.

The judge asked State counsel what he should make of the fact that prison authorities released criminals shortly after they had been given long prison terms.

"What purpose will it serve if I send the accused to jail for any considerable period of 10, 12 or 15 years and after two years he is released by the prison authorities?"

"What must I do? Treble the sentence I think should be imposed? I cannot treble the sentence and I cannot impose a sentence that the prison authorities think fit."

State counsel Kevin Lawlor said he did

not believe the court should be discouraged or hampered by seemingly irresponsible decisions by those administering prisons.

In this particular case, Lawlor said, society demanded a lengthy prison term.

"Society demands it, the court imposes it and the prison authorities do not have any regard for it," the judge replied.

Mr Justice Strydom also noted that Bhamjee had been able to steal the money because of the secrecy surrounding the millions of rands the SABC had paid for TV

rights to soccer matches since 1988.

The court heard earlier that Bhamjee took R5.7m of the total he stole from the annual amounts paid to the NSL by the SABC. He then presented falsified contracts to the NSL management committee which reflected less than the SABC had paid.

"What must I make of the fact that the SABC saw fit not to make the amounts of sponsorship public?" the judge asked.

"This really opened the door for the accused to do what he did. That was public money was it not? They kept it secret from

those paying for licences"

The judge said he would have considered a suspended sentence at least in part if Bhamjee had been frank with the court or shown some remorse.

"But as he sits there today he is still denying that he has stolen any money."

Mr Justice Strydom added that Bhamjee had remained silent throughout his trial, except to plead not guilty, had shown no remorse and been of no assistance to the court in deciding an appropriate sentence.

The judge will pass sentence tomorrow.

● Picture Page 2

of criminals

**NEWS IN BRIEF**

**One AIDS victim a day**

AN AVERAGE of one new AIDS victim was identified every day in SA last year — but only two cases were registered in the four independent homelands in 1991. National Health Minister Rina Venter said in reply to a question in Parliament yesterday that 343 AIDS cases had been identified in SA last year. *6/10-4 11/2/92*

**Bail is estreated (253)**

RIGHT-winger Lodewyk van Schalkwyk yesterday did not oppose a State application in the Pretoria Supreme Court that his bail be finally estreated, and that he be held at Pretoria Central Prison's maximum security section until his trial on April 8.

The former hunger striker, facing charges of murder and attempted murder, was arrested at Bronkhorstspruit on February 3 while in the company of Vrye Weekblad reporter Jacques Pauw. A warrant of arrest had been issued after he failed to turn up for his trial on January 27.

**Gaynor Young trial (24)**

THE trial of PACT director Francois Swart and assistant director Michael Williams on charges under the Machinery and Occupational Safety Act resumed in the Pretoria Regional Court yesterday. The charges follow a 17m fall from the set by Gaynor Young during a 1989 performance of Camelot.

Swart testified that he and set designer Andrew Botha had worked for a year on the concept of the Camelot production before casing and rehearsals started. The concept was approved by representatives of three performing arts councils when it was first presented to them. They were told that moving lifts would be used.

REPORTS Political Staff Sapa

*6/10-4 11/2/92*

*6/10-4 11/2/92*

REPORTS Political Staff Sapa

# Judge depllores early jail release

By Peter Davies

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STAR

11/2/92

COURT JUDGE SIVA

A Rand Supreme Court judge yesterday deplored the fact that some criminals sentenced to long prison terms for theft were being released after serving vastly reduced time in jail.

He said prison authorities had "no regard" for a stiff sentence Mr Justice M J Strydom made the comments when the trial of former National Soccer League public relations manag-

er Abdul Bhanjee resumed in Johannesburg

Bhanjee, who has been found guilty of stealing more than R7,4 million from his employers, is due to be sentenced tomorrow

The judge cited instances where criminals sentenced to lengthy prison terms for theft were released after serving a fraction of their time

He drew particular attention to the case of Zda Mahobe, former boss of the Sundowns soccer club, who was sentenced to 16 years in jail. His term was

reduced to 12 years on appeal, and he was released after serving less than four

"What good will it do if I send the accused to jail for 12 or 15 years and after two or three years he is released by prison authorities? Must I treat the sentence I think is due? Society desires it (a stiff sentence), the courts impose it, prison authorities have no regard for it," he said

Prosecutor Kevin Lawlor said that in passing appropriate sentences, courts should not be hampered by "seemingly irre-

sponsible decisions made by executives administering prisons"

Earlier, he had called for a lengthy prison term for Bhanjee "imprisonment is imperative, a lengthy term of at least 10 years is appropriate"

Yesterday the court heard Bhanjee had offered to pay back R2,2 million in monthly amounts of R30 000 over the next 6½ years, on condition that NSL chairman Keith Kinene and vice-chairman Ashwin Trikamjee give evidence in mitigation

For Bhanjee, advocate M

Cassim yesterday told the court that public perception would be better served if Bhanjee "as a man of initiative, could go and earn the money to put back into the coffers of the NSL"

Mr Justice Strydom said he could not take the repayment proposal into account when considering sentence

He said "If the accused had shown remorse and been frank, I might have considered the alternatives. But he still denies stealing the money. He has remained silent throughout the trial. The only words to pass

through his lips were 'not guilty'. He has been of no assistance to me. He is only making this offer from a criminal point of view."

Mr Lawlor said the thefts had shown a pattern since Bhanjee pocketed his first cheque of R25 000 from Premier Milling

"The amounts got larger and larger, indicating a person motivated by greed. He was in a position of trust, but systematically, year by year, he manipulated the cash flow situation

● Support for frustrated judge



# Sentencing: support for frustrated judge

By Monica Oosterbroek

Political parties and other organisations have come out in strong support of the Rand Supreme Court judge who yesterday deplored the early release of jailed criminals

Democratic Party spokesman, Tony Leon, said Mr Justice M J Strydom was "quite right" in condemning the fact that some criminals sentenced to long prison terms were being released after serving vastly reduced time behind bars

Mr Justice Strydom made his observations when the trial of former National Soccer League public relations manager Abdul Bhamjee resumed in Johannesburg yesterday

Bhamjee, found guilty of stealing more than R7,4 million from his employers, will be sentenced tomorrow

Mr Leon said if the Ministry of Correctional Services continued to carry on giving prisoners general amnesty, the Government might as well close down the courts

STAR 11/2/92  
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"Their current policy on releasing prisoners is making a mockery of justice because the department is substituting their own sentences

"The Ministry have already admitted that the situation is out of control and they keep re-admitting released prisoners

## 'Smokescreen'

"It's like some kind of bizarre revolving door with the same people going in and out of jail"

Spokesman for the Human Rights Commission, Max Coleman, said the Government's policy of releasing prisoners was "a smokescreen" because they had not fulfilled promises to release political prisoners

Dr Coleman said over 60 000 prisoners had been released in the six months following President de Klerk's granting amnesty to first time offenders — nearly three quarters of the convicted prison population

"The Government thought that by doing this, the issue of political prisoners would be for-

gotten about — but its a very heavy price to pay"

Black Sash regional chairman, Barbara Klugman, said the matter was very confusing and has called on the Minister to clarify the situation

"We want to know why people are being released early"

Sapa reports that Cape Law Society director Ingrid Hoffmann said slashing a judge's sentence makes the whole system of justice laughable

"The situation will probably get worse before it gets better because of the high crime rate and economic depression. We are concerned about it"

Reacting to the criticism, a spokesman for the Ministry of Correctional Services said that the policy of releasing prisoners was to be re-evaluated

The spokesman said that decisions to release prisoners were made on the recommendation of the Release Advisory Board under the chairmanship of a Supreme Court judge who was assisted by senior police officers and university professors in related fields

# US and SA have world's highest number behind bars

The Argus Foreign Service

(253)

WASHINGTON — The United States and South Africa have the world's highest number of prisoners relative to their populations

APQ 11/2/92

According to a new study by the Sentencing Project, a private research and prison reform group based in Washington, an average of 455 Americans were incarcerated in 1990 for every 100 000 of the overall population — a 6.8 percent rise over the previous year

In the same period, the study said, South Africa ranked second internationally with 311 prisoners for every 100 000 of overall population, but this

represented a 6.6 percent decline over the previous year and the decline was continuing

The difference between the US and South Africa is most striking when it comes to black male prisoners. According to the Sentencing Project there were 3 370 black males imprisoned in the US for every 100 000 black males in the overall population in 1990

This was nearly five times South Africa's rate of 681 black males imprisoned for every 100 000 black males in the overall population, and bears out the statistics which show that about 25 percent of all black males in the US are in prison, or awaiting trial, at any given moment

Venezuela ranks third when it comes to its ratio of prisoners to overall population — 177 out of every 100 000 are behind bars — and if the Soviet Union were still in existence it would have ranked among the top four. There has been no breakdown of statistics for the various components of the Commonwealth of Independent States

The Sentencing Project has urged the US Congress to take steps to encourage the use of alternative punishments to imprisonment, especially community service

The cost of maintaining the 1.1-million Americans imprisoned each year is about \$20.3-billion

## Critical judge backed

The Argus Correspondent

(253) ARG 11/2/92

JOHANNESBURG — Political parties and other organisations have come out in strong support of the the Rand Supreme Court judge who deplored the early release of jailed criminals

Democratic Party spokesman Mr Tony Leon said Mr Justice M J Strydom was "quite right" in condemning the fact that some criminals sentenced to long prison terms for theft were being released early

Mr Justice Strydom remarked on this when the trial of former National Soccer League public relations manager Abdul Bhamjee resumed in Johannesburg yesterday. Bhamjee has been found guilty of stealing more than R7,4 million and is due to be sentenced tomorrow.

Mr Leon said if the Ministry of Correctional Services continued giving prisoners general amnesty, the courts might as well be closed down



*Hansard*

*Hansard*

HOUSE OF DELEGATES

QUESTIONS

†Indicates translated version

For written reply

General Affairs

*(Handwritten mark)*

Mandrax: arrests

1 The LEADER OF THE OFFICIAL OPPOSITION asked the Minister of Law and Order

- (1) How many (a) Indian, (b) White, (c) Coloured and (d) Black persons were arrested for being in possession of Mandrax tablets while entering the Republic

The MINISTER OF LAW AND ORDER

- (1) (a) 7 (b) 0 (c) 0 (d) 3
- (2) (a) 423 000 mandrax tablets (b) R6,3 million (R6 345 000,00)

at (i) Jan Smuts and (ii) Louis Botha Airport during the period 1 January 1991 up to the latest specified date for which figures are available,

- (2) (a) how many Mandrax tablets were confiscated, and (b) what was the total monetary value of the tablets so confiscated, during the above period?

D2E

*Hansard*

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HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Two persons released from prison

2 Mr D J DALLING asked the Minister of Correctional Services

- (1) With reference to the two persons whose names have been furnished to the Minister's Department for the purpose of his reply, (a) on what dates were they released from prison, (b) of what were they convicted, (c) what sentences did they receive, (d) on what grounds were they released and (e) what are their names,
- (2) whether these two persons were known or found to have psychopathic tendencies, if so, what are the relevant particulars?

The MINISTER OF CORRECTIONAL SERVICES

K Britz

- (1) (a) 7 December 1990 (b) and (c)

Count 1

Armed robbery

Eight (8) years' imprisonment of which two (2) years' imprisonment were suspended conditionally for five (5) years

Count 2

Theft

Twelve (12) months' imprisonment

Count 3

Possession of a fire-arm without a licence

Nine (9) months' imprisonment

Count 4

Illegal possession of ammunition

Three (3) months' imprisonment

Count 5

Reckless driving

Six (6) months' imprisonment

Count 6

Speed limit exceeded

Three (3) months' imprisonment

Count 7

Failed to stop on the order of a traffic officer

Three (3) months' imprisonment. The court ordered that the sentences on counts 2, 3 and 4 must run concurrently and that the sentences on counts 5, 6 and 7 must run concurrently

*(Handwritten mark)*

Effective sentence seven (7) years and six (6) months imprisonment of which he served six (6) years, eleven (11) months and twenty six (26) days

- (d) He was released after six (6) months and four (4) days special remission of sentence (amnesty) in terms of Section 69 of the Correctional Services Act, 1959 (Act No 8 of 1959) was granted to him and his sentence had expired (NB Neither normal remission of sentence nor parole was granted to him)
- (e) K Britz

(2) In terms of Section 32 of the Mental Health Act, 1973 (Act 18 of 1973) he was admitted for treatment to a prison hospital for psychopaths on 20 July 1984. He was discharged from the prison hospital and transferred to an ordinary prison on 30 November 1990 in terms of Section 33 of the Mental Health Act, 1973 (Act 18 of 1973) after two (2) medical practitioners certified in accordance with the Mental Health Act that he had recovered to such an extent that his detention in the prison hospital was no longer necessary

F A Phillips

(1) (a) 4 February 1988

(b) and (c)

Housebreaking with the intention to steal and theft (3 counts)

One (1) year imprisonment on each count

Theft out of a car (2 counts)

Six (6) months' imprisonment on each count

Housebreaking with the intention to steal and theft

A suspended sentence of four (4) months' imprisonment was put into operation

Effective sentence

Four (4) years and four (4) months imprisonment of which he served three (3) years, ten (10) months and fourteen (14) days

(d) He was released after five (5) months and seventeen (17) days special remission of sentence (amnesty) in terms of Section 69 of the Correctional Services Act, 1959 (Act 8 of 1959) was granted to him and his sentence had expired (NB Neither normal remission of sentence nor parole was granted to him)

(e) F A Phillips

(2) In terms of Section 32 of the Mental Health Act, 1973 (Act 18 of 1973) he was admitted for treatment to a prison hospital for psychopaths on 25 February 1985. He was discharged from the prison hospital and transferred to an ordinary prison on 3 February 1988 in terms of Section 33

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of the Mental Health Act, 1973 (Act 18 of 1973) after two (2) medical practitioners certified in accordance with the Mental Health Act that he had recovered to such an extent that his detention in the prison hospital was no longer necessary

Awaiting-trial prisoners

47 Mr D J DALLING asked the Minister of Correctional Services

What was the average number of awaiting-trial prisoners in custody on the last day of each month in 1991?

B97E

THE MINISTER OF CORRECTIONAL SERVICES

The figures concerning awaiting-trial prisoners who were incarcerated in South African prisons on the last day of each month during 1991, are as follows

31 January 1991	23 869
28 February 1991	23 222
31 March 1991	21 880
30 April 1991	24 332
31 May 1991	22 984
30 June 1991	21 855
31 July 1991	22 896
31 August 1991	22 254
30 September 1991	21 892
31 October 1991	21 657
30 November 1991	22 407
31 December 1991	23 320

HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Four persons released before completion of sentence

3 Mr D J DALLING asked the Minister of Correctional Services

With reference to each of the four persons whose names have been furnished to the Minister's Department for the purpose of his reply, (a) of what were they convicted, (b) what sentences did they receive, (c) when did they commence serving these sentences, (d) how long did they serve, (e) on what dates were they released, (f) what formula was applied in allowing them to be released on these dates and (g) what are their names?

B97E

THE MINISTER OF CORRECTIONAL SERVICES

D Goosen

(a) and (b)

Murder

Sentenced to death

Defeating the ends of justice Six (6) months' imprisonment suspended for three (3) years

The death sentence was commuted to fifteen (15) years' imprisonment by the State President on 23 November 1988

Effective sentence fifteen (15) years' imprisonment

Previous conviction none

(c) 26 May 1988

(d) Three (3) years, one (1) month and nine (9) days' imprisonment

(e) and (f)

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(g) D Goosen

L de Villiers

(a) and (b)

Murder

Defeating the ends of justice

Sentenced to death

Six (6) months' imprisonment suspended for three (3) years

The death sentence was commuted to twenty (20) years' imprisonment by the State President on 23 November 1988

Effective sentence twenty (20) years' imprisonment

Previous conviction none

(c) 26 May 1988

(d) Three (3) years, one (1) month and nine (9) days' imprisonment

(e) and (f)

He was released on parole on 4 July 1991 in terms of the stipulations of section 63(2) of the Correctional Services Act, 1959 (Act 8 of 1959) after special remission of sentence in terms of section 69(1) of the Correctional Services Act, 1959 (Act 8 of 1959) was granted to him. His parole is subject to prescribed supervision measures as well as specific conditions which have to be adhered to

cont -- p



*Answered*

*Answered*

Should he fail to comply with any of the conditions of his release a warrant for his arrest can be issued in terms of section 68 of the Correctional Services Act, 1959 (Act 8 of 1959) to serve the unexpired portion of his parole period in prison

(g) L de Villiers  
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(a) and (b)  
Murder (2 counts)  
Attempted murder

Twice (2) sentenced to death  
Ten (10) years' imprisonment

The death sentences were commuted by the State President on 23 November 1988 to fifteen (15) years' imprisonment on each count and must run concurrently

The sentence of ten (10) years' imprisonment must also run concurrently with the sentence of fifteen (15) years' imprisonment

Effective sentence fifteen (15) years' imprisonment

Previous convictions none

(c) 31 March 1988

(d) Three (3) years, three (3) months and four (4) days' imprisonment

(e) and (f)

He was released on parole on 4 July 1991 in terms of the stipulations of section 63(2) of the Correctional Services Act, 1959 (Act 8 of 1959) after special remission of sentence in terms of section 69(1) of the Correctional Services Act, 1959 (Act 8 of 1959) was granted to him His parole is subject to prescribed supervision measures as well as specific conditions which have to be adhered to

Should he fail to comply with any of the conditions of his release a warrant for his arrest can be issued in terms of section 68 of the Correctional Services Act, 1959 (Act 8 of 1959)

*Answered*

*Answered*

Should he fail to comply with any of the conditions of his release a warrant for his arrest can be issued in terms of section 68 of the Correctional Services Act, 1959 (Act 8 of 1959) to serve the unexpired portion of his parole period in prison

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Electrified fences: persons killed

6 Mr P G SOAL asked the Minister of Defence  
What total number of persons (a) had died as at 31 December 1991 as a result of contact with the electrified fence on the (i) northern and (ii) eastern border of the Republic since the construction of each of these fences and (b) died as a result of such contact in 1991? B14E

The MINISTER OF DEFENCE	
(i)	(ii)
(a) 14	78
(b) 0	1

Failure to report for national service

14 Lt-Gen R H D ROGERS asked the Minister of Defence

Whether he will furnish particulars in regard to the number of persons who failed to report for (a) national service in February 1991 and August 1991, respectively, and (b)(i) Citizen Force camps and (ii) Commando duty in 1991, if not, why not, if so, what are the relevant figures? B31E

The MINISTER OF DEFENCE

No, because mentioning the figures creates the opportunity for certain individuals and/or organisations to use them for political gain and this is not in the national interest or in the interest of the SA Defence Force



# US, SA have top ratio of people in jail

STAR  
12/2/92

By Hugh Robertson  
Star Bureau

253

WASHINGTON — The United States and South Africa have the world's highest number of prisoners relative to overall populations, but the US far outstrips all countries when it comes to the percentage of its citizens who are imprisoned

A study by the Sentencing Project, a research and prison reform group, shows an average 455 Americans were incarcerated in 1990 for every 100 000 of the overall population

This was a 6,8 percent rise over the previous year

In the same period, the study noted, South Africa ranked second internationally with 311 prisoners for every 100 000 of overall population, but this represented a 6,6 percent decline over the previous year and the decline was continuing

The difference between the US and South Africa is most striking when it comes to black male prisoners. According to the Sentencing Project there were 3 370 black males imprisoned in the US for every 100 000 black males in the overall population in 1990

This was nearly five times South Africa's rate of 681 black males imprisoned for every 100 000 black males in the overall population, and bears out the statistics which show that about one quarter of all black males in the US are in prison, or awaiting trial, at any given moment

Venezuela ranks third when it comes to its ratio of prisoners to overall population — 177 out of every 100 000 are behind bars — and if the Soviet Union were still in existence it would have ranked among the top four. There has been no breakdown of statistics for the various components of the Commonwealth of Independent States

The Sentencing Project has urged the US Congress to take steps to encourage the use of alternative punishments to imprisonment, especially community service, and has called for drastic reforms to the criminal justice system whereby many people are kept behind bars as they await trial — only to have the cases against them dropped after they have been imprisoned for weeks or months

The total cost of maintaining the 1,1 million Americans who are imprisoned each year is about \$20,3 billion (R56,9 billion)

C

# SA's dubious prison record

Sowetan 12/2/92  
Sowetan Foreign News Service (253)

THE United States and South Africa have the world's highest number of prisoners relative to their overall populations but the US has far outstripped all countries when it comes to the percentage of its citizens who are imprisoned

According to a new study by the Sentencing Project, a private research and prison reform group based in Washington, an average of 455 Americans were incarcerated in 1990 for every 100 000 of the overall population - a 6,8 percent rise over the previous year

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The total cost of maintaining the 1,1-million Americans who are imprisoned each year is about R56,84 billion



# Judicial frustration as prisoners go free

ALAN DUNN of The Argus Political Staff reports on growing concern about how prisoners are dealt with.

253  
RRS 12/2/92

important role in the increase in crime." He said police believed senseless, cold-blooded killings and the reckless manner in which armed robberies occurred had much to do with this.

On last year's early releases, where at least 50 000 convicts benefited, top prisons officials point out that they were in any case only months away from freedom in the normal course of events.

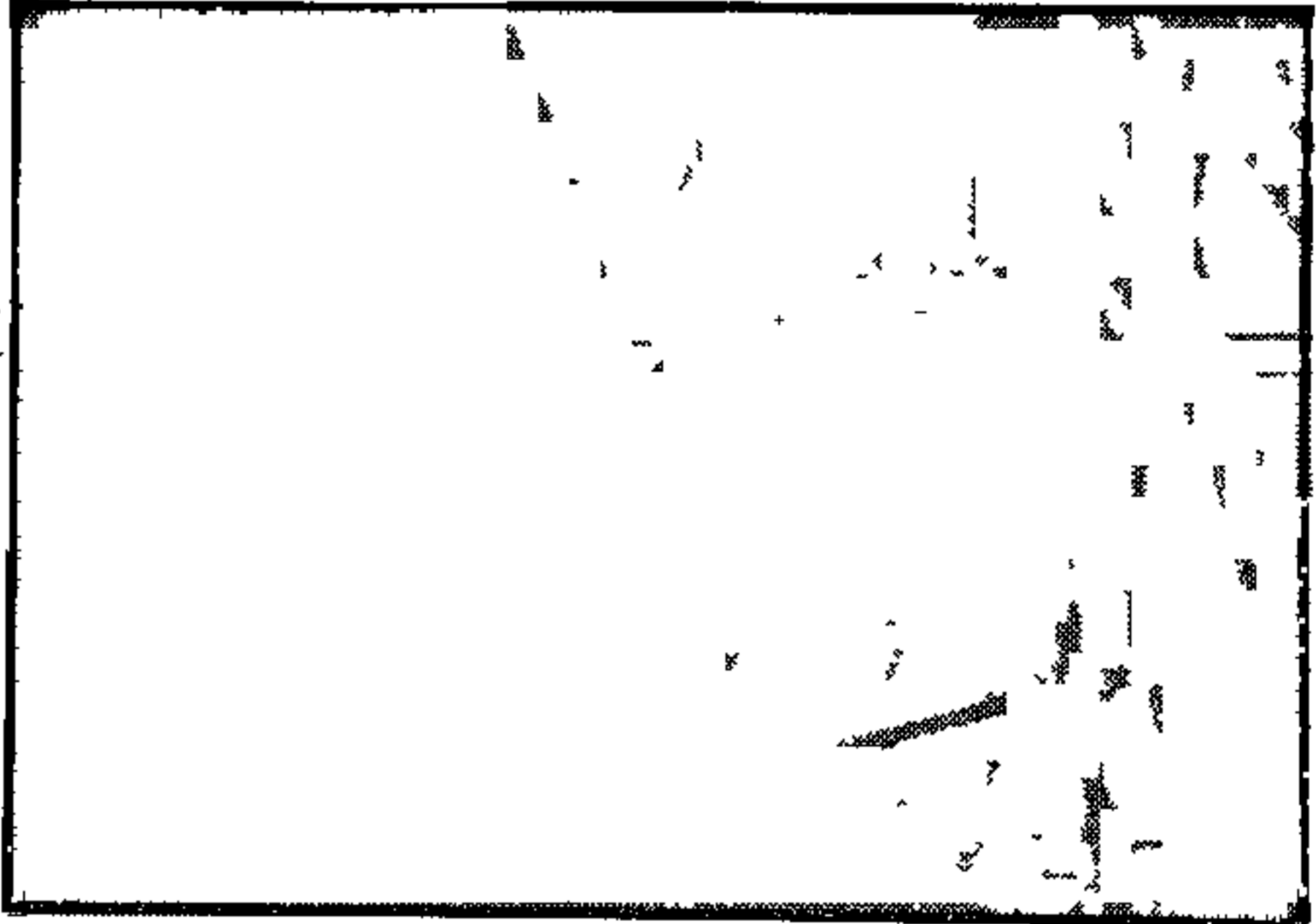
There is no doubt, however, that Correctional Services were simply implementing a political decision prompted by the release of political prisoners. They were giving effect to a bid by the De Klerk government to show an even-handedness between political and common convicts.

Critics have difficulty, however, in swallowing the line that prisoners gained only a few months. "I know of cases where people served 20 percent of their jail terms," said Mr Tony Leon MP (DP Houghton).

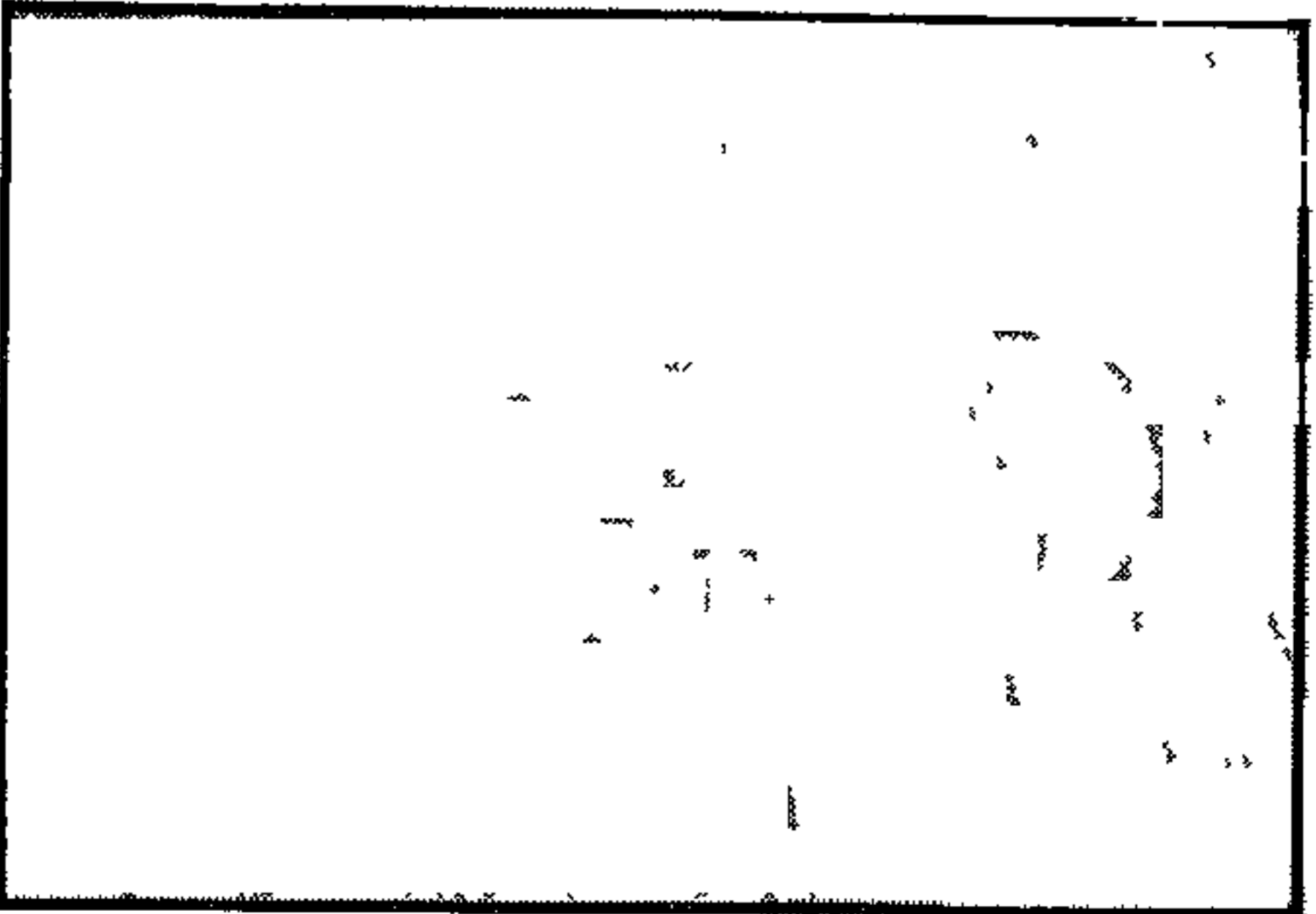
Certainly the startling episode of Stellenbosch farmer manager Rudolf Rix, 27, who struck a hat trick on three different government amnesties and served only six days for beating a labourer to death with a pick-axe handle, screams against the official assertion

"There is at present the perception in the world of crime," he said, "that the courts are hesitant to impose the death penalty or imprisonment. Where this is indeed imposed it is not carried out," he told reporters.

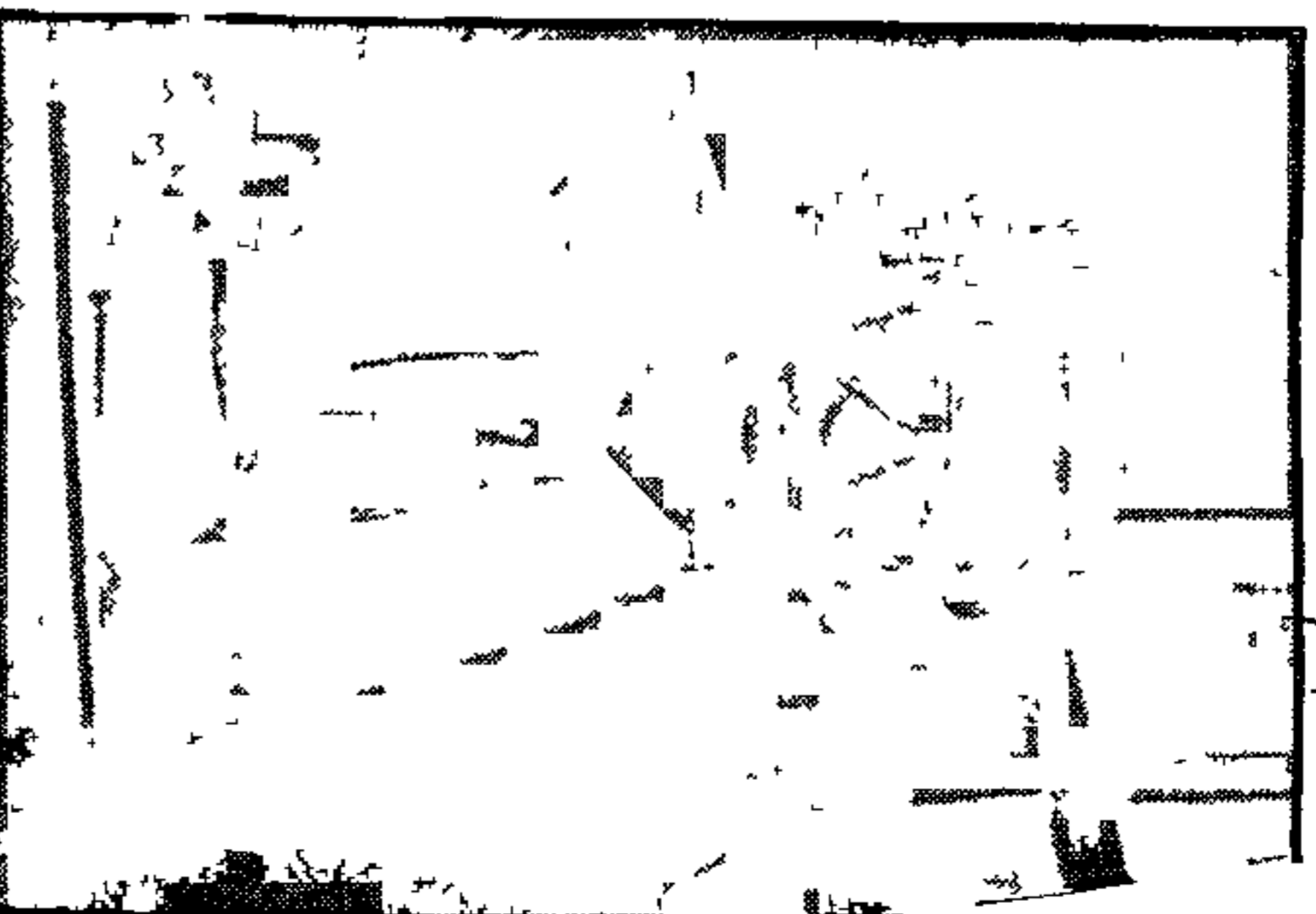
"Although this has not been determined scientifically, the police are of the opinion that this state of affairs plays an



**CRIME WAVE:** Retired police chief Major General Herman Stadler believes early release of prisoners contributes to the crime wave — and that bail is a problem for the police



**JUDGE SPEAKS:** Abdul Bhamjee — found guilty — but the judge says it is difficult to decide on a suitable sentence because the prison authorities might release him after two years



**COURTS HESITANT:** Police Commissioner Johan van der Merwe perceives in the world of crime that courts are hesitant to impose the death sentence or imprisonment

**MR Justice Strydom's predicament** this week in punishing megathief Abdul Bhamjee has reignited the debate on how South Africa should be dealing with its criminals. Deep frustration is evident among the three sections responsible for catching, dispatching and latching them.

Police are angry at prison authorities for freeing convicts early — recidivism is extremely high (about 80 percent), they argue, and convicts are being let out merely to perpetrate more wrongdoing. Judges are fuming at the warders too for reducing the penalties they mete out, eroding their authority and undermining their considered punishments.

But the courts do not escape indictment. Police have long been disgruntled at judges and magistrates granting bail to suspects who frequently commit crimes while awaiting trial.

And then prison authorities seem frustrated at their lot they have room for 83 000 charges. About 97 000 are behind bars, at least 85 percent of them repeat offenders.

So lock-ups are bursting, and growing fuller as roughly 10 000 jailbirds are routinely released each month and replaced by 11 000 fresh from the courts.

South Africa, in an era of a global crime surge, has the dubious distinction of the world's second highest prisoner rate — 357 people in 100 000, behind the United States with 425.

Overloaded prisons mean busting the budget as well — each prisoner costs R41,85 a day. Since there is no money to expand, prison facilities and wardens are stretched to cope.

Political sensitivities and a sense of being in the same boat of State prevention government departments from mauling each other publicly. It takes judges and politicians who are not bound by that unwritten code, to air the dispute.

"What purpose will it serve if I send the accused to jail for any considerable period of 10, 12 or 15 years, and after two years he is released by the prison authorities?" Mr Justice Strydom pondered aloud on the Bench on Monday.

"What must I do? Treble the sentence I think should be imposed? I cannot treble the sentence and I cannot impose a sentence that the prison authorities think fit."

Police are muted in their on-record remarks, but complain bitterly in private about the money and man-hours it takes to bring offenders to book, just to have them allowed back on the streets.

Retired 40-year police veteran Major-General Herman Stadler is reluctant to criticise, but believes early releases do contribute to the crime wave. He thinks also that ready bail is a bugbear. "It is a difficult situation and a definite problem for the police."

It was difficult for police always to gather the type of evidence courts needed to hear to keep suspects behind bars in the pre-trial phase.

What he was saying was that the most valuable details making suspicions and prosecutions legally watertight were often gleaned after arrests and the initial court appearances.

The closest the courts have come to a General Johan van der Merwe, Police Commissioner, speaking out last month on the death penalty.



# Advocates fan row on releasing of criminals

CT 13/2/97 (253)  
THE furious debate on the efficacy of the Correctional Services' early release programme for hardened criminals has been fanned by the country's advocates

The row was prompted by the Rand Supreme Court's Mr Justice M J Strydom, remarking during the Abdul Bhamjee fraud trial that imposing long-term sentences was futile if prisoners were released soon after their incarceration

The chairman of the General Council of the Bar of South Africa, advocate Mr Milton Seligson, SC, said yesterday it was wrong that judges, who were experts, should be second-guessed by administrative officials. The General Council is a national umbrella body of South African advocates

Mr Seligson accused prison authorities of "the unconditional release of criminals back into society long before they should, for extraneous reasons"

Correctional Services Minister Mr Adriaan Vlok on Tuesday defended the release programme, saying the per capita rate of prison sentences in South Africa was one of the highest in the world. The judicial system was often to blame, he said

Further serious implications of the release programme, he said, were an adverse effect on the police and the public's loss of faith in the system of law and order

A spokesman for Law and Order Minister Mr Hernus Kriel yesterday said the minister would not comment on another department's policies

The row was taken a step further by the Financial Mail magazine this morning, Sapa reports

The spate of leniency towards criminals prompted the weekly business magazine to ask if the government was trying to make the country ungovernable for the ANC

Search on for

# Prisoners: British report sets out case for general amnesty

South 13/2 - 19/2/92

(253)

ON THE second anniversary of the release of ANC president Mr Nelson Mandela, three out of four political prisoners are still behind bars.

This is claimed in a report by the London-based organisation, South Africa the Imprisoned Society (Satis), to the Council of Ministers of the European Community (EC). The report sets out the case for the EC to take new initiatives to secure a general amnesty for all political prisoners.

Mandela's release on February 11, 1990, raised hopes that all other prisoners would be released within a year.

Yet, a year after the ANC/government negotiated cut-off date for the release of prisoners, some are still languishing in jails.

"Thirteen political activists on death row, those who have had their appeals refused, face imminent execution," the report said.

"A large number of ex-death row political prisoners remain imprisoned and releases have taken place on an arbitrary basis.

"In many cases, a group of prisoners who were convicted for the same offence has been released yet others remain in custody.

"This amounts to cruel and inhuman treatment and places enormous psychological stress on the prisoners."

The report has also been issued to political groups in the European Parliament due to discuss South Africa this week.

# Spare the rod and spoil the thief

**M**R JUSTICE Strydom's predicament in deciding on an appropriate punishment for three

Abdul Bhanjee has reignited the debate on how South Africa should be dealing with its criminals

Deep frustration is evident among the three sectors responsible for catching, dispatching and latching them

Police are angry at prison authorities for freeing convicts early — recidivism is extremely high (about 80 percent), they argue, and convicts are being released only to perpetrate more wrongdoing

Judges are also fuming at the wardens for reducing the penalties they mete out, eroding their authority and undermining their considered punishments

But the courts do not escape indictment: police have long been disgruntled with judges and magistrates who grant bail to suspects who frequently commit further crimes while awaiting trial

Prison authorities seem frustrated at their lot. They have room for 83 000 charges, about 97 000 are currently behind bars, at least 85 percent of whom are repeat offenders

So lock-ups are bursting, and growing fuller, as roughly 10 000 jailbirds are routinely released each month and replaced by 11 000 fresh from the courts

South Africa, in an era of a global crime surge, holds the dubious distinction of having the world's second highest prisoner ratio: 357 people per 100 000, behind the US with 425

Overloaded prisons mean bursting budgets as well — each prisoner costs R41,85, a day. Since there is no money to expand, prison facilities and wardens are stretched to cope

Political sensitivities and a sense of loyalty prevent Government departments from mauling each other publicly. It takes judges and politicians, who are not bound by that unwritten code, to air the dispute. "What purpose will it serve if I send the accused to jail for

**The police, prisons authorities and courts blame one another for the unsatisfactory position regarding released criminals, writes ALAN DUNN**

any considerable period of 10, 12 or 15 years, and after two years he is released by the prison authorities?" Mr Justice Strydom pondered aloud on the Bench on Monday.

"What must I do? Treble the sentence I think should be imposed? I cannot treble the sentence and I cannot impose a sentence that the prison authorities think fit."

Police are muted in their on-record remarks, but complain bitterly in private about the money and man hours it takes

to bring offenders to book, just to have them allowed back on the streets

Retired police veteran Major-General Herman Stadler is reluctant to criticise, but believes early releases do contribute to the crime wave. He also thinks ready bail is a big bear "It is a difficult situation and a definite problem for the police."

It was difficult for police to always gather the type of evidence courts needed to hear to keep suspects behind bars in the

pre-trial phase. The most valuable details were often gleaned after arrests and the initial court appearances, he said.

The closest the courts have come to receiving a public blast from the police occurred when General Johan van der Merwe, the Police Commissioner, spoke out last month on the death penalty.

"There is at present the perception in the world of crime," he said, "that the courts are hesitant to impose the death penalty or imprisonment."

"Where this is indeed imposed, it is not carried out," he told reporters.

"Although this has not been determined scientifically, the

SAP are of the opinion that this state of affairs plays an important role in the increase in crime."

He said police believed senseless cold-blooded killings and the reckless manner in which armed robberies occurred had much to do with this.

On last year's early releases where at least 50 000 convicts benefited, top prisons officials point out that the convicts were in any case only months away from freedom in the normal course of events.

There is no doubt, however, that Correctional Services was simply implementing a political decision prompted by the release of political prisoners.

They were giving effect to a bid by the Government to show an even handedness between political and common convicts.

Critics have difficulty, however, in swallowing the line that prisoners gained only a few months. "I know of cases where people served 20 percent of their jail terms," said Tony Leon, the Democratic Party MP for Houghton.

Certainly the startling episode of Stellenbosch farm manager Rudolf Rux (27), who achieved a hat-trick of three different Government amnesties and served only six days for beating a labourer to death with a pick-axe handle, screams against the official assertion □





# Political prisoner is 'desperate for freedom'

South 13/2-19/2/92

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By Thoraya Pandey

THE LAST political prisoner in Cape Town, Mr Johnson Lubisi, is reportedly depressed and desperate to be released.

"It is very unfair of the government to imprison me in a mental institution when my release is long overdue," a disheartened Lubisi, 40, told a friend who visited him at Valkenberg Hospital on Tuesday.

Lubisi, a former death row prisoner, said he telephoned the ANC national and regional offices because he was "depressed and desperate" to be released from the institution.

"Lubisi spoke to Mr Oliver Tambo's secretary and Mr Willie Hofmeyer about his release and was told all efforts were being made to secure his freedom," said the friend, who does not want to be identified.

## Insane

"He is plunging deeper into depression because he is kept with criminally insane patients."

The law does not make provision for privileges for political prisoners if they are committed to mental institutions — they are held under the same conditions as the criminally insane.

"Lubisi was moved to a ward accommodating about 20 others and says he cannot communicate with them because he just cannot relate to them," his friend said.

"He feels degraded being held as a criminal when he clearly is a political prisoner."

Lubisi joined the ANC and the South African Congress of Trade Unions (Sactu) in 1976 and worked underground, recruiting members for both organisations.

He was actively involved in the 1976 uprisings and was forced into exile in January 1977 because of police harassment.

He received military and political training in ANC camps in Africa and was sent abroad for a brief period to undergo further training.

In 1978 Lubisi infiltrated South Africa, moving in and out until his arrest in 1980 when he and two others received the death penalty for bombing a police station.

The three were found guilty of high treason, terrorism, attempted murder, and recruiting for and membership of an illegal organisation.

After two years on death row his sentence was commuted to life imprisonment and in 1982 the three were taken to Robben Island to begin their prison term.

In 1983 he was given a further sentence of 15 years concurrent with his life sentence for armed robbery.

Lubisi was admitted to Valkenberg Hospital in December 1990 for observation and has remained there since.

Convinced he is ready to tackle civilian life, Lubisi said he would continue receiving psychological treatment on his release but could not progress under his present conditions.

ANC regional spokesperson Mr Willie Hofmeyer said the organisation was doing everything possible to get Lubisi indemnified.

"We are demanding he be granted indemnity and be freed as a prisoner but the decision to release him from the institution as a patient does not lie with us," Hofmeyer said.

"I cannot understand why the government is dragging its feet on this issue but I am hopeful this matter will be resolved."

A spokesperson for the Department of Correctional Services, Lieutenant Bert Slabbert, said indemnity was granted to Lubisi.

"He is not in prison but a patient of the institution and the decision to decertify him, in order for him to be released, lies with the relevant authorities."

# 4 killer cops free after 3 years

CT 15/2/92  
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By BARRY STREEK

FOUR policemen, sentenced to death in 1988 for murdering suspects, served just over three years in jail, the Minister of Correctional Services, Mr Adriaan Vlok, disclosed yesterday.

Their death sentences were commuted in November 1988 by former president Mr P W Botha, but they were all released on parole last year subject to specific conditions, Mr Vlok said in reply to a question, tabled in Parliament by Mr David Dalling (DP Sandton).

Two of the policemen, Warrant Officer Leon de Villiers and Constable David Goosen were convicted of murdering a suspect, Mr Lungise Stuurman, on the banks of the Fish River near Cradock after they had assaulted him.

They were released on parole in on July 4 last year, after three years, one month and nine days in prison.

The other two policemen, ex-Captain Jack le Grange of the East Rand Murder and Robbery squad and ex-Sergeant Robert van der Merwe of the Brixton Murder and Robbery squad, were sentenced to death on March 31, 1988, for the murder of suspected drug traffickers.

## Unexpired portion

They both received double death sentences, but Le Grange's was commuted to 25 years imprisonment on both counts and Van der Merwe's to 15 years imprisonment on both counts.

Le Grange was released on July 5 last year after spending three years, three months and five days in prison after special remission was granted in terms of the Correctional Services Act.

Van der Merwe was released after spending three years, three months and four days in prison.

Mr Vlok said in regard to all four men that should they not comply with any of the conditions of their releases, they could be arrested in terms of the Correctional Services Act to serve the unexpired portion of their parole period in prison.

He also said that none of the four men had had previous convictions.



# Move on political prisoners

By EDYTH BULBRING  
Political Reporter

A CODESA working group meets tomorrow to consider an ANC demand that CODESA be allowed to decide the fate of the country's remaining political prisoners after the breakdown of government-ANC talks on the issue.

The demand was made this week at a meeting of the CODESA working group responsible for creating a climate conducive to free political participation.

The government did not respond to the proposal immediately because Minister of Justice Kobre Coetsee was absent, but it is expected to make a decision tomorrow when the working group meets again. Should it agree to the demand, CODESA will obtain its first executive function. To date the government has insisted that all political prisoners who qualified for release in terms of the agreement between it and the ANC are out of jail. The ANC and its alliance partners insist that there are still more than 200 behind bars.

## Control

The working group has also appointed a sub-committee to look into the control of the state media. According to members of the committee, there was a need for political neutrality and impartiality in the state media.

There was consensus that the SABC should have an independent board of control which would appoint its own management board during the period of transition.

The delegates will submit proposals as to how this interim mechanism should be constituted.

While agreeing that the SABC should have an independent board, the Ciskei government delegation demanded that it should be allowed to maintain control of its radio station.

The vast majority of other participants argued that public media in the TVBC states should also come under control of the independent authority.

The working group has identified seven problem areas which is to decide on principles for a new constitution. The most important four are: the balance between central, regional and local government; power sharing; affirmative action; and economic freedom and government intervention.



# Security staff were switched to clerical duties due to budget cuts

*S/Times 16/2/92*  
**DOCTORS** at a mental hospital predicted over a year ago, when security staff were moved into clerical posts because of budget cuts, that maximum security prisoners would attempt to escape.

Now, as police comb through the Western Cape for eight dangerous, mentally-ill prisoners who are on the run, the doctors have the grim satisfaction of knowing they were right.

By EVELYN HOLTZHAUSEN

The eight were among 34 patients held in a maximum security building at the Valkenberg Hospital in Pinelands, Cape Town, who broke out of the hospital on Thursday afternoon.

Ten escapees were caught by "pure chance" by two policemen driving past the hospital

A police spokesman said: "They saw the men pouring over the wall, some in their blue hospital pyjamas and others in their underwear, and arrested them without too much trouble."

Afterwards, one of the escapees, still in hospital pyjamas, tried to attack commuters on a Cape suburban train before he was arrested. One was re-arrested in Paarl after boarding a train, another was arrested in Philippi and two in Manenberg.

Police suspect one patient is trying to make his way to Kimberley, while another is probably heading for Citrusdal in the Western Cape. Escapee Johannes Simon, 40, was caught "hungry and tired" in Steenberg near Cape Town early yesterday.

Late yesterday two others, Simon Mthlaping, 26, and Spho Dlamini, 27, returned to Valkenberg Hospital.

## Scary

Yesterday, Valkenberg trainee psychiatrists (registrars) said they were not surprised by the escape

One said. "We take our lives into our hands every time we go into the maximum security wing. It's very scary, especially since the security staff were given clerical jobs over a year ago"



**JOHNNY SCHOLZ**  
Behind escapes?

Last October, Professor Brian Robertson, head of the Department of Psychiatry at the University of Cape Town and the doctor responsible for the treatment of patients at Valkenberg, threatened to close down the hospital unless funds were provided to replace registrars

He said domestic staff

were left in charge of wards at night and that registrars and nursing staff had been assaulted by patients

Early this year additional, but limited, funds were provided to replace registrars, but not for the employment of security staff

Said one intern: "Patient frustration caused by overcrowding, the lack of staff to administer proper care and red tape causing long, frustrating delays before patients can be released, have escalated tension at the hospital."

Thursday's escape was apparently led by long-term patient, Johnny Scholz, 28, who has been described as extremely dangerous.

He overpowered a medical orderly who was dispensing medicines

Professor Robertson warned that the patients were dangerous. He could not predict how they would react once their daily medication, an anti-psychotic drug, wears off

A team of Cape Provincial administration heads, officers from the Department of Correctional Services and clinical psychiatrists have met to discuss the escape

Valkenberg Hospital Medical superintendent Dr Geoffrey Garrett confirmed that doctors at the hospital had been "scared" to go into the maximum security wing since the reassignment of security staff

"I am scared myself I never turn my back on a patient in there," he said. "Sometimes I ask a male nurse to accompany me"

One of the men on the run, Rashaad Solomon, 22, was spotted in Cape Town's Lavender Hill area early last night, according to a police spokesman

Apart from Solomon and Scholz, the men at large are Bernard du Plessis, 41, Rodney van Eeden, 29, Marius Scheffers, 30, Anthony Benjamin, 28, Martinus Swartz, 39, and Thomas Tietes, 24.

# We warned of an escape years ago, claim doctors

# SAP men are linked to jail escapes

Sunday Times Reporter 16/2/92

TWO men — believed to be members of the SAP — are prime suspects in the escape of two inmates from Johannesburg's Diepkloof prison.

The investigation — previously handled by the Brixton Murder and Robbery Squad — is now being conducted by the Sandton SAP. Last November, Constable NJ Oelofse, who was stationed at Brixton, was arrested in connection with the escape of 75 dangerous criminals from Diepkloof.

In the latest incident, awaiting-trial prisoner Godwin Webb and convicted armed robber and car hijacker Gavin Schultz were taken from Diepkloof two weeks ago by a man in police uniform.

Mr Webb — facing charges of a R30-million foreign exchange fraud — was handed over to two other men about 100m from the prison gates. He was interrogated, beaten up and dumped on a road three days later.

Schultz was a member of the Blue Light Gang, which shot Rand Merchant Bank chairman GT Ferreira and hijacked his BMW by pretending to be traffic officers. He was recaptured on Monday.



	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
Booyens	63	84	251	887	68	655	1 808	85	1 571	593	2 403	96	237	—
Brixton	22	5	75	339	18	120	735	26	823	226	1 017	25	61	—
Cleveland	47	—	101	181	32	349	575	36	622	185	1 221	37	54	—
Jeppe	111	26	332	477	66	777	846	17	990	279	1 761	154	169	—
John Vorster Plan	141	31	382	1 119	133	2 416	2 706	19	4 356	779	2 578	189	221	—
Langlaagte	24	11	122	244	27	249	233	6	486	199	417	115	75	—
Mondeor	27	60	78	255	39	305	520	36	538	186	1 159	37	38	—
Genl Coetzee	38	11	240	1 195	65	357	402	64	779	612	1 276	52	155	—
Parkstation	26	—	73	72	22	244	46	3	2 700	64	100	34	—	—
Fairland	5	2	26	78	5	40	161	43	239	50	370	30	12	—
Hillbrow	131	50	527	1 668	165	1 489	2 542	34	2 714	1 389	1 899	263	498	—
Lombardy East	10	10	27	81	9	198	179	19	324	134	687	14	5	—
Norwood	14	16	43	149	13	179	454	16	827	263	893	9	38	—
Parkview	11	6	38	149	15	128	461	43	404	3	1 053	45	331	—
Yeoville	8	6	33	188	15	135	535	18	392	345	731	25	27	—
Rosebank	—	4	23	78	4	105	245	18	356	123	293	35	24	—
Alexandra	364	29	731	523	207	552	229	—	324	399	366	137	10	—
Bramley	52	37	115	203	26	916	622	17	1 064	532	1 223	13	83	—
Halfway House	30	28	91	162	35	242	288	11	744	164	1 569	27	48	—
Randburg	24	37	161	398	58	267	684	53	1 207	492	2 582	72	78	—
Sandton	15	38	85	270	37	272	944	74	1 190	433	2 346	28	82	—
Linden	6	5	42	205	25	101	657	138	506	336	1 053	20	80	—

Number of prisoners

34 Mr D J DALLING asked the Minister of Correctional Services

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- (1) (a) How many prisoners can be accommodated in South African prisons at present, (b) what was the daily average prison population as at the latest specified date for which information is available and (c) how many unsentenced prisoners were in prison in the Republic on that date.
- (2) whether any prisons were over-populated in 1991, if so, (a) which prisons and (b) what was the average rate of over-population in each case?

B96E

THE MINISTER OF CORRECTIONAL SERVICES

- (1) (a) According to the norm mentioned below, 83 780 on 31 December 1991
- (b) The daily average for December 1991 was 96 540 (See Annexure A for analysis of sentences)
- (c) On 31 December 1991 there were 23 694 unsentenced prisoners in South African prisons

(2) Yes, in the sense that the norm was exceeded. However, it must be taken into account that a large percentage of the prisoners are normally not in physical detention during the day since they are as far as possible involved in work activities, training- and treatment programmes, recreation, etc. High standards of hygiene and health are nevertheless maintained. However, it cannot be excluded that the rising crime tendency and especially the increase in serious crimes and the accompanying stricter sentences taken together with the insistence by the community for stricter action against criminals, may lead to the deterioration of this situation

The occupancy level of prisons is however monitored continuously in order to determine needs and to take suitable action to deal with the problem. These actions include inter alia the following

— The extending of existing prisons/building of new prisons where necessary. This is naturally done in accordance with long-term planning and is cost-intensive

cont

— The transferring of prisoners to prisons with a lower occupancy level, in order to obtain a more evenly distributed population

— The granting of special remission of sentence (occasional) to sentenced prisoners in terms of section 69(1) of the Correctional Services Act, 1959 (Act 8 of 1959)

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— Continuous contact with other concerned parties in order to promote alternative sentence options

— The institution of correctional supervision as an alternative sentencing option was approved by Parliament last year and the pilot project was launched in the Pretoria and Wonderboom magisterial districts on 15 August 1991. All indications are that correctional supervision is a successful form of punishment, therefore, it has been decided to implement the system as soon as possible on a country-wide basis. It is expected that this new initiative will have a definite quelling effect on the growth in the prison population

(a) and (b) On 31 December 1991 the position was as follows

Prison	% over-populated
Allandale	67,7
(The erection of a new prison is included in the five year building programme of the Department of Public Works)	
Beaufort West	38,2
(The erection of a new prison is included in the major works services programme)	
Brandvlei Maximum	72,2
(The erection of a new prison at Kweekkraal is included in the major works services programme)	
Brandvlei Medium	72,3
Buffelsgrivier	4,9
(The modernisation of the prison with the erection of a section for unsentenced male prisoners has been included in the major works services programme)	
Caledon	57,7
(Modernisation of the prison has been com-	

pleted. The erection of a new section for 114 unsentenced prisoners is included in the major services programme)

Dwaarsrivier

(Modernisation has been included in the building programme)

George Male

(Modernisation of the prison is being planned)

Hawequa

(Modernisation has been included in the building programme)

Helderstroem Maximum

Helderstroem Medium

Kynsna

(A new prison was completed recently and will be commissioned shortly)

Ladismith (CP)

(Modernisation is in progress. Expected date of completion is March 1992)

Malmesbury

(Modernisation of the prison is being planned)

Mossel Bay

(Kynsna prison which will be opened shortly will alleviate this situation)

Obiqua

(Modernisation has been included in the building programme)

Oudshoorn

(Building works commenced in May 1991 and should be completed during September 1993)

Paarl

(A new prison which will be erected at Allandale will alleviate this situation)

Pollsmoor Medium A

Pollsmoor Medium B

Pollsmoor Maximum

(The new prison should be completed by the end of March 1992)

Riebeeck West

(Modernisation has been included in the building programme)

Robertson

Stellenbosch

(An envisaged new prison at Kraaifontein will alleviate this situation)

cont



Staart van Paardeberg (Modernisation has been included in the building programme )	38,5 <b>(253)</b>	Goedemoed Medium B	10,9
Swellendam	23,2	Graaff-Reinet (The erection of a new prison has been included in the building programme )	36,6
Unondale	67,4	Grahamstown (Extensions have been included in the building programme )	4,6
Victor Verster Maximum	77,2	Jansenville (Extensions, alterations and improvements have been included in the building programme )	5,7
Victor Verster Medium A	58,1	Port Elizabeth Somerset East (Funds have been allocated for modernisation in the 1992/1993 book year )	7,7 49,1
Victor Verster Medium B	68,2	St Albans Maximum (A new prison with accommodation for 610 prisoners has been included in the five year building programme of the Department of Public Works )	41,7
Victoria West	70,0	St Albans Medium B	25,2
Voorberg	37,0	Stutterheim	11,5
(The erection of a new prison has been included in the five year building programme of the Department of Public Works )		Apart from the new prisons and alterations to existing prisons as mentioned above, the erection of the following prisons appear on the Department of Correctional Services' major works services programme and the Department of Public Works' five year building programme	
Warmbokveld (Modernisation has been included in the building programme )	29,0	<i>Northern Cape</i>	
Worcester Female (The modernisation at the Worcester Male prison includes the Female prison )	30,7	Prison	<i>% over-populated</i>
Worcester Male (Modernisation is in progress )	48,2	Calvinia (Modernisation of the prison is being planned )	12,1
		Douglas (Modernisation is included in the building programme of the Department of Correctional Services )	18,0
		Kimberley	49,6
		Kuruman	16,7
		Springbok	12,3
		Van Rhynsdorp	67,6
		Apart from the new prisons and alterations to existing prisons as mentioned above, the erection of the following prisons has been included in the major works services programme	

A prison farm in the Warrenton area (Mayeng). A new prison at Vryburg (Civil works have already been completed )	<b>(253)</b>	PWV-area Prison	<i>% over-populated</i>
<i>Orange Free State</i> (excluding PWV area)		Bris	56,5
Bethlehem	4,7	Groenpunt Medium (Modernisation is in progress )	3,1
Bloemfontein (See the note at Grootvlei )	33,5	Johannesburg Medium A	23,5
Edenburg	68,2	Johannesburg Medium B	51,8
(On the modernisation programme of the Department of Correctional Services )		Krugerdsorp	20,3
Fauresmith	39,4	Leeuwkop Maximum (The extension of accommodation elsewhere in this region will also alleviate this situation )	73,8
(The erection of a new prison has been included in the major works services programme )		Leeuwkop Medium A	17,2
Ficksburg	72,7	Leeuwkop Medium C	4,7
(The erection of a new prison is included in the major works services programme )		Lospfontein	9,9
Frankfort	12,7	Modderbee (232 single cells are already under construction )	58,2
(Modernisation is included in the building programme of the Department of Correctional Services )		Nigel	27,0
Grootvlei Maximum	38,9	Pretoria Local	34,1
(The erection of a new prison has been included in the five year building programme of the Department of Public Works )		Pretoria Maximum	2,5
Grootvlei Medium (Modernisation of the prison is being planned Building will possibly commence during April 1992 )	34,0	(The erection of 100 additional single cells was completed recently and a further 23 single cells are under construction )	
Hartsmith	16,6	Vereeniging Male	10,7
(The erection of a new prison is included in the major works services programme )		(The modernisation is included in the building programme of the Department of Correctional Services )	
Ladybrand	21,4	Zonderwater Medium B	1,8
(The erection of a new prison is included in the major works services programme )		Apart from the new prisons and alterations to existing prisons as mentioned above, a new prison at Boksburg is already under construction	
Oendaalsrus Male	83,1	<i>Eastern Transvaal</i>	
(The extension of the prison is presently under consideration )		Prison	<i>% over-populated</i>
Parys	6,0	Barberton Medium A	50,4
(Modernisation is included in the building programme of the Department of Correctional Services )		Barberton Medium B	41,3
		Belfast	3,3
		(Modernisation of the prison has been included in the building programme of the Department of Correctional Services )	
		Carolina	10,0
		Lydenburg	12,3



Middelburg (TV)	71,0	Wolmaransstad	27,2
(The erection of a new prison at Witbank will also alleviate this situation )		(Modernisation is included in the building programme of the Department of Correctional Services )	
Piet Retief	25,3		
Witbank	6,8		
(The erection of a new prison has been included in the major works services programme )		Apart from the prisons mentioned above, the erection of new prisons at Lichtenburg and Zeerust are included in the major works services programme	
Apart from the new prisons and alterations to existing prisons as mentioned above, the erection of a new prison at Secunda is included in the major works services programme			
<i>Northern Transvaal</i>			
<i>Prison</i>	<i>% over-populated</i>	<i>Natal</i>	<i>% over-populated</i>
Bayaanspoort Maximum	42,5	Bergville	22,6
Bayaanspoort Medium	38,9	(Modernisation is included in the building programme of the Department of Correctional Services )	
(The erection of a new prison at Bayaanspoort has been included in the building programme Civil engineering works have been completed )		Bulwer	65,8
Louis Trichardt	48,8	(Modernisation is included in the building programme of the Department of Correctional Services )	
(Re-building of the prison will commence during the 1992/1993 book year )		Dundee	28,7
Nylstroom	42,2	Durban Medium B	12,9
Pietersburg	63,1	Empangeni	52,7
(The erection of a new prison has been included in the major works services programme )		(The erection of a new prison at Richards Bay which is being planned, will replace this prison )	
Tzaneen	53,7	Eshowe	23,6
(Possibility of a new prison is being investigated by the Regional Commissioner )		(The erection of a new prison has been included in the major works services programme )	
Apart from the new prisons and alterations to existing prisons as mentioned above, a prison farm at Alldays as well as the modernisation/extension of the existing prison at Louis Trichardt is included in the major works services programme			
<i>Western Transvaal</i>			
<i>Prison</i>	<i>% over-populated</i>	<i>Ixopo</i>	<i>% over-populated</i>
Christiana	9,7	(The erection of a new prison has been included in the major works services programme )	30,4
(Modernisation is included in the building programme of the Department of Correctional Services )		Kokstad	38,6
Klerksdorp	41,7	(The erection of a new prison has been included in the major works services programme )	
Potchefstroom	28,9	Maratele	45,9
Rustenburg	7,6	Melmoth	25,0
		Mtunzini	9,7

cont

Pietermaritzburg	43,2	2 years to 5 years	25 758
Port Shepstone	23,4	Longer than 5 years to 10 years	20 026
(The erection of a new prison has been included in the major works services programme )		Indeterminate sentences	4 081
Seventein	25,3	Longer than 10 years to 20 years	7 059
Stanger	13,9	Longer than 20 years and imprisonment for life	1 350
(Modernisation is included in the building programme of the Department of Correctional Services )		Unsentenced	23 694
Umtzinto	13,2	Others	326
(Civil engineering works for a new prison have been completed. Tenders for the erection of the prison will be requested during the 1992/93 book year if funds are available )		(Psychopaths, periodic, corporal punishment, persons sentenced to death)	
Utrecht	54,8		
Waterfal Medium A	30,0	TOTAL	96 908
Waterfal Medium B	18,2		
Apart from the new prisons and alterations to existing prisons as mentioned above, new prisons at Bergville, Estcourt, Greytown, Ixopo and Pongola are included in the major works services programme. Extensions, alterations and improvements at Nongoma prison is also being planned			

The Department of Correctional Services annually provides a priority list of identified building projects to the Department of Public Works with a view to incorporating them in the Department of Public Works' five year building programme according to which building work is programmed for a term of five (5) years

This programme is revised annually according to the availability of funds. The fact that a specific project appears on the major works services programme does not imply that it will be executed within five (5) years

The average rate of over-population in South African prisons on 31 December 1991 was 15,67% in comparison with 8,8% on 31 December 1990

ANNEXURE A

Analysis of the prison population as on 31 December 1991	1991-12-31
Sentenced	5 254
Up to and including 6 months	9 360
More than 6 months to under 2 years	

Pietermaritzburg: autopsies

40 Mr M A TARR asked the Minister of National Health

- (1) (a) How many persons are qualified to perform autopsies at the Pietermaritzburg medico-legal laboratory and mortuary and (b) what are their names,
- (2) how many autopsies on victims of political violence were performed by each of these qualified persons in 1990,
- (3) in how many such autopsies (a) was death attributed to (i) assault wounds and (ii) stabbing and (b) were no abnormalities found?

THE MINISTER OF NATIONAL HEALTH

- (1) (a) Two and (b) Dr R J Ingles and Dr DE Maney,
- (2) separate statistics with regard to victims of political violence are not kept by the Natal Provincial Administration,
- (3) falls away

National Health: budget

- 45 Mr M J ELLIS asked the Minister of National Health
- (1) What amount of her Department's Budget was spent by (a) her Department itself and (b) (i) local authorities and (ii) other agencies for the period 1 April 1990 to 31 March 1991,
  - (2) what are the estimated figures for the period 1 April 1991 to 31 March 1992?

cont

# Breakout shows all was not well at Valkenberg

STAR 17/2/92

253

**B**EFORE 1890, mentally ill patients, then termed lunatics, were kept on Robben Island alongside lepers and political prisoners, where they remained out of sight and there was little chance of escape.

Conditions on the island were appalling and the erection of a hospital on the mainland was recommended. Valkenberg was established in Observatory in 1891, in the shadow of Devil's Peak, with the greenery of the suburbs creating a sylvan backdrop to what was then a "modern" institution.

But things do change, and almost 10 years ago the medical superintendent, Dr G M Garrett, said the old idea of a mental hospital — to crowd mentally ill patients together in big wards — had given way to the philosophy of treatment in a more home-like environment, in small wards with a village-like atmosphere.

Then, about two years ago, the hospital began to "rationalise" along nonracial lines and a spokesman for Valkenberg wrote that the hospital had become in a sense a "microcosm of the new unfolding South Africa".

But like the new cash-strapped South Africa, Valkenberg has also had to face smaller budgets with more mouths to feed and more disturbed souls to care for.

Since then there have been a number of reports that the institution, particularly the maximum security wing, had started sliding back to the dark Victorian age of Robben Island where overcrowding and lack of proper care were again evident.

Last year, the head of the Department of Psychiatry at UCT, Dr Brian Robertson, issued an ultimatum to the Cape Provincial Administration that unless more funds were made available to the hospital it would have to close.

He warned that the staff situation at the hospital was so bad that domestic workers were left in charge of wards at night.

He also pointed out that lack of care was leading to an in-

In the light of last week's escape by 34 patients who are criminally insane, GRAHAM LIZAMORE takes a look at Valkenberg Psychiatric Hospital near Cape Town

crease in patient stress which was provoking an escalation in assaults on doctors, nurses and domestic staff.

Less than six months later, 34 criminally-insane patients broke out of the maximum security wing.

Within 48 hours 22 had been rearrested, but 10 potentially violent men have the communities that spawned and nurtured them in a stranglehold of fear.

As their powerful medication wears off, these criminally insane patients are hidden, lethal time-bombs in the back streets of Cape Town.

Police are scouring the streets and questioning friends and families in a desperate search to find the men before some innocent becomes the victim of a twisted, violent mind.

The mass breakout has at last forced the CPA to admit that they knew all along that all was not well at Valkenberg.

Dr G S Watermeyer, chief director of hospitals and health services, said in a statement:

"We want to stress that the Cape Provincial Administration has, for some time, been concerned about the fact that considerably more patients have had to be accommodated in this unit than provided for by the facilities.

"Although this maximum security unit only makes provision for 65 patients, the hospital has had to accommodate up to 120 patients (90 at present)."

While authorities sort out their priorities, there will be many who might be thinking that old-timers did know something after all, dangerous "lunatics" could not escape from Robben Island. □



HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Number of prisoners: older/younger than 18

48 Mr D J DALLING asked the Minister of Correctional Services *253*

How many prisoners who were (a) 18 years and older and (b) under the age of 18 years were serving sentences for (i) crimes against the security of the State and (ii) other crimes as at 31 December 1991 and the latest specified date for which information is available, respectively?

B98E

The MINISTER OF CORRECTIONAL SERVICES

31 December 1991 (the most recent date for which statistics are available)

(a)(i) and (b)(i)

In the past a category namely "Security prisoners" was distinguished in terms of the classification system for prisoners. These were prisoners who had committed crimes which were considered to be crimes aimed against the security of the State. Since the conclusion of the release of the so-called political prisoners in terms of the Pretoria Minute, no distinction is made any more and the information as requested by the hon member is unfortunately not available

(a)(ii) 72 801

(b)(ii) 413

Section 21 of the Correctional Services Act, 1959 (Act No 8 of 1959) states, inter alia, that any prison or any part of a prison may be used for the detention, treatment and training of juveniles. Existing prisons or parts thereof are therefore set apart where required for this purpose and sentenced juvenile prisoners are

Prison population: disabled persons *253*  
58 Mr A J LEON asked the Minister of Correctional Services

(1) (a) How many members of the current prison population are (i) physically, (ii) visually and/or (iii) auditorily disabled and (b) in respect of what date is this information furnished.

(2) whether any prisons make special provision for disabled persons, if not, why not, if so, (a) which prisons and (b) for what categories of disablement in each case?

B146E

The MINISTER OF CORRECTIONAL SERVICES

(1) (a)(i), (ii), (iii) and (b)

The information as requested by the Hon member is unfortunately not centrally

available. However, my Department is already undertaking an extensive country-wide survey in this regard and this may still take considerable time. After completion of the survey I will present the hon member with more detail.

(2) No. Structurally prisons do not cater specially for disabled persons. Most prison buildings are of such a nature that disabled prisoners can be acceptably accommodated. It is furthermore normal practice that disabled prisoners are treated with empathy and when possible, special arrangements are made to deal with individual cases according to specific needs. However, the survey mentioned may, with due consideration of financial realities, dictate future changes/adaptations

(a) and (b) Fall away

- The following basic guide-lines are followed
- The achievement of a certain level of education in order to facilitate adaptation into the community. In other words— acceptable norms and values must be acquired
- Education and training as the basis of the programme. Depending on the present level of education, intellectual capabilities of prisoners and the term of sentence it is endeavoured to achieve a specific level of education. The aim is to achieve at least a Std 4 qualification
- Meaningful utilisation of time which is aimed at positive orientation after release
- Maintenance of present social structures to counteract institutionalisation and so doing prevent recidivism, e.g. maintenance and strengthening of family ties
- The fulfilment of religious needs
- Healthy physical development through physical training and care

Should the need arise, the further centralised detention of sentenced juvenile prisoners will be considered at certain centres which are deemed suitable for this purpose

21 18 12 12  
**Robbers start  
hunger strike**

Staff Reporter

THREE convicted armed robbers went on hunger strike in Pollsmoor Prison at the weekend in protest against jail terms they received for their part in a botched R300 000 armed robbery in Atlantis.

Khaya Mntshila, 25, of Langa, Kingston Tempa, 21, and Tame Mbane, 18, of Guguletu, were sentenced to 12, 15, and 10 years respectively. They say the trial was unfair.

They were found guilty of hijacking a car and abducting two men on April 29 last year. (253)



## HOUSE OF DELEGATES

*Precedence given to interpellations and questions on general affairs on Wednesdays pursuant to the resolution adopted by the House on Tuesday, 4 February 1992*

## INTERPELLATION

The sign \* indicates a translation The sign †, used subsequently in the same interpellation, indicates the original language

*General Affairs*

## Release of prisoners: policy decision

Mr M RAJAB asked the Minister of Correctional Services

Whether his Department has taken any policy decision against the large-scale release of prisoners serving long terms of imprisonment for serious crimes, if not, why not, if so, what is this decision? 253

D14E INT

THE MINISTER OF CORRECTIONAL SERVICES Mr Chairman, my department has been severely criticised during the past few months because of the release of prisoners. Misconceptions have been created that we are indiscriminately releasing dangerous long-term prisoners on a large scale. This is, of course, not correct and the time has come to put matters in the correct perspective.

The facts to which I should like to draw the attention of hon members are the following. In the first place, the Department of Correctional Services has a well-proven and reliable release policy which was established over many years. Secondly, prisoners in South Africa are released *inter alia* according to internationally accepted penological and scientific standards and principles. Thirdly, our release policy is also the product of the due consideration and sound advice of the Advisory Release Board, a statutory body functioning under the chairmanship of a judge and also comprising various other experts in related fields. Fourthly, in the application of our release policy, we have always held the judiciary and the needs of society in the highest regard.

HOUSE OF DELEGATES

was, in fact, referring to was the wholesale and indiscriminate release of common-law prisoners who have been convicted of serious crimes unconnected with politics. According to various media reports these are said to total between 15 000 and 50 000. I myself am not sure of the figures involved and have placed questions to the hon the Minister on the Question Paper in this regard. Perhaps the hon the Minister could tell us this afternoon precisely what those figures are, because the media have banded about figures ranging from 15 000 to 50 000. 253

I should like to assure the hon the Minister that I fully support a prisons policy which is enlightened and which seeks to rehabilitate prisoners and to reintegrate them into society. However, that is the subject of another debate which we can conduct at another time when concepts such as compassion, cost savings and rationality can be debated with the hon the Minister.

The subject of this debate is the criminal gangster whose violent crimes have become his living and to whom innocent members of society have fallen prey. I have no doubt that in view of the tremendous increase of this phenomenon in our society, of which the hon the Minister is aware, our society has in some respects begun to resemble a jungle. The question, therefore, is whether it is not utter foolishness to deliberately release more predators into that jungle. I want to tell the hon the Minister, if he is not already aware of this, that this policy is causing considerable public concern as well as tremendous frustration on the part of the country's law enforcers, that is the Police Force and members of the judiciary. When eminent jurors like Mr Justice Diddcott and the Judge President of the Cape, Judge President Friedman, voice their concern, is it not time to sit back and take note?

It would appear from media reports that the police are quite rightly angry at the fact that among those persons who were released last year were criminals who have since been involved in cold-blooded killings and rapes and who are responsible for the surging crime wave in the country at the present time. There is bitterness within the overstrained and underpaid Police Force at the fact that offenders who have been caught as a result of many long and arduous man-hours of work are soon back on the streets. [Time expired]

THE LEADER OF THE OFFICIAL OPPOSITION Mr Chairman, I take note of the fact that the hon the Minister has indicated that his particular department has not deviated from the policy that was applied by the Department of Correctional Services from time to time, especially since it has long-established norms and procedures that have been tried and tested. Particularly significant is the fact that the release policy conforms to internationally accepted standards.

My colleague the hon member for Springfield has indicated very adequately that we are living in different times, times in which the country is concerned about violence, not only of a political nature but in terms of which criminal elements appear to be gaining ground. I think this particular situation has forced important people in our country, especially senior members of our judiciary, to comment on this. I believe that the judges who have made these comments have certain facts at their disposal which cause them to express that concern.

The hon the Minister referred to the decisions and the advice of the Advisory Release Board. I want to submit certain proposals to the hon the Minister. Does the hon the Minister not think the time is ripe to re-examine the composition of the Advisory Release Board? Since we have tried and tested procedures and accepted policy at our disposal—particularly since most of the concern expressed has come from members of the judiciary—the hon the Minister should approach his colleague, the hon the Minister of Justice and of the National Intelligence Service to refer this matter to the South African Law Commission so that it can comment on the comments made by judges in this country. [Time expired]

THE MINISTER OF CORRECTIONAL SERVICES Mr Chairman, I thank the hon the Leader of the Official Opposition for his suggestion. I would like to point out to him that with effect from 1 April this year I intend to appoint a new board in terms of the present legislation which was accepted last year. This board will be called the National Advisory Board and the composition of this board will be different to what we have at the moment. I would, however, like to point out that the members of the present board are doing excellent work. As far as I am concerned, if they are prepared to, they will serve on this still to be constituted body. I have *Continued*

HOUSE OF DELEGATES



noted the hon the Leader of the Official Opposition's suggestion, but this will be the case after 1 April of this year

The hon member for Springfield said that we should not sit back and that we should take note of what is happening That is exactly what we did and that is why I announced on 27 January that I had referred the release policy of my department *in toto* to the present Advisory Release Board They will submit a report to me and then we will decide on what to do in this regard I will make a further announcement on this matter as soon as possible

I would also like to point out to the hon member that we do not simply release a prisoner without taking many factors into account I would like to point out some of the factors taken into account before a prisoner is considered for release Recommendations for parole are not made lightly by the Central Release Board at headquarters Cases are considered carefully and on an individual basis Factors taken into account are the following the nature and seriousness of the crime, the age of the victims, the age of the offender, previous convictions, in other words his crime history, the interests of the prisoner and his family, the interests of the community, the sentence imposed, the prisoner's prognosis, his adaptation in prison, his successful re-integration into society and other factors [Time expired]

Mr M F CASSIM Mr Chairman, the hon the Minister is in a very difficult position Newspapers have indicated that the department he controlled previously put people in prison, but now that he is in this new position he is letting those very people out

The hon the Minister cannot be doing this for the obvious fun as there are difficulties indeed The difficulty arises out of the fact that we are taking the symptom as being the problem The fact that so many prisoners are being released is of necessity a fact and that is happening on account of the pressures that have been exerted on our prisons which are overflowing Our prisons are overflowing and yet, as the hon member for Springfield pointed out, we are living in a jungle If we were to take the entire jungle and put it in the prisons, then I contend we would have to turn the whole of South Africa into a huge prison and in that way protect society We cannot do that

find alternative measures to solve the problem, but it is a very complex problem and will not be solved overnight We need the support of the community, we need the support of all the role-players—the courts, the police, other people in the community, and hon members inside this House can also help us in this regard

The hon member for Springfield referred to the question of parole, and I would like to give some figures in this regard merely to prove to him that the result of releasing people on parole is not that bad after all During 1990 we released 53 748 prisoners on parole Of these 53 748 prisoners, 9 005 either did not adhere to the parole conditions, committed further crimes or were wanted in connection with certain crimes Here the percentages for those released on parole were 16,75% unsuccessful and 83,25% successful They would have remained in prison if we had not released them on parole In 1991 a total of 47 349 prisoners were released on parole, and 5 608 prisoners either did not adhere to the parole conditions, committed further crimes or were wanted in connection with certain other crimes The percentages here were 11,84% unsuccessful and 88,16% successful In other words, I think it is a good figure, and I want to assure hon members that we regard the problem in an extremely serious light and are doing our utmost, with the assistance of experts in this field, to find the best solution to this very complex problem [Time expired]

Mr M RAJAB Mr Chairman, I want to thank the hon the Minister for assuring us that he will not be taking this matter lightly I would like to take this opportunity to recommend to the hon the Minister that he try to look at ways and means whereby, when full parole is granted or long-term prisoners are in fact released, the judicial officer involved in the original sentence could in some way also be consulted before the release is made Perhaps that could, in fact, solve some of the problems

I also want to tell the hon Minister that we have great empathy for the fact that prisons under his control are overflowing at the present time and that money is scarce and hard to come by I want to tell him that we will support all of his efforts in that regard But I want to tell him very clearly on behalf of hon members in this House that we cannot support a situation which undermines the very fabric of society, a situation in which the ordinary citizen of the land is afraid because the pillars of law, order and justice seem to have begun to erode One only has to listen to the comments being made by eminent judges to have cause for concern [Time expired]

The MINISTER OF CORRECTIONAL SERVICES Mr Chairman, I would like to thank the hon member for Springfield for bringing this matter up in the House this afternoon, because I would like to assure hon members that we are regarding this problem in an extremely serious light This is why I am here and why I am prepared to discuss it openly and to put my problems before hon members, because what we need is a concerted effort to try to solve the problem Therefore I would also like to thank the hon member Mr M F Cassim for his suggestion This is exactly what we are doing to try to

ducted or was it conducted and (b) what is the name of the patient in question,

(2) whether the investigation is being or was conducted in public, if not, why not,

(3) whether the results of the investigation will be made public, if not, why not? D13E

THE DEPUTY MINISTER OF NATIONAL HEALTH

(1) Yes, (a) officials of the Health Services Branch of the Provincial Administration of Natal and (b) Mr Vincent van Schalkwyk,

(2) no, this is an internal matter which is being investigated by the Provincial Administration of Natal,

(3) a final report is being prepared for submission to the Deputy Director-General of the Health Services Branch of the Provincial Administration of Natal The matter will then be assessed and a decision will only then be made whether any detail will be released

THE LEADER OF THE OFFICIAL OPPOSITION Mr Chairman, arising out of the hon the Deputy Minister's reply, in the light of the seriousness of the allegation, will his Department consider having such an investigation conducted in public?

THE DEPUTY MINISTER OF NATIONAL HEALTH Mr Chairman, as I have pointed out, a final report is being prepared and depending on the outcome of the report, an assessment will be made as to whether it is in the public interest to make its contents public

Mr M RAJAB Mr Chairman, further arising out of the hon the Deputy Minister's reply, will he not concede that, in view of the wide media coverage that this matter has attracted, it will in fact be in the public interest to have the matter cleared up in public or, if certain regulations prohibit that, at least to release that report to the press?

THE DEPUTY MINISTER Mr Chairman, it is not for me to tell the hon member at this stage whether it will be in the public interest, but as I have indicated, this matter is being investigated We regard it in a very serious light When this report has been completed, a decision will be made



- \* Mes-aksie
- \* Save the Children Fund
- \* Kupugani

Natal

- \* Kupugani
- \* Feed the Babies Fund

Eastern Cape

- \* South African Ministers Unity Independent Churches Association
- \* Port Elizabeth, Uitenhage and District School Feeding Fund
- \* Valley Welfare
- \* Port Alfred Psychiatric Work Group
- \* East London Psychiatric Work Group
- \* Grahamstown Blind Workers Self Help Group

Northern Transvaal

- \* Hluvalani
- \* Kerlike Aksie Noodhulp
- \* Living Waters Development Foundation

National Councils

- \* SA National Council for the Aged
- \* SA National Council for Child and Family Care and

(c) 13 February 1992

**Disability pensioners: date of pension**

\*26 Mr B B GOODALL asked the Minister of National Health

- (1) Whether the date or dates on which disability pensioners of all race groups receive their pension have been changed, if so, why,
- (2) whether the pensioners concerned were given any notice of this change, if not, why not, if so, what notice?

B213E

**The MINISTER OF NATIONAL HEALTH**

- (1) Dates of payment of social allowances are determined annually and it is possible that the dates of payment may not be the same each year
- The dates of payment of black people in Natal will be changed again as from 1 April 1992 due to a new payment system,

- (2) yes, pensioners are informed in writing of the dates of payment Black people are

HOUSE OF ASSEMBLY

also informed verbally at the different points of payment

**Prisoners transferred to mental institutions**

\*27 Mr D J DALLING asked the Minister of Correctional Services

How many sentenced prisoners were transferred to mental institutions in 1991?

B214E

**The MINISTER OF CORRECTIONAL SERVICES**

Thirty-one (31) This figure includes one (1) prisoner who was admitted to a hospital prison for psychopaths in terms of section 30 of the Mental Health Act, 1973 (Act No 18 of 1973) as amended

**St Lucia: conservation of wetlands**

\*28 Mr R F HASWELL asked the Minister of Environment Affairs

- (1) Whether he intends tabling, during the current session of Parliament, legislation on the conservation of wetlands for the specific purpose of preventing mining at St Lucia, if not, why not,
- (2) whether he will make a statement on the matter?

B215E

**The MINISTER OF ENVIRONMENT AFFAIRS**

- (1) No, it is not considered necessary and appropriate to table an Act specifically to prevent mining at St Lucia Adequate legislation already exists and therefore this matter will be dealt with on merit in terms of the existing applicable legislation and conventions
- (2) No

**Boxing and Wrestling Control Act.**

representations

\*29 Mr R F HASWELL asked the Minister of National Education

- (1) Whether he recently received any representations in regard to amending the Boxing and Wrestling Control Act, No 39 of 1954, if so,

- (2) whether, in response to these representations, he intends tabling amendments to the said Act during the current session of Parliament, if not, why not, if so,
- (3) whether such amendments will be aimed at (a) making boxing safer and (b) making it possible for members of the South African National Boxing Control Board to be elected?

B216E

**The MINISTER OF NATIONAL EDUCATION**

- (1) Yes
- (2) No, negotiations are still in progress between the interested parties
- (3) (a) No This aspect has received detailed consideration in 1991
- (b) It will depend on the results of the negotiations that are in progress between the parties concerned

**INTERPELLATION**

The sign \* indicates a translation The sign †, used subsequently in the same interpellation, indicates the original language

**Own Affairs****Teachers: termination of services**

Mr R M BURROWS asked the Minister of Education and Culture

- Whether he intends to terminate the services of any teachers during the 1992-93 financial year as a result of the abolition of posts, if so, what are the relevant details?

B197E INT

**The MINISTER OF EDUCATION AND CULTURE** Mr Charman, the hon member for Pinetown would have taken note of the joint media statement issued on Monday by me and by the hon the Minister of National Education In this statement I announced a new education plan which would ensure that thousands of teaching posts were retained in the Department of Education and Culture, Administration House of Assembly, and give significant self-determination to communities I also indicated my intention to consult the advisory bodies of the department This will take place early next week

The hon member is aware of the fact that since the allocation to my department has been cut for the 1992-1993 year it will be necessary to terminate the services of teachers, since our personnel costs constitute 83% of our Budget The exact figures are not available at this stage, because this depends on certain variables, but there is a starting point

The new staffing provisions for schools will come into effect on 1 August 1992 and will result in approximately 4 000 teaching posts being abolished The uncertain factors, however, relate to the number of teachers who will avail themselves of the opportunity of early retirement, and also the number of schools which will convert to model C The more schools there are which retain the status quo, the more teachers would have to be retrenched I am, however, confident that the overwhelming majority of schools will appreciate the advantages of the model-C option and grasp the opportunity of achieving significant self-determination and of maintaining standards

It is significant that the Teachers' Federal Council has given its support to the proposed plan In a statement Mr Allan Powell, chairman of the TFC, said the following, amongst other things

The Teachers' Federal Council would have preferred to avoid these measures, but the realities are inescapable

The council is convinced that, under the circumstances, the best package has been obtained for teachers and for education in general Posts will only be abolished where absolutely necessary On account of the variables and uncertainties, it serves no purpose to speculate on the numbers involved However, I can assure the hon member that staff whose posts may have to be abolished will be sympathetically handled and that they will be entitled to benefits as stipulated in the various Acts applicable to their conditions of service This has been my department's policy in the past and will remain its policy in the future

Mr R M BURROWS Mr Charman, the hon the Minister said on TV the other night that I had to be patient He knows that I am not patient when it comes to the children of South Africa and what they should be getting from everybody

HOUSE OF ASSEMBLY



the necessary proclamations to implement the principles of paragraph 3.6.2 after consultation with the interested parties

In order to give effect to clause 3.6.4, the South African Police has undertaken extensive research bearing in mind the objects of the Dangerous Weapons Act, 1968 (Act No 71 of 1968), with particular reference to the powers of the Minister as provided for by sections 2(2) and 2(3) of the same Act

This research having been finalized, the South African Police decided that the most effective manner to honour the contents of the spirit of the National Peace Accord is the drafting of an explicit prohibition which will prohibit a person attending or participating in any political gathering in or on any public place from being in possession of any dangerous weapon or any firearm or a replica thereof

Of paramount importance is the definition of a political gathering which includes any political gathering, concourse or procession which has been organised, convened or held or otherwise brought about with the prime intention to discuss, attack, criticise, promote, or propagate the principles or policy of a political party or organisation, whether or not such party or organisation is registered in terms of any law. Excluded from the definition of a political gathering would be any traditional or cultural gathering or any ceremonial gathering

In order to evaluate the ambit of the prohibition, the attention is drawn to the proposed definition of a dangerous weapon which reads as follows

'dangerous weapon' means (a) any object which has been designed or manufactured with the object of inflicting a bodily injury, or

(b) any object which has not been designed or manufactured with the object of inflicting a bodily injury, but which may inflict a bodily injury if it were used to commit an assault, unless a person in possession of such

(2) whether the contents of this report will be published or made available in any other way, if not, why not, if so, what are the relevant particulars?

The MINISTER OF FINANCE B99E

(1) (a) No (b) The working group followed an operational approach. The results of its work were submitted to Cabinet in the form of memoranda on the basis of which various decisions were taken. These decisions were reflected in this year's Budget, notably the introduction of the food intervention scheme for which the Minister of National Health was made responsible

(2) It is not intended to make a public report available, for the reason mentioned in (1)(b)

Number of prisoners previously convicted \*16 Mr A J LEON asked the Minister of Correctional Services (253)

How many persons in South African prisons as at 31 December 1991 had been convicted of offences previously? B121E

The MINISTER OF CORRECTIONAL SERVICES

The precise information is not centrally available and can only be obtained by a costly and manpower intensive country-wide survey

However, a survey undertaken on 24 July 1991 shows that at that stage approximately 14,6% of the prison population were first offenders whilst approximately 85,4% were recidivists. Should this percentages be made applicable to the prison population of 31 December 1991, it means that of 73 214 sentenced prisoners, approximately 10 689 would have been first offenders whilst one or more previous convictions would have been recorded against approximately 62 525. The fact that a previous conviction is recorded against a person does not necessarily mean that he had served a sentence of imprisonment since sentences may include for instance the following: a warning and dismissal, corporal punishment, fines,

suspended sentences, postponed sentences, referral to a rehabilitation centre or reformatory, etc. My department is presently undertaking an investigation into the whole question of recidivism but due to the extent of this project it is unfortunately not possible to give an indication as to when it would be completed. I nevertheless undertake to furnish the hon member with more information after completion of the project (253)

Further allocations: targeted aid schemes \*17 Mr K M ANDREW asked the Minister of Finance (253)

Whether any further allocations were added to the R220 million originally budgeted for targeted aid schemes, if so, what are the amounts involved? B130E

The MINISTER OF FINANCE

None for the 1991/92 financial year

Interest on deposit made by tenant \*18 Mr B B GOODALL asked the Minister of Trade and Industry (253)

(1) Who receives the interest paid on the deposit made by a tenant dealt with in terms of the Estate Agents Act, No 112 of 1976, B131E

(2) whether it is the intention to amend the said Act in this regard, if so, (a) what amendments are contemplated and (b) when is it anticipated that the amending legislation will be submitted to Parliament? B131E

The MINISTER OF TRADE AND INDUSTRY

(1) Interest on moneys deposited in an estate agent's trust account must, in accordance with the Estate Agents Act, 1976 (Act No 112 of 1976), be paid by the estate agent to the Estate Agents Fidelity Fund. The Estate Agents Board, however, refunds a portion of the interest to the estate agent concerned in order to compensate him for costs incurred in this regard

(2) The matter is under consideration



With blacks and coloureds the preference for integrated education was much more evenly spread over the various age groups. The HSRC report further found that South Africans, in most instances, supported

—The advancement of a common South African citizenship,

—Uniformity in school financing for all four race groups,

—The introduction of free and compulsory basic (six years) education,

—Contact between pupils from different population groups on the sports fields as well as during cultural activities,

—The idea that parents should make a higher financial contribution towards their children's education

—The survey also found "just about" 70 per cent of the respondents of all four race groups believed separate schools would not last another 20 years

**Amnesty prisoners released/rearrested**

\*9 Mr P J GROENEWALD asked the Minister of Law and Order †

253

(a) How many prisoners who have been released since 1 January 1991 as a result of amnesty have since been rearrested for crimes and (b) in respect of what date is this information furnished?

B174E

**The MINISTER OF LAW AND ORDER**

(a) 21

(b) 1 November 1991 until 5 February 1992

Note

The South African Police has only kept such statistics as from 1 November 1991

**Sale of stockpiled crude oil**

\*10 Mr P J PAULLUS asked the Minister of Mineral and Energy Affairs †

Whether he will furnish information on the sale of stockpiled crude oil, if not, why not, if so, (a) on what date since the most recent Cabinet decision on the sale of strategic oil supplies was stockpiled crude oil sold for the first time, (b) to what agencies or countries

was it sold and (c) how much crude oil was sold to each?

B181E

**The MINISTER OF MINERAL AND ENERGY AFFAIRS**

Yes, within the limits of existing legislation

(a) 2 September 1991,

(b) local refineries and Madagascar, and

(c) the volume of crude oil sold cannot be disclosed, it can, however, be mentioned that less than two per cent of the volume has been sold to Madagascar

**Sale of oil supplies' utilisation of money**

\*11 Mr P J PAULLUS asked the Minister of State Expenditure †

(1) For what purposes is it intended to use the money obtained from the sale of stockpiled crude oil since the most recent Cabinet decision on the sale of strategic oil supplies,

(2) whether any money has been paid out in respect of projects, if not, why not, if so, (a) on what dates and (b) to whom were the first amounts in respect of such projects paid out?

B182E

**The MINISTER OF STATE EXPENDITURE**

(1) Divided into broad functional categories it is intended to apply the funds as follows

Health	Rm
Welfare services	84.2
Education	15.2
Infrastructure (rudimentary services)	138.1
Hostels	407.9
Community facilities	31.0
Special job creation programme	8.8
Sports facilities	20.0
Transport (roads)	16.9
Police (police stations)	204.2
Maintenance of government buildings	62.4
	18.7
	1 007.4

(2) On account of the substantial number of requests which have been received and

Continued

which had to be thoroughly evaluated in accordance with established norms, the allocation of funds to the relevant departments/administrations was only completed at a late stage in the financial year. Provisional estimates indicate that an amount of R264.5 million will be spent in the current financial year. The amount could prove to be less if specific projects do not progress as planned within the current financial year.

After the funds had been allocated to departments/administrations, further measures had to be adopted such as complying with tender procedures, the procurement of materials etc which means that all the projects cannot be completed during the current financial year. However, payments have already been made. The Cabinet has requested a report on a six-monthly basis and the first report will be submitted on 30 April 1992. Detailed information concerning the actual expenditure will subsequently be available.

**Travel Agents Board/travel agency discussions**

\*12 Mr P G SOAL asked the Minister for Administration and Tourism

(1) Whether he was involved recently in discussions between the Travel Agents Board and any travel agency which was experiencing financial difficulties, if so,

(2) whether, as a result of these discussions, an amount of approximately R500 000 was paid to the owners of a Greek pleasure vessel, the name of which has been furnished to the Minister's Department for the purpose of his reply, if so, (a) what was the nature of the (i) meetings held in this connection and (ii) discussions at these meetings and (b) what is the name of the vessel in question,

(3) whether he came to the conclusion that this amount of money was to be paid from the Travel Agents Fidelity Fund, if so, what brought him to this conclusion?

B191E

**The MINISTER FOR ADMINISTRATION AND TOURISM**

(1) Yes. The company in question was TFC Tours. The President of the Association

of Southern African Travel Agents (ASATA) was also present, as was the Chairman of the Travel Agents Board and the Executive Director of the SA Tourism Board. The meeting took place on 9 January 1992.

(2) An amount was not paid to the Greek shipowners in question as a result of this meeting. The possibility of a loan from the TAB was raised by TFC but the Chairman of the TAB indicated that this was not possible in terms of current legislation. This proposal was not pursued any further, and attention was given to other possible ways of preventing the collapse of TFC Tours with the attendant hardships it would create for the consumers concerned.

(3) The decision to pay monies to the Greek shipowners was taken at a later date by the Travel Agents Board, an autonomous body established under an Act of this Parliament. I was thereafter informed by its Chairman of the decision the Board had taken in order to avoid even greater losses for the Board and its fidelity fund. At no stage did I propose this course of action to the Board.

**Squatters: property at Bloubostrand**

\*13 Mr P H DE LA REY asked the Minister of Local Government and National Housing †

(1) (a) For what amount did the Transvaal Provincial Administration purchase the property at Bloubostrand intended for accommodating the squatters of Sevenfontein and elsewhere and (b) out of what fund was this money voted,

(2) whether the Government intends paying damages to persons who are allegedly going to suffer losses as a result of a decrease in the value of their properties because of the establishment of a squatter camp at Bloubostrand, if not, why not,

(3) whether any steps are contemplated to ensure the safety of residents and properties in the vicinity, if so, what steps?

B198E

Continued

# Another judge criticises prisons

Own Correspondent

**PORT ELIZABETH** — Another Supreme Court judge has criticised prison authorities for releasing prisoners before they have served their full jail terms.

Yesterday Mr Justice Ludorf sentenced a man in the Supreme Court here to an effective 18 years in jail for rape and robbery.

He said he was passing the sentence in such a manner that only the Appeal Court should be able to interfere with it, "free of any arbitrary interference by the prison authorities".

Mr Justice Ludorf added: "It is indeed a sad day when the courts in this country feel the need to motivate their sentences to convince organs of government or related authorities to obey the orders of the courts."

His criticism of early releases of prisoners follows similar criticism by the Judge President of the Cape, Mr Justice Gerald Friedman, and Mr Justice M J Strydom, who presided in the recent Abdul Bhanjee theft trial.

Mr Justice Ludorf sentenced Aaron Siphiso Mavimbela, 24, to a total of 33 years imprisonment, but because of a

court order, some of the sentences for housebreaking will run concurrently with his sentences for rape and robbery.

Mavimbela was sentenced to 12 years for breaking into a woman's house and raping and robbing her. He was sentenced to six years for housebreaking and robbing a 72-year-old woman.

Prosecutor Mr T Price said Mavimbela had been convicted of serious offences. All but two of the house-breaking cases were directed at dwellings belonging to women, and were generally directed at helpless victims. Two women were seriously assaulted.

ed in the sanctity of their own homes, and another could consider herself extremely fortunate not to have returned home five minutes earlier.

Referring to the rape charge, he said Mavimbela callously and without any degree of mercy raped the woman, who was 19 years old at the time.

"The effect of this abominable attack will live with the victim for the rest of her life", Mr Price told the court.

He said the attack on the 72-year-old woman had been "cowardly" as she could not possibly have constituted a danger to Mavimbela.

## 'Security prisoner' category scrapped

Political Staff

THE category of "political" or "security" prisoner had been scrapped and no distinction was made now between prisoners, the Minister of Correctional Services, Mr Adriaan Vlok, said in Parliament yesterday.

He also said that of the 73 214 prisoners serving sentences at the end of last year 413 were under the age of 18.

The category "security prisoner" had been used formerly to classify prisoners whose crimes were considered to be against the security of the state, he told Mr David Dalling (DP, Sandton).

"Since the conclusion of the release of the so-called political prisoners, in terms of the Pretoria Minute, no distinction is made anymore," he said.

CF 19/2/92

CF 19/2/92

(253)

(253)



# ANC consults jailed spy on a new SADF

DIETER Gerhardt — SA's most famous spy — has been consulted by the ANC on the SADF for Codesa negotiations.

An ANC source confirmed yesterday the organisation was consulting him in Pretoria Central prison on military matters.

"Gerhardt has an important role to play in the reconstruction and democratisation of the SADF in the new SA. He has a wealth of experience and knowledge."

Gerhardt, who is serving a life sentence for treason, is not a member of the ANC or SACP. But the SACP is demanding that Gerhardt, along with about 200 political

DIRK HARTFORD

prisoners, be released immediately and unconditionally. "Gerhardt was motivated by his anti-apartheid convictions and must be released," the SACP said.

But the SA Police magazine Servamus has said Gerhardt is not a political prisoner because his actions were a product of more than just "ideological differences". "He is an egotistical, work-orientated person who, for his own profit, stabbed his country in the back."

For the first time, Servamus — with

access to court records and the investigating officer — has described how Gerhardt operated. His trial was held in camera.

It has all the ingredients of a thriller: morse code messages, a memory code based on the words Kensington Gardens and calculated by a mathematical formula, paper which when treated chemically revealed a coded message, and a mini camera with special 13mm long film with 200 frames a film.

The film, for example, was half colour and half black and white. If the film landed

□ To Page 2

Spy <sup>18/2/92</sup>

in enemy hands it would be treated as colour film, which would destroy the black-and-white section where the information was recorded.

The story goes that Gerhardt, raised in a neo-Nazi atmosphere, turned to Marxism while still at school. After rising rapidly in the SA Navy he offered his services to the Soviets in 1956.

He operated alone, using dead letter boxes in Newlands and Fish Hoek, until

1968 when he married Ruth Johr. She then became his courier and regularly met Gerhardt's handler in Switzerland. Gerhardt himself went to the Soviet Union every two years for debriefing.

The Gerhardts were arrested in 1983 after a leak in the international espionage network was passed on to SA intelligence operatives. Ruth Gerhardt received a 10-year sentence, but was released after seven years and is now living abroad.

(253) □ From Page 1



# The role of a 'superspy' in Mandela's release

STAR 19/2/92

253

Dr Niel Barnard (below) reveals that the National Intelligence Service played a leading role in the release of ANC president Nelson Mandela and the unbanning of the African National Congress two years ago.

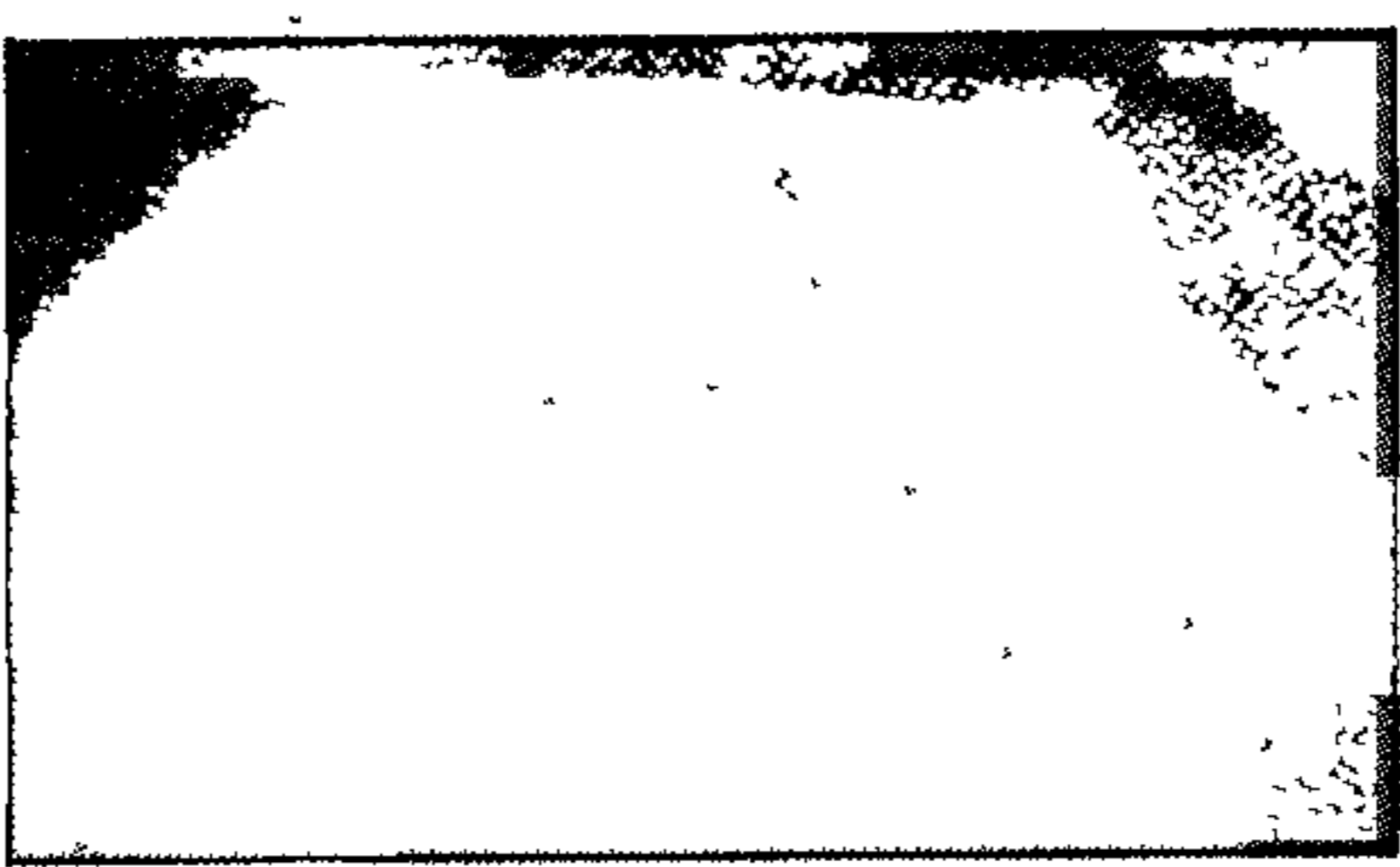
IN A revealing look behind the secret operations of the National Intelligence Service, its former chief, Dr Niel Barnard, has divulged that the NIS was the moving force behind the release of Nelson Mandela and the unbanning of the ANC.

For the first time he has made public that before Mr Mandela's release, the NIS arranged a top-secret meeting with ANC leaders in exile, securing their undertaking for talks with the Government which ultimately led to the Groote Schuur deliberations and Minute.

Dr Barnard made his disclosures to Alf Ries, political editor of Die Burger, the Afrikaans daily currently publishing a three-part series on the former "super spy" who now heads the Department of Constitutional Development.

In the second article published yesterday, Dr Barnard explains the apparent anomaly that while NIS was conducting secret talks with the exiled ANC, the service nevertheless voiced strong objections to academics, businessmen and opposition politicians doing so at Dakar and Lusaka.

"We were not against it and we never thought we could find answers to the country's problems without the ANC but we did not want to allow groups and governments from outside to act as facilitators to talks," he said.



Free... Nelson Mandela waves to well-wishers after his release from Victor Verster prison on February 11 1990.

"Our view was that, unlike Zimbabwe and Namibia, there should be no middlemen to bring us together. NIS took a strong stand over years that it should be the one to make contact with the ANC because the minute there is a middleman, he wants something out of it."

In the first part of the series Dr Barnard elaborated on what the former state president, P W Botha, recently referred to as the intelligence "mess" which confronted the young academic at the time of his appointment.

There was a war between the police-based security services and the NIS on the one hand and Military Intelligence on the other. The NIS, a successor to the infamous BOSS under Gen-

eral "Lang Hendrik" van den Berg, was in a shambles and under attack from Military Intelligence whose hawks saw the country's problems as rooted in the communist threat.

Dr Barnard had no doubt that in the first two years following his surprising appointment in October 1979 "there was a deliberate attempt to eradicate the NIS. The deep lying cause was the difference in interpretation between the NIS and particularly the SADF."

The problem was eventually solved by the creation of the Co-ordinating Intelligence Committee which sat weekly, later bi-weekly and now monthly.

"I can say without fear of contradiction that the intelli-

gence community in South Africa now works well and is one of the best in the world," he said.

Another interesting insight revealed by Dr Barnard was the NIS dilemma regarding the grey area between what constituted "the security of the state" and legitimate politics. An example was the covert visits between politicians and the banned ANC while it was still "enemy No 1".

The NIS dealings with the ANC problem itself is the most illuminating part of Dr Barnard's tale.

In view of the service's approach to the problem, "around 1978/88 we started to realise more strongly that we have to turn our attention to Mr Man-

del and other members of the Rivonia-group.

"The question was asked whether we could arrive at a political solution while these persons were still incarcerated. We were thus sanctioned by the Government to try to establish from Mr Mandela whether he was able to play a role in finding a political solution."

He and three other officials — the Commissioner of Prisons, General Willie Willemse, an NIS colleague, Mike Louw, and Fanie van der Merwe of Constitutional Development — were assigned to the task.

Starting in May 1988 they had numerous discussions with Mr Mandela at Pollsmoor and Victor Verster prisons.

"It was no political debate but an effort on the part of knowledgeable persons to establish 'how Mr Mandela's head worked'."

Three themes were constantly explored.

- Did he really want a peaceful solution?
- What was his ideological position?
- How did he see the political future of the country?

Mr Mandela's position on violence, repeated often, was that he did not believe the ANC had the military ability to "drive the Government into a corner."

His ideological position was certainly not communist although he credited the SACP with certain attractive elements and for its assistance to the ANC in the struggle.

His vision of the future South Africa was one of a unitary state based on one man, one vote. He acknowledged the need to cater constitutionally for the diversity of groups and their fears but rejected any notion of separate autonomous states.

Dr Barnard revealed that Mr Mandela repeatedly asked to see Mr Botha and that the latter "struggled with the question of whether to accede to the request or not."

Dr Barnard recalls that "my viewpoint was Mr Botha couldn't lose by seeing Mr Mandela. Should it fail, he could always say he had tried to reach an understanding. If it succeed-

ed, he would be honoured by history."

He described Mr Mandela's demeanour at the subsequent meeting as that of a "true gentleman."

Just as secretly as Mr Mandela was smuggled into Tuynhuys for that historic meeting, the NIS set about a plan to meet the ANC leaders in exile.

"On occasion we said to him (Mandela) that the discussion was now in progress and that there were other ANC men abroad with whom we would like to talk."

"He was suspicious and opposed to the idea. We argued the matter at length." Mr Mandela's view was that talks should not be conducted through two channels. He should be released first, then he would personally deal with it.

The NIS, however, decided to go ahead and the first talks were conducted "in a manner I cannot reveal here" and took place somewhere in Europe.

ANC leaders now involved with Codesa were present.

"Two more such secret meetings followed."

"For the NIS to meet the ANC in Europe was no easy matter," Dr Barnard recalls. "These were not chaps who could meet openly in some hotel. We knew that when we travelled abroad, we were being watched. The same applied to the ANC persons."

"We had to use quite interesting methods to evade observation by other intelligence services. The fact that we did it without alerting anyone to our business proves we were able to do it professionally."

The talks took place before Mr Mandela's release which was then just a matter of time.

"We made such progress at these talks that the Groote Schuur meeting was already projected. Our approach was that we had to keep the initiative and that we must tie in those in exile to the first talks even before Mr Mandela was released."

After the success of the Groote Schuur talks, the NIS melted into the background, Dr Barnard said — Sapa □



# Police, warders accused of aiding escape

Staff Reporters (253)

Two Norwood policemen and two Diepkloof Prison warders appeared in the Johannesburg Magistrate's Court yesterday in connection with the escape of two prisoners from Diepkloof Prison last month

Sergeant Lucas Cornelius Strydom (24), Constable Pieter Greybe (20) and brothers Marius (21) and Anton Nel (22), appeared on unspecified charges of assisting prisoners to escape

They were earlier arrested for allegedly helping to free convicted Blue Light gang member Gavin Schultz and another prisoner from the Diep-

STAR 20/2/92  
kloof Prison on January 30

Magistrate P Sechel granted bail of R1 000, after being informed that each of the policemen could raise only that amount, and postponed the hearing to March 4

Sergeant Strydom and the Nel brothers were arrested on Monday, and Constable Greybe on Tuesday by Brixton Murder and Robbery Squad detectives

The four allegedly assisted Schultz and fraud accused Godwin Webb in their escape "by supplying the prison authorities with falsified documents ordering their release", police liaison officer Captain Eugene Opperman said yesterday

They had allegedly been pro-

mised R100 000 each, he said

Mr Webb, the alleged "mastermind" of a R3,7 billion promissory notes swindle, said in an affidavit that he was taken out of prison by a policeman

Mr Webb was taken back to the Diepkloof Prison by his attorney later that day. He was granted bail of R20 000 in the Rand Supreme Court on Tuesday, and released on payment yesterday

Schultz (20), who was awaiting sentence after being convicted on charges of attempted murder and robbery with aggravating circumstances, was arrested by detectives in the Cape on February 9

## APARTHEID BAROMETER

u/mail 14/2-20/2/92 (253)

### POLITICAL PRISONERS

Two years ago this week, African National Congress president Nelson Mandela was released, but there are still people regarded as political prisoners in South African jails, according to the British Anti-Apartheid Movement.

The AAM notes in its latest report that one out of every four political prisoners have not been released — a year after the date agreed by the government has passed.

There are 13 political activists still on Death Row, the report says.

The Mafikeng Anti-Repression Forum reports that

Bafokeng Action Committee member Christopher Makgale — sentenced on October 8 last year to 12 years imprisonment for politically motivated murder — has been on hunger strike for more than two months at Odi hospital. He started his fast on December 13 last year.

Makgale's co-accused Boy Diale, who is serving a 12-year sentence at Odi prison, is not on hunger strike.

Amos Ramasega is serving a two-

year jail term at Rooigrond prison for public violence. He will qualify for release on June 16. Umkhonto-we Sizwe operative Petrus Mothupi — serving a 10-year sentence for attempted murder and a five-year jail term under the Internal Security Act at Bophuthatswana's Rooigrond prison — is in the seventh week of his hunger strike. He has been transferred to Bophelong Hospital.

The last remaining imprisoned member of the 1988 coup attempt, Timothy Phiri, is held in Mafikeng prison. He was charged with treason and sentenced to 18 years on December 18 1988.



**Vlok says (253) parole works**

CAPE TOWN — A large percentage of the prisoners released on parole in 1990 and 1991 had been reintegrated into society, Correctional Services Minister Adriaan Vlok said yesterday. *Bloom 20/2/92*

In an interpellation in the House of Delegates, he said 16,75% of the 53 748 prisoners released on parole in 1990 had not adhered to their parole conditions, been arrested in connection with another crime, or were wanted in connection with other crimes

In 1991 this figure was 11,84% of the 47 349 prisoners released.

The authorities could not resort to policies of no remission of sentence because of criticism that a few misbehaved — Sapa

**Weapons ban to be selective**

CAPE TOWN — Government would soon ban the carrying of dangerous weapons at political gatherings, Deputy Law and Order Minister Johan Scheepers said in a mini-debate in Parliament yesterday. *Bloom 20/2/92*

The banning had been discussed in detail with the ANC and Inkatha, and as soon as a proclamation had been published police would arrest any person carrying these weapons at political gatherings, he said.

The ban would apply only to political gatherings as opposed to all public places because of the difficulties police would have in determining the intent with which the weapons were being carried

Peter Soal (DP Johannesburg North) wanted to know how police were going to interpret whether a funeral was a political gathering or a religious function

Scheepers was responding to Tony Leon (DP Houghton), who called on Law and Order Minister Hernus Kriel to "stop dithering" and ban the carrying in public of cultural and traditional weapons

Leon said police had to apply the Dangerous Weapons Act of 1968 very strictly,

**BILLY PADDOCK**

especially where it placed the onus on the person carrying the dangerous weapon to prove that he had no intention of using it for violent purposes

It was necessary to interpret the law narrowly, especially in view of the Goldstone Commission's report on violence at Mooi River.

Leon quoted the report as saying carrying weapons for aggressive purposes could not be tolerated "if normal and peaceful conditions are to prevail".

Leon said "As recently as Saturday night, the nation was treated on TV to the ugly and unacceptable face of politics in SA when hundreds of IFP supporters were seen at Umlazi flourishing, unhindered and untouches, all manner of dangerous weapons" The footage was shot at a funeral

Unless the SAP stringently enforced the Dangerous Weapons Act, allegations of a "third force" and that the state was playing a part in the violence would persist

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<sup>(254)</sup> <sup>(521)</sup> <sup>(251)</sup>  
BILLY PADDOCK

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1990 to 31 Maart 1991 was R148 432 470,

Kalafong — Pretoria University 1 325

Provincial Administration of Transvaal

(f) Ga-Rankuwa — Medunsa 1 925

(d) R585 019 100,

Provincial Administration of Natal

(e) R169 641 900,

(g) According to planning norms 1 200 beds are identified as primary academic beds for the use of the Medical Faculty of the University of Natal

(f) R131 877 000 and

Provincial Administration of Natal

(g) R191 467 000,

(2) Provincial Administration of the Cape of Good Hope

(a) R375 845 000

Prisons: names/capacity

(b) R331 495 000

65 Mr E W TRENT asked the Minister of Correctional Services

Provincial Administration of the Orange Free State

(c) R151 592 000

Provincial Administration of Transvaal

(d) R716 314 000

(e) R196 380 000

(f) R154 815 000

Provincial Administration of Natal

(g) R209 651 000,

(3) Provincial Administration of the Cape of Good Hope

(a) 1 421 + 313 not in use yet

(b) 1 859

Provincial Administration of the Orange Free State

(c) 580

Provincial Administration of Transvaal

(d) Johannesburg — University of the Witwatersrand 938

Baragwanath — University of the Witwatersrand 3 004

Coronation — University of the Witwatersrand 395

Hillbrow — University of the Witwatersrand 795

J G Strijdom — University of the Witwatersrand 484

(e) H F Verwoerd — Pretoria University 1 044

Prison accommodation does not make provision for and is not reserved for specific population groups or crime categories

(ii)

Male Female Total

Port Elizabeth Prison

511 85 596

St Albans Medium A Prison

1 446 — 1 446

St Albans Medium B Prison

735 — 735

St Albans Maximum Prison

717 — 717

(c) (i), (ii) and (iii)

Unfortunately it is not regarded to be in the interest of security to make the personnel numbers at specific prisons known. However, I am prepared to supply this information to the hon member on a personal basis

(d) (i)

Port Elizabeth Prison

White Coloured Black Asian Total

Sentenced 73 177 338 2 590

Unsentenced 9 17 25 1 52

Total 82 194 363 3 642

St Albans Medium A Prison

White Coloured Black Asian Total

Sentenced 1 35 82 1 119

Unsentenced 21 123 858 1 1 033

Total 22 158 940 2 1 122

St Albans Medium B Prison

White Coloured Black Asian Total

Sentenced 8 360 552 920

Unsentenced

Total 8 360 552 920

St Albans Maximum Prison

White Coloured Black Asian Total

Sentenced 560 456 1 016

Unsentenced

Total 560 456 1 016

(d) (ii)

Port Elizabeth Prison

Male Female Total

Sentenced 536 54 590

Unsentenced 24 28 52

Total 560 82 642

St Albans Medium A Prison

Male Female Total

Sentenced 119 119 119

Unsentenced 1 003 1 003

Total 1 122 1 122

St Albans Medium B Prison

Male Female Total

Sentenced 920 920 920

Unsentenced

Total 920 920 920

St Albans Maximum Prison

Male Female Total

Sentenced 1 016 1 016

Unsentenced

Total 1 016 1 016

(iii)

Prisons (also those mentioned in paragraph (a)) are not erected with the specific purpose of accommodating prisoners sentenced for specific crimes. Such an approach would not be in keeping with modern penological trends. Prisoners are categorised into safe custody classifications for custodial purposes and this determines the type of prison in which such a prisoner will be incarcerated. The seriousness of the crime of which a prisoner is convicted, plays a role in the determination of his safe custodial classification but he will not be allocated to a specific group solely on the grounds of his crime.

The information requested by the hon member can therefore unfortunately not be provided.



# Hunger striker's death could jeopardise talks

By Jo-Anne Collinge 21/2/92

The National Health Unity Forum has warned that the central negotiation process could be impeded if Christopher Makgale, who has been on hunger strike longer than any South African prisoner, should die in custody in Bophuthatswana.

The organisation intends lodging a formal complaint with the South African Medical and Dental Association, charging that health officials responsible for Makgale have acted negligently and unethically.

Makgale, a SA citizen arrested by the Bophuthatswana police in SA and subsequently jailed for a murder arising out of a chieftainship dispute, has been fasting for 71 days.

Central to the controversy over his medical care is the fact that he was discharged from hospital several days ago and returned to a single cell in Odi Prison sick bay. His fast is in support of his demand for release as a political prisoner.

Dr Aslam Dasoo of the National Health Unity Forum — which co-ordinates five organisations of medical and para-medical workers — demanded that Makgale be admitted to hospital immediately.

# Releases deplored

THE Association of Law Societies said yesterday it shared the sentiments of Mr Justice JMDidcott and Mr Justice MJ Strydom in deploring the early release of jailed common-law criminals.

ALS president Mr Ed Southey was reacting to recent media reports in which it was said some judges deplored the early release of criminals. *Southey 21/2/92*

"To uphold respect for the law, it is imperative that justice is seen to be done and that sentences imposed are served accordingly," Southey said.

## APARTHEID

W/ mail 21/2 - 27/2/92

### HUNGER STRIKERS (253)

THERE are conflicting reports about Christopher Mokgale who is in his 10th week without food.

According to the Human Rights Commission, he is at Odipson. But both the National Health Unity Forum and Bophuthatswana government authorities claim Mokgale is still in the homeland's Central prison.

This is against medico-legal protocols regarding hunger strikers which stipulate that hunger strikers be hospitalised after two weeks, according to the National Health Unity Forum.

The Bop statement also acknowledges that there are 14 hunger strikers in the homeland's prisons.



# Further warnings on prisoner releases

253  
By Helen Grange  
Pretoria Bureau

STAR 21/2/92

Opposition to the early release of prisoners is becoming louder — with a warning that the law will not be respected if justice is not seen to be done.

The Association of Law Societies (ALS) is the latest body to join the protest against early prisoner releases, bolstering the views of several senior policemen and two prominent judges.

Meanwhile Adriaan Vlok, Minister of Correctional Services, announced in Parliament this week that the release advisory board looking into the issue of prisoner release policy is to be reconstituted as a national advisory board.

The move effectively means co-opting more representatives from the legal fraternity who will be able to contribute to possible policy changes.

Mr Vlok disclosed on Tuesday that jails were overcrowded by an average 15 percent

There were 123 overfilled prisons in the country.

He said his department released about 10 000 prisoners a month, but it was receiving 11 000 from the court monthly.

Action being taken included extending prisons and building new ones, transferring prisoners to less crowded institutions, granting special remission and opting for correctional supervision whereby a prisoner was freed but placed under strict control in the community.

ALS president Ed Southey said that although his organisation was sympathetic towards prison authorities, there was an urgent need to resolve the problem through other means than merely early releases.

Two judges, Mr Justice Diddcott and Mr Justice Strydom, have agreed with this.

Senior policemen have also expressed bitter frustration at the early releases, complaining that the effort made to arrest criminals is heavily undermined if they are back on the streets soon afterwards.

Said Mr Southey yesterday

“The time and effort spent by various professionals in determining a suitable and just sentence is effectively overturned by an early release.”

To uphold respect for the law, it was imperative that justice was seen to be done and that sentences imposed were served.

Some case could be made out for the early release of political prisoners when reviewing the political change in South Africa, but these remissions should not apply to ordinary common law prisoners, he said.

The association felt that in principle, no convicted criminal who was sentenced to a term of imprisonment should come off scot-free, even where the total remissions by the state equalled or exceeded the jail sentence, Mr Southey said.

Workers at the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) feel the community may not be able to cope with the responsibility of controlling convicts sentenced to correctional supervision.

# 'Ordinary' thief in Mandela's old cell

253

STimes (cm) 23/2/92

By RAYMOND JOSEPH

**THE tiny two metre by four metre cell in Block B of Robben Island prison, where ANC President Nelson Mandela was incarcerated for 19 years, is today occupied by a man serving a sentence for "ordinary" theft.**

The man, whom prison authorities did not identify, is a trustee — a prisoner with special privileges granted for good behaviour. He is serving a four-year sentence.

The cell is one of 30 in Block B where Mr Mandela and other leading political prisoners were once held. Today all are occupied by trustees, whose privileges include having their own single cell.

Against one wall of the cell stands a single, neatly made bed, which takes up almost a third of the floor space.

The man has adorned the walls with religious drawings. An open bible stands on a shelf above the bed.

He has gone to extraordinary lengths to turn the tiny cell in a home. Above the head of the bed hangs a hand-written prayer in which the man asks "My god, my god, why have you forsaken me? Why are you so far from me?"

## Surreal

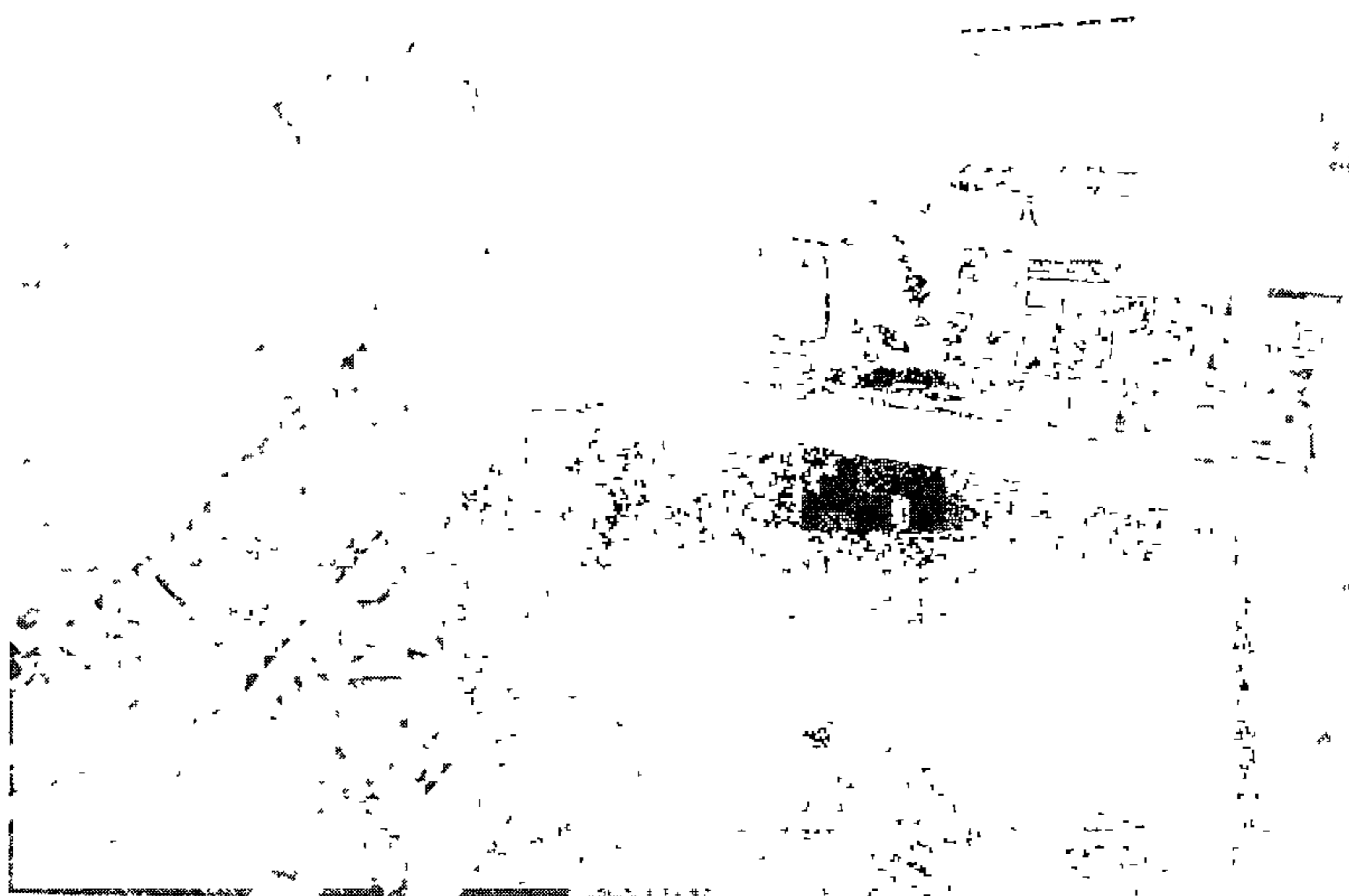
Alongside it hangs a painting of a sad-looking young boy — possibly the man's son — with a photograph, from which it was obviously copied, stuck to another part of the wall.

On a shelf running the length of the bed are various magazines and keepsakes. Hanging from the roof is a solitary Christmas decoration. The light is a single strip fluorescent tube covered in pink and yellow "crinkle" paper, which gives off a surreal light when switched on.

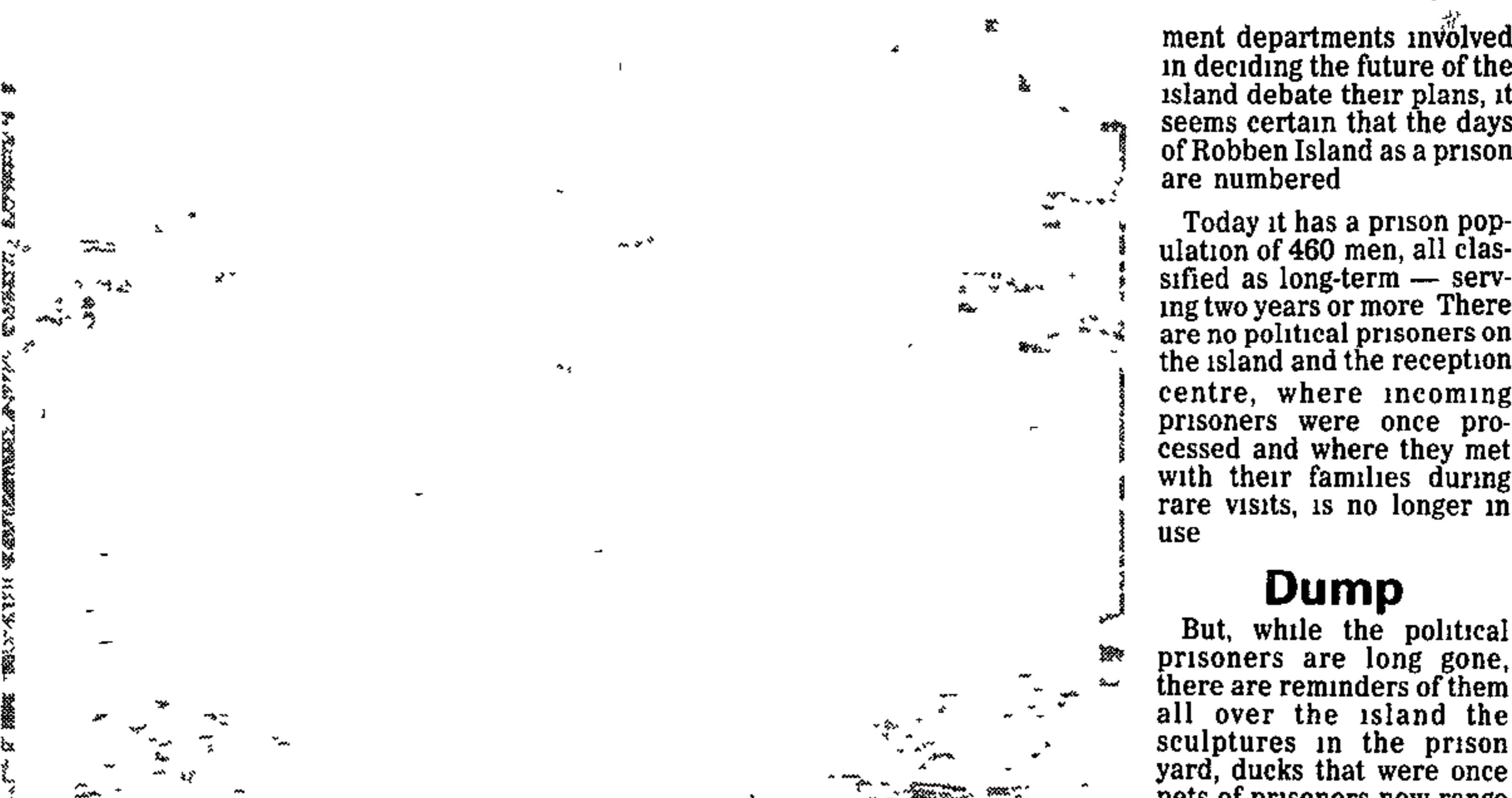
A solitary barred window looks out on to a concrete courtyard, where Mr Mandela and his fellow prisoners once exercised. In the corner of the yard is a bench and a flourishing grape vine, which was planted and nurtured by the prisoners over many long years.

Below the window are two open cupboards, one filled with more keepsakes and the tools of prison life — shoe polish, a spoon and other utensils — the other jampacked with more magazines.

Against the other wall is a tiny desk — in fact a tiny



**HISTORIC CELL . . . the Robben Island cell where ANC president Nelson Mandela was held for 19 years**



**LIME QUARRY . . . the spot where Robben Island prisoners had to work is now a dumping ground for old cars and other junk**

formica kitchen table — and chair. The fourth wall consists of a barred window looking on to a passage running along the front of the cells in the section and a barred door, offering little privacy for the prisoner inside.

Further down the passage is Block C, a communal cell where other political prisoners were held until their release. Today these too are occupied by "ordinary" prisoners.

Double bunks line each side of the dormitory.

The walls are covered with paintings and drawings, all the work of the prisoners who now occupy this section.

Alongside one of the beds is a large cage containing several budgies, the pets of one of the men. The beds are all neatly — and uniformly — made and the floors sparkle from years of polishing and shining by the men who

have been held there.

As you leave this former "political" section, you pass through a grassed yard surrounded by high walls. To one side stands several sculptures created by unknown prisoners.

The view from outside the huge, thick steel doors that guard the entrance to the prison, is one of the finest and most breathtaking of Cape Town.

While the various govern-

ment departments involved in deciding the future of the island debate their plans, it seems certain that the days of Robben Island as a prison are numbered.

Today it has a prison population of 460 men, all classified as long-term — serving two years or more. There are no political prisoners on the island and the reception centre, where incoming prisoners were once processed and where they met with their families during rare visits, is no longer in use.

## Dump

But, while the political prisoners are long gone, there are reminders of them all over the island: the sculptures in the prison yard, ducks that were once pets of prisoners now range free on the island and the lime stone quarry where Mr Mandela and his fellow prisoners were once put to work.

Today this quarry, with a small cave excavated on one side where the wardens guarding prisoners once sheltered from the sun, is a dumping ground for old cars and other junk.

Now it looks as if cell blocks B and C, the reception centre and possibly the quarry will form part of a museum, which will serve as a reminder of the political significance of the island in the history of South Africa.

**Prisoner on  
hunger strike  
expected to  
refuse revival**

By Thabo Leshilo  
Political Staff

Bophuthatswana hunger striker Christopher Makgale, who enters the 74th day of his fast today is expected to draw up a will preventing him from being revived should he go into a coma, according to the Bophuthatswana Anti-Repression Forum (Maref).

Maref spokesman Sylvia Morgan said yesterday Makgale was expected to speak to his lawyer about the will today.

In a last bid to save the prisoner's life, Maref sent urgent pleas to President de Klerk and ANC president Nelson Mandela on Friday urging them to secure Makgale's release.

**Whisper**

She said the prisoner was unable to walk, spoke only in a whisper and could die at any time. He was taking only water.

He has been kept at a sick bay at the Odi Prison since he was removed from Odi Hospital after refusing treatment.

Makgale has been on hunger strike longer than any South African prisoner.

Irish Republic Army hunger striker, prisoner Bobby Sands, died after a 66-day fast.

A South African citizen, Makgale was arrested by the Bophuthatswana police in South Africa and subsequently jailed for a murder arising out of a chieftainship dispute.

Makgale first embarked on his hunger strike on December 13, demanding that he be regarded as a political prisoner and be released in terms of the Pretoria Minute.



Black businessmen to exhibit wares abroad

SA's black businessmen will have an opportunity to exhibit their wares in three African countries this year

Business consultant Willie Ramoshaba said his company, W R Associates, had been co-ordinating trade missions for black businessmen in Africa and abroad for the past five years

The intention was to broaden their horizons, Ramoshaba said.

The missions had been to the US, the Far East, Malawi, Zimbabwe and Cameroon

"We are now setting a scene for business dealings between SA's black businessmen and their counterparts in other African countries

"We have arranged for small- to medium-sized black businesses to

WILSON ZWANE

exhibit their goods in Zimbabwe, Namibia and Angola this year."

The first trade show at which the South Africans would exhibit was the Zimbabwe International Trade Fair

This, he said, was expected to attract 270 000 visitors and 1 250 exhibitors

Prospective exhibitors should not have qualms about financial support as his company had secured the co-operation of the Trade and Industries Department, he said.

"As a result (of this co-operation) each exhibitor will pay R6 980 instead of the normal cost of R16 000 or more"

Lawyers oppose early releases

GERALD REILLY 253

PRETORIA — The Association of Law Societies has come out strongly against the early release of common law criminals.

In a statement last week association president Ed Southey said sentences imposed by the courts had to be served if respect for the law was to be upheld.

The association shared the concern of judges Didcott and Strydom in deploring the early release of jailed common law criminals.

"The association is sympathetic towards prison authorities and has an understanding for the overcrowding in SA jails."

But, Southey said, time and effort spent by professionals in determining suitable and just sentences were effectively overturned by early releases.

Vegetable milk, straw bricks compete for award

BRICKS made of straw, milk from vegetables and biodegradable oil are just some of the 200 innovations entered in the Audi Innovators for the Environment Programme.

The programme aims to encourage and reward solutions to environmental problems through the R250 000 Terra Nova Awards, which will be presented for the first time on Friday

One innovator, Len Bes-tele, has devised a way of utilising waste products such as sawdust, maize

LINDEN BIRNS

stalks and straw to produce lightweight bricks and panelling. The system has been used in low-cost housing projects in Mauritius.

Alan Winer developed vegetable milk with the same high-protein content as dairy milk. The vegetable milk does not contain lactose, which can harm malnourished children.

Samples of Winer's milk have been sent to the UN, which is apparently interested in using it in a

Mozambique famine relief programme.

Entrants are not limited to private individuals. Lubricant supplier Castrol has entered an environmentally friendly oil called Biolube 100. This marine engine oil recently won the Pollution Abatement Technology Award

C G Smith Chemicals has entered a product which it says provides an instant and cost effective clean-up method for polluted rivers and waterways. The company found that hydrogen peroxide countered the ef-

fects of effluent spill quickly and efficiently

Institute of Inventors and Innovators Research and Development president Donovan Pilkington said it was heartening to see such a wide interest in the programme. Entrants ranged from international firms to schoolchildren

# Greedily traitor's despicable deeds

**POLICE** have lifted the lid on 20 years of espionage by former South African Navy commander Dieter Gerhardt, who was convicted of treason during a secret trial in Cape Town in 1983.

An article in the police magazine *Servamus* says his spying methods and modus operandi were "faultless and would make James Bond green with envy".

It says the super-spy excelled at being secretive and refused to expand his two-person network.

Gerhardt "fell into the laps of the Russians" when he walked off the Russian Embassy in London and offered to spy against South Africa "without batting an eyelid".

He had joined the South African Navy after leaving school in Standard 9 and was sent to the Royal Navy in London in 1956 for training as a cadet.

At first the Russians refused to accept him, but after 10 months of surveillance and selection to determine his bona fides, he was drawn into the sophisticated Russian spy network.

The article says Gerhardt's prime motive was financial gain.

It was his sincere desire to continue to give his first wife Jeanette, who came from a wealthy (English) aristocratic family, only the best," the article says.

Ironically, the marriage collapsed when the couple returned to South Africa with their three children. Jeanette could not adapt and left, taking the children.

Communication was a major problem when Gerhardt re-

turned to South Africa in 1960, and cameras became "the backbone" of his activities.

Three countries were used in his operations: the country in which the agent was stationed, the country in which the handler was stationed and a neutral country where the agent and the courier could meet.

Initially Gerhardt used South Africa as the second country and placed information in "dead letter drops" or "dead letter boxes" in Newlands and Fish Hoek.

A third country was used from 1968 when his handler suspected Gerhardt was being watched. Gerhardt had to find a courier and the problem was solved when he met Ruth Johr-

on a skiing holiday in Switzerland.

They married in 1968 and Ruth took three batches of between three and five films out of South Africa.

Information written on self-carbonising paper was photographed on film with 200 frames per film, sent to Gerhardt by the Russians.

As a precautionary measure, the first part of the film was in black and the second in black and white. If the film landed in the wrong hands and was treated as a colour film, the information on the black and white section would be destroyed," *Servamus* says.

The Russians sent Gerhardt Morse code messages twice a month and he had to memorise a code to decipher them. He was also sent treated writing paper, and secret messages were written on the backs of ordinary letters.

Gerhardt did not manufacture microdots to store information but had a microdot reader to read incoming microdots messages.

However, he manufactured microfilm.

At the time of his arrest he was commanding officer of the dockyard at Simon's Town.

"His arrest was the result of the good relationship existing between worldwide information services. The suspicion that there was an anti-South African spy in a very senior post led to swift action by the police."

Gerhardt was on his way back from a university, through which he had access to the Russians, and was arrested on arrival on January 20 1983. His wife was arrested in Simon's Town soon afterwards.

Major-General H J Gloy began the investigation. He was joined by Major-General Herman Stadler, now head of police public relations.

They uncovered a huge espionage network "which had done a great deal of damage to SA," the article says.

The report describes Gerhardt as an "egotistical and work-oriented person who, for his own profit, stabbed his country in the back."

"This is a despicable deed of which the four walls of his cell will remind him every day of his life."

Gerhardt was convicted of treason in December 1983 and sentenced to life imprisonment by Mr Justice G G A Munnik.

Last year he applied in the Pretoria Supreme Court for his release on the grounds of being a political prisoner.

Minister of Justice Kobie Coetsee said the application had no justification as he had spied for a foreign country for personal financial gain.

Gerhardt, who became an ANC member in prison, established and maintained a secret communications network with the Soviet Union, compiling reports on South Africa, relations with other countries, the oil and arms embargoes, and the economic situation.

Some of the information was passed on to the Argentine during the Falklands War — Own Correspondent □

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Some of the information was passed on to the Argentine during the Falklands War — Own Correspondent □



Ruth Gerhardt used as a courier



(2) (a) what amounts were involved in each case and (b) what was the total amount outstanding in terms of such guarantees or sureties as at the latest specified date for which information is available,

(3) whether foreign currencies are involved in any of these guarantees or sureties, if so, (a) what currencies, (b) how much is involved and (c) who is responsible for bearing the potential cost of exchange rate fluctuations? B227E

The MINISTER OF FOREIGN AFFAIRS

(1) (a) No

(b) Yes, a guarantee in respect of over-draft facilities to the Government of Venda

(c) No

(2) (a) R200 Million

(b) R200 Million

(3) No

(a), (b) and (c) fall away

Guarantees/sureties: Bophuthatswana

83 Mr K M ANDREW asked the Minister of Foreign Affairs

- (1) Whether any guarantees or sureties were given directly or indirectly by the Government or any Department or agency of the Government to any person or organization for (a) loans granted, (b) lines of credit granted and (c) other specified financial services rendered to (i) the Government of, (ii) any Government Department of, (iii) a development corporation in and (iv) any other specified person or organization in Bophuthatswana in the 1990-91 financial year, if so,
- (2) (a) what amounts were involved in each case and (b) what was the total amount outstanding in terms of such guarantees or sureties as at the latest specified date for which information is available,
- (3) whether foreign currencies are involved in any of these guarantees or sureties, if so, (a) what currencies, (b) how much is involved and (c) who is responsible for bearing the potential cost of exchange rate fluctuations? B228E

Summer daylight saving

86 Mr D J DALLING asked the Minister of Manpower

(a) With reference to the reply to Question No 9 on 30 April 1991, what progress has been made in regard to the investigation into the possibility of the introduction of a programme of summer daylight saving and (b) when is it expected that a report on this matter will be made available? B231E

The MINISTER OF MANPOWER

(a) and (b) This matter is being investigated by the President's Council and the Department of Manpower can therefore not answer this question

Period of time between arrest and sentencing

87 Mr A J LEON asked the Minister of Correctional Services

(a) What, in respect of persons awaiting trial in prisons, was the average period of time that elapsed between arrest and sentencing calculated as at the last day of each month in 1991 and (b) what was the (i) age and (ii) gender distribution of persons awaiting trial in that year? B232E

The MINISTER OF CORRECTIONAL SERVICES

(a) The precise information cannot be provided to the hon member as it is, *inter alia*, not centrally available and there are various practical problems with the recording of such statistics

Statistic out of an exercise which was done on 2 January 1991 of all awaiting trial prisoners who were detained in South African prisons on that day, are as follows

25,7%	1 day until 14 days
30,5%	14 days until 1 month
33%	1 month until 3 months
8,3%	3 months until 6 months
2,5%	Longer than 6 months

A further spot check at the Johannesburg, Pretoria, Pollsmoor, Witbank, Durban and Port Elizabeth Prisons on 13 February 1992 where a total of 10 999 awaiting trial prisoners were in detention on that

day, delivered the following statistical data

26,33%	1 day until 14 days
22,48%	14 days until 1 month
32,74%	1 month until 3 months
2,16%	3 months until 6 months
16,29%	Longer than 6 months

(b) (i) and (ii)

As on 31 December 1991

AGE	MALE	FEMALE
Younger than 20 years	4 559	137
20 Years and younger than 25 years	6 573	233
25 Years and older	11 294	524
TOTAL	22 426	894
GRAND TOTAL	23 320	

Section 29 of the Correctional Services Act, 1959 (Act No 8 of 1959) stipulates, *inter alia*, that a person under the age of eighteen years who is accused of having committed an offence shall before his conviction, not be detained in a prison unless his detention is necessary and no suitable place of detention mentioned in the Child Care Act, 1983 (Act No 74 of 1983) is available for his detention. In each such case the particular judicial officer issues a certificate to this effect. In deciding on the suitability of the place of detention, the nature of the offence with which a person is charged is taken into account as well as age, sex, character etc

A juvenile who is detained in terms of section 29 of the Correctional Services Act, 1959, shall not be permitted to associate with a person over the age of 21 years who is in custody, provided that he may be permitted to associate with such a person in custody who has been charged jointly with him, if the head of the prison is of the opinion that such association will not be detrimental to him. Juveniles are also separated with regard to age groups where facilities permit

Discussions take place regularly between the Department of Correctional Services, the local magistrates, prosecutors and the



253 South African Police with a view to keep awaiting-trial juveniles out of prison

**Civil claims against SAP**

89 Mr A J LEON asked the Minister of Law and Order

*(Signature)*

- (1) How many civil claims were instituted against the South African Police in 1988, 1989, 1990 and 1991, respectively,  
 (2) in respect of each such year, (a) (i) how many such claims were settled out of court and (ii) at what cost to the State and (b) what total amount in damages was awarded against the Police by the courts?

B234E

**The MINISTER OF LAW AND ORDER**

	1988	1989	1990	1991
(1)	3 903	3 768	5 456	4 791
(2) (a) (i)	360	277	229	231
(ii)	R699 594,86	R686 135,78	R611 132,48	R107 304,69
(b)	R209 995,74	R182 422,28	R845 317,67	R847 209,91

**Labour disputes/work stoppages/strikes: SAP called**

93 Mr P H P GASTROW asked the Minister of Law and Order

In how many instances were the South African Police called to the scene of (a) labour disputes, (b) work stoppages and (c) strikes in 1991?

**The MINISTER OF LAW AND ORDER**

- (a) 287  
 (b) 113  
 (c) 523

**Pinetown police district: crime statistics**

95 Mr R M BURROWS asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Pinetown Police district of the Natal Region in 1991?

B241E

**The MINISTER OF LAW AND ORDER**

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(gu)	(h)	(i)	(j)
Bellaar	1	12	27	150	5	21	59	27	83	322	73
Hillcrest	47	20	34	178	43	148	158	66	150	828	44
Kwa-Dabeka	65	15	187	137	74	117	92	—	117	285	44
Malvern	17	15	73	267	15	77	151	22	140	629	74
Mayville	13	12	23	200	25	72	288	17	152	542	106
Pinetown-West	64	23	251	236	85	366	151	5	290	636	50
Westville	8	11	27	106	10	74	84	54	102	635	54

Note  
 (gu) — vehicles  
 (gu) — bicycles

**Durban South police district: crime statistics**

96 Mr R M BURROWS asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f)

robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Durban South Police district of the Natal Region in 1991?

B242E

**The MINISTER OF LAW AND ORDER**

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(gu)	(h)	(i)	(j)
Amanzimtoti	51	57	57	220	33	194	360	76	163	656	163
Brighton Beach	36	14	73	302	25	166	251	49	161	602	147
Louis Botha Airport	—	—	—	6	—	—	29	—	12	2	—
Montclar	55	32	98	256	51	323	167	16	148	365	211
Wentworth	19	11	207	689	24	128	103	11	370	234	240
Lamontville	41	16	73	185	58	182	12	7	79	128	—

Note  
 (gu) — vehicles  
 (gu) — bicycles

**Pretoria police district: crime statistics**

97 Mr P G SOAL asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f)

robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Pretoria Police district in 1991?

B246E

**The MINISTER OF LAW AND ORDER**

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(gu)	(h)	(i)	(j)
Atteridgeville	29	7	638	991	200	400	115	2	498	337	215
Brooklyn	4	27	98	341	32	112	961	753	289	2 800	194
Erasmia	11	5	64	106	16	46	36	16	70	290	37
Verwoerdburg	7	31	72	164	20	83	396	170	164	1 099	55
Pta Central	21	37	243	910	53	537	983	67	426	932	579
Pta West	18	8	99	517	58	121	297	96	314	659	233
Sunnyside	8	13	33	501	17	55	1 042	134	629	1 140	170
Wierdabrug	11	14	105	247	38	101	243	173	207	1 286	81
Laudium	6	2	75	201	23	42	101	—	128	248	132

Note  
 (gu) — vehicles  
 (gu) — bicycles

**Crime statistics: Cape Town police district**

103 Mr C W EGLIN asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f)

robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Cape Town police district in 1991?

B263E



(5) whether the police returned the weapons so confiscated to the KwaZulu Police?

B239E

†The MINISTER OF LAW AND ORDER

- (1) Yes, Mr D Luthuli
- (2) Yes, and one other person
- (3) Yes, both were released on bail
- (4) Yes, official firearms that belong to the KwaZulu Police
- (5) No, the firearms were returned to his fellow suspect and acknowledged on receipt. Both persons were members of the KwaZulu Police at the time of the incident

\*7 Mr P G Soal—Law and Order [Question standing over]

ANC, issuing of passports

\*8 Mr D H M GIBSSON asked the Minister of Home Affairs

- (1) Whether his attention has been drawn to a report published on 7 February 1992 in a certain newspaper, the name of which has been furnished to the Minister's Department for the purpose of his reply, to the effect that the African National Congress issues South African passports in co-operation with his Department, if so,
- (2) whether he will comment on this report?

B250E

The MINISTER OF HOME AFFAIRS

- (1) Yes
  - (2) Cognisance has been taken of the report and the contents thereof. Although there are references in the report implying that the Department of Home Affairs was consulted about the subject, there is no record that the Department was either formally or informally approached in that regard. The report is also a misrepresentation of the facts of the matter.
- The ANC does submit applications for passports and other travel documents to the Department of Home Affairs. These applications are in respect of members of the ANC but this aspect does not play any role whatsoever in the consideration thereof. The role of the ANC is similar to

†The MINISTER Mr Speaker, no such answer can be traced.

SAP gender qualification

\*9 Mr D H M GIBSSON asked the Minister of Law and Order

- (1) Whether, in references to female members of the South African Police Force, the rank of the member concerned is followed immediately by the gender qualification (F), if so, why,
- (2) whether he will give consideration to stopping this practice, if not, why not,
- (3) whether he will make a statement on the matter?

B251E

†The MINISTER OF LAW AND ORDER

- (1) Yes, from both an administrative and efficiency point of view, it is essential general administration
- (2) No, it will prejudice the efficiency of the general administration
- (3) The computerized personnel records (PERSAL) in the South African Police do not refer to gender regarding members of the Force

In writing, an (F) is still used when referring to a female member. One of the reasons for this is that female members themselves chose it and they also hold the view that the uniqueness of the woman in uniform is confirmed by it. This practice is therefore maintained without any question of discrimination.

From an efficiency point of view, gender identification is used for the following reasons

- only 10% of the numerical strength of the South African Police is female members. The female members form an integral part of the South African Police and for effective policing it is essential that a balance is maintained between the various sexes.
- At large centres where numerical strengths vary between 200 and 700 members, gender identification facilitates arrangements regarding duties,
- facilities at the various training institutions are of such a nature that accom-

modation is arranged separately and gender identification facilitates allocation and planning,

- single members are accommodated in official single quarters and gender identification also facilitates this allocation and planning,
- for logistical purposes, the uniforms of male and female members are stored in separate warehouses. Although the uniform items are requisitioned according to code numbers, gender identification on the requisition facilitates the dispatching of the requests to the various warehouses, the dress of the two sexes also differs somewhat—and

- the placing of members after training is facilitated by gender identification and enables officers at Head Office to allocate female members proportionately

Correctional supervision

\*10 Mr A J LEON asked the Minister of Correctional Services

How many persons had been sentenced to correctional supervision as at 31 December 1991?

253

B252E

†The MINISTER OF CORRECTIONAL SERVICES

Up to and including 31 December 1991, 277 persons were placed under correctional supervision

It should be mentioned that on 15 August 1991 correctional supervision as a sentence option was launched in the Pretoria and Wonderboom Magisterial Districts and on 31 December 1991 was operational only in those districts. However, from 1 April 1992, it is intended to implement correctional supervision as a sentence option country-wide in a phased manner.

†Adv C H PIENAAR Mr Speaker, arising out of the hon the Minister's reply I want to know from him whether he also intends releasing prisoners in so reckless a way as his predecessor did

†The MINISTER Mr Speaker, my predecessor did not release people recklessly in any way. The



policy of the Department on the release of people is a well-tried one which has been in position for a very long time, and it is being applied strictly

†Adv C H PIENNAAR Mr Speaker, further arising out of the hon the Minister's reply I want to know whether his predecessor, when he released the prisoners, acted in accordance with that well-tried policy

†The MINISTER Mr Speaker, I arrived there six months ago, and I am applying that policy strictly I want to give the hon member the assurance that as far as I know my predecessor applied the policy of the Department in respect of the release of prisoners with due regard to all the circumstances that prevailed in the country and in the Department

†Adv C H PIENNAAR Mr Speaker, further arising out of the hon the Minister's reply, may I just ask him why the Attorney-General pro-tested against the releases if his predecessor applied that policy?

†The MINISTER Mr Speaker, I am really not aware of the Attorney-General having pro-tested against the policy [Interjections] There is dissatisfaction, but

†An HON MEMBER That's a bull's-eye

†The MINISTER The hon member should just keep calm and not fight the referendum now already We shall fight it later

I repeat, my predecessor applied the policy with due regard to all the circumstances prevailing in the country At the moment there is much anxiety about crime That is a factor that is being taken into account That is why we are again looking at the whole policy regarding release It is a well-tried policy that has been in force for many years and has worked very well

*Business interrupted in accordance with Rule 180C(3) of the Standing Rules of Parliament*

**Certain person who left the RSA**

\*11 Mr L FLUCHS asked the Minister of Foreign Affairs

- (1) Whether a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, has left the Republic of South Africa, if so, (a) for what period of time did he stay in

the Republic and (b) what was the total cost to the State of keeping him in the Republic,

- (2) what is the name of this person?

The MINISTER OF FOREIGN AFFAIRS

- (1) (a) The person and his spouse resided in Pretoria from 10 March 1990 until 8 November 1991 Since the latter date he has been residing in his own home in the Bishop/King William's Town area
- (b) The person and his spouse were accommodated in an available house in Pretoria, where they paid their own living expenses

- (2) Mr L L W Sebe

**Health of certain prisoner**

\*12 Mr L FLUCHS asked the Minister of Correctional Services

- (1) Whether he will make a statement on the state of health of a certain prisoner, whose name has been furnished to the Minister's Department for the purpose of his reply, if not, why not, (a) what is this prisoner's name and (b) what are the relevant details,

- (2) whether the State intends releasing this prisoner on humanitarian or other grounds, if not, why not, (a) when and (b) on what grounds?

B256E

The MINISTER OF CORRECTIONAL SERVICES

- (1) No

The privacy of prisoners as well as the professional independence of the medical practitioners who are responsible for their health care, is respected It is therefore policy not to make details available or to comment on the state of health of individual prisoners However, it can be confirmed that he has access to adequate medical and psychiatric treatment

- (a) and (b) Fall away

- (2) The release of a patient of the State is addressed statutorily in the Mental Health Act, 1973 (Act No 18 of 1973) and

*Conf. rule*

takes place according to the mechanisms and qualifications as stipulated by the above-mentioned Act My department has no decision-making powers regarding the release of this category of persons

- (a) and (b) Fall away

Medicines and Related Substances Control Act

\*13 Mr M J ELLIS asked the Minister of National Health

- (1) Whether the Appellate Division has ruled that the provisions of the Medicines and Related Substances Control Act, No 101 of 1965, are not applicable to the State,
- (2) whether she has received representations that steps be taken to make the Act applicable to the State, if so, (a) from whom and (b) what has been her response to these representations?

B257E

The MINISTER OF NATIONAL HEALTH

- (1) Yes,

- (2) yes,

(a) the Chief Directorate of Procurement Administration of the Department of State Expenditure, the Medicines Control Council as well as the Pharmaceutical Manufacturing Association, and

(b) I accept the decision of the Appellate Division but wish to add that it is the policy of the Government that the State must observe the laws on medicine Medicine provision by the Government must be orderly and good dispense practice must be maintained The proper way to ensure and organise this is by means of the National Policy for Health Act, 1990 (Act 116 of 1990)

**Report by Dr Wim de Villiers**

\*14 Mr M J ELLIS asked the Minister of National Health

- (1) Whether she has any intention of releasing the full text of the report by the late Dr Wim de Villiers on medicine, if not, why not, if so, when will the contents of this report be made available,

(2) whether she will make a statement on the matter?

The MINISTER OF NATIONAL HEALTH

(1) No, as Dr Wim de Villiers passed away before the report had been completed, the Cabinet decided not to make the contents of the report available,

- (2) no

Office of the Surveyor-General, price increases

\*15 Mr K M ANDREW asked the Minister of Regional and Land Affairs

Whether there have been any increases since 1 January 1988 in prices charged by the Surveyor-General's Office for (a) prints of micro-filmed diagrams and (b) copies of township film, if so, (i) what increases and (ii)(aa) when and (bb) why were the prices increased?

B259E

The MINISTER OF REGIONAL AND LAND AFFAIRS

Yes, the fees that the office of the Surveyor-General charges for

(a) prints of "micro-filmed diagrams" and

(b) "copies of township film" increased since 1 January 1988

The order of the increases was as follows

(i) The fees for prints of diagrams on micro-film were increased from R1,00 in 1987 (GST excluded) to R2,00 (GST excluded) in 1990 and finally to R3,50 in 1991

The fees for paper prints of plans on film were increased from R2,00 (GST excluded) in 1987 to R3,00 (GST excluded) in 1990 and finally to R5,50 in 1991

(ii) (aa) The increases came into operation on 1 September 1990 (Government Gazette No 12715 of 31 August 1990) and on 1 October 1991 (Government Gazette No 13482 of 30 August 1991)

(bb) The reasons for the increases are the following

In view of the accepted principle to evaluate the functions of all Govern-



PRISONS FM 28/2/92

**Not convincing** (253)

**The high** level of crime might prompt government to change its policy on the early release of prisoners, according to Correctional Services Minister Adriaan Vlok. The policy is being reviewed by the Release Advisory Board

But the State would not resort to "medieval policies of no remission of sentence" simply because of severe criticism of the policy. Speaking in parliament, Vlok said the early release of serious offenders had come under increasing attack. (Critics have in-

*continued*

CURRENT AFFAIRS

FM 28/2/92

(253)

cluded some senior judges)

But it is a "misconception" that dangerous, long-term prisoners are being released indiscriminately on a large scale. His department, he says, has a well-proven and reliable release policy that has been in operation for many years. Prisoners were released in accordance with internationally acceptable norms and after "due consideration" and on the advice of the statutory board under the chairmanship of a judge.

In applying the policy the department retained "the highest regard" for the judiciary and the needs of society. Vlok said the release of political prisoners and the granting of amnesties in 1990 and 1991 did not reflect his department's general practice or policy.

Those actions were aimed at normalising the political scene, adopting an even-handed approach to the release of political and common-law prisoners and relieving overcrowding in prisons that has reached serious proportions.

Last year 47 349 prisoners were released on parole, of which 5 608 either did not adhere to their parole conditions or committed further crimes or were wanted in connection with other crimes. In 1990 the figures were 53 748 and 9 005.

The DP's Mahmoud Rajab said in the same debate that the increase in violent crime was turning SA into a jungle. "The question therefore is whether it is not utter

foolishness to deliberately release more predators into that jungle." He said the release policy was causing considerable public concern and frustration within the SAP and judiciary. "When eminent jurors like Justice Didcott and the Judge President of the Cape, Judge President Friedman, voice their concern, is it not time to sit back and take note?"

Rajab said a situation which undermined "the very fabric of society" and eroded the pillars of law and order and justice could not be supported.

# The goal is integration but racism flourishes in prisons

w/mail 28/2 - 5/3/92

253

**S**OUTH AFRICA'S prison authorities are facing a new headache, adding to their existing migranes of overcrowding, a lack of facilities and gang violence

With apartheid officially a thing of the past within the public service, the Department of Correctional Services is facing a situation where it has little option but to integrate the prisons

The reality, though, is this could well prove to be one of the most difficult areas of South African life to drag into the new world

According to Correctional Services Minister Adriaan Vlok, the prisons are designed to accommodate 83 780 prisoners at the end of last year, but the daily average is 96 540

And it is the black prisoners who are affected by the overcrowding, which helps foster prison gangs and all that goes with them violence, intimidation, rape, assault and murder And the problem is getting worse

"It cannot be excluded that the rising crime tendency, and especially the increase in serious crimes, and the accompanying stricter sentences taken together with the insistence by the community for stricter action against criminals, may lead to the deterioration of this situation," said Vlok

The response from the prisons has been to grant early releases to thousands of offenders But most of the criminals return to their old ways, and soon find themselves back behind bars And so the situation goes from bad to desperate

Quite aside from questions of language and culture, there is a very real fear about what would happen to the white long-term prisoners if they were not kept apart from their black counter-parts

Until 18 months ago black and white prisoners were kept separate by law Then Section 23 of the Correctional Services Act was amended and the matter was placed in the hands of prisons authorities

"Since the amendment the allocation of prisoners is based solely on the classification

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*Apartheid may be officially over but segregation and inequalities still —and may always —exist in South Africa's prisons.*

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By **GAVIN EVANS**

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systems inherent to the successful administration and management of prisons," said Correctional Services spokesman Colonel DJ Immelman

What this means is the heads of prisons "take into account factors such as the availability of accommodation, the necessity to separate sentenced and unsentenced prisoners, males and females, hard-core prisoners from first offenders, opposing gang elements"

They also consider other factors, such as individual requests which happened when the black and white African National Congress prisoners at Pretoria Central were integrated on request in 1990 But aside from this instance, how far has integration gone?

"The majority of South Africa's prisons accommodate prisoners of all population groups," says Immelman "All or some of the facilities, such as training, hospital, dining and recreational facilities, are shared by prisoners of all races"

He stresses, however, there is no "forced integration"

"If prisoners of different population groups wish to share cells their needs are accommodated as far as possible and there are prisons where prisoners of different races do share cells Safe custody and good order remain paramount within the realities of prison life"

But according to the police and prisons union, Popcru, integration is still in the realm of theory

"Our experience is that there are not any integrated prisons," says Johannesburg Prison warden and Popcru Transvaal president Peter-Mkuna

"At my prison the white inmates have their own separate section But sharing a building when you're kept separately is not the same thing as integration"

He says that black and white prisoners occasionally work together, "but usually the whites act like bosses — it's very rare you get an equal situation"

Heather Regenass, a representative of the crime rehabilitation organisation, Nicro, says that at Zonderwater Prison black and white prisoners work together on an equal basis in the fields But aside from a handful of offenders there has been no sharing of cells According to Immelman, the two training colleges, Zonderwater and Kroonstad, are integrated and "complete parity exists with regard to salaries and benefits of all members"

Mkuna is markedly less sanguine "It's true there is equal pay for everybody depending on qualification, but they are promoting more whites than blacks We can now share canteens and share accommodation, but the problem is you have to apply to live in the white prison quarters and at the moment there are no vacancies in Johannesburg"

Immelman responds that "all members, irrespective of race must apply and it is dealt with according to available accommodation"

Mkuna says a major problem with ending apartheid among the warders is "virtually all the white warders are Conservative Party or even further to the right, and they don't mind showing us their cards"

The Department of Correctional Services says "Members are promoted purely on merit and efficiency and the allegation that blacks are discriminated against in this regard is not true Manpower development has as its aim the development of the total staff corps of the department in a comprehensive manner

"The statement that virtually all white members are members of a specific political party is an absurd supposition with no substantiation The practicing of politics by any members at their places of work is not permitted"

**HUNGER STRIKER**

Christopher Makgole is in the 11th week  
of his fast, demanding to be regarded as  
a political prisoner and be released  
along the agreement reached between  
South African government and the  
African National Congress (ANC).  
According to the Mail & Guardian  
Magazine, Makgole is being  
shipped in and out of prisons and the  
"Bophuthatsane" townships.  
He is currently in the  
prison for murder arising from a 1987  
ransom case.

5/3/12



# Hungry for freedom day

STAR 29/2/92

353

Mutual concern over the plight of a Bophuthatswana hunger striker has united a Sandton family with their domestic worker in a battle to have him released. BRENDAN TEMPLETON reports.

CHRISTOPHER Magkale was yesterday on his 77th day without food and the Rennie family were right behind their domestic worker, Lisa Bosman, who has been frantic with worry over Magkale's condition.

She is his common-law wife and has had an uphill battle to gain access to Magkale, who is reportedly too weak to walk and can barely talk.

But, with every problem she has encountered, her employer Danny Rennie and his girlfriend, Laura McDonald, have joined forces to find a solution.

Her plight has not been made any easier by conflicting reports from the Bophuthatswana authorities concerning Magkale's condition and their refusal to allow her to see him more than once a week.

He was sentenced to 15 years in jail for the politically motivated murder of a local councillor in 1990 and is now demanding that he be released in time with President F W de Klerk's indemnity programme.

Ms Bosman has had fine child by Magkale and fears her son may never see her father again. "No

one can live without food for so long," she said.

She tries to go to Bophuthatswana every week to see Magkale and says Mr Rennie has supported her all the way in her fight for access.

Mr Rennie says Magkale is "like one of the family" and he finds nothing extraordinary in his struggle to have his friend's case heard.

"Christopher is a rebel, there's no doubt about that.

"But who wouldn't be a rebel under these conditions? If you were black, you would feel the same as he does.

"I'm no supporter of the ANC, but I do support black liberation — it is something which just has to be," Mr Rennie said.

He but out at the ANC for literally abandoning Magkale, who has been an ardent supporter for many years.

### Neglect

"The ANC have done the minimum, they have done nothing.

"Laura is the one who has done everything to get this issue into the public eye, not the ANC," he said.

He also doubted that Magkale had received a fair trial.

When it was still in progress, he called up his friend's pro-deo lawyer

and offered to testify as a character witness.

"He said it was a great idea and that he would telephone when he needed me.

"Next thing I knew, the trial was over and Christopher was in jail without my giving evidence."

Miss McDonald has found her life turned upside-down after she felt compelled to take up the cudgels on Magkale's behalf.

Although she had never been a politically active person, the news of his imprisonment and hunger strike struck a chord and she has spent the last two months trying to have his case reconsidered by the Bophuthatswana and South African governments.

Human rights organisations have also been reluctant in their support for her battle, although she eventually succeeded in getting the support of Lawyers for Human Rights, whom she describes as "fantastic".

Yesterday, news of Magkale's condition was conflicting because Odh Hospital authorities said he had suspended his hunger strike and was walking around.

"How a person in that condition is supposed to walk around, I don't know," Miss McDonald said.



UNITED The Rennie family and friends with domestic Lisa

● Photograph BRENDAN TEMPLETON

# Positivity Sister

ASH . . the Cape Festival 1992 got off to a royal start yesterday when Janene (s) was Sonja Rabe and accepting the bouquet for second princess was Qaanita (s) and former Festival queen, Natasha Springett. Thibault Square came alive with the (s) for the crown and Mitchells Plain Youth Group national dance troupes as they too

# Warders fired for Pollsmoor strike

S/Time (cm) 1/3/92 (253) (circled)

TWELVE prison warders are to be dismissed because of their involvement in a protest strike at Pollsmoor Prison two years ago.

The dismissals, subject to a final plea to the Commissioner of Correctional Services, follow a disciplinary hearing involving 70 warders, all of them members of the Police and Prisons Civil Rights Union (Popcru).

In addition, two warders are to be demoted.

Disciplinary hearings also took place at Diepkloof Prison in Johannesburg, St Albans Prison in Port Elizabeth, and General J C Steyn Prison in Kirkwood, as well as in Queenstown, Grahamstown, King William's Town and East London.

## Poor

The hearings arose from a sit-in by Popcru members during March 1990 to highlight their dissatisfaction with alleged apartheid practices in the SA Police and the Department of Correctional Services.

The Cape inquiry ran for six months, during which evidence was led about the shortage and poor quality of housing for black members, inequality in sports facilities, discrimination in promotions and the alleged incarceration of children as

By KURT SWART

young as eight years in maximum-security prisons.

The allegations have been denied by prison authorities.

A spokesman said the department could not allow its staff to "act in an undisciplined manner by, for instance, participating in strikes" because it provided an essential service to the community.

"The Prisons Act and regulations provide for an effective procedure for grievances to be dealt with responsibly."

The hearings in Johannesburg, Queenstown, Grahamstown, St Albans and General J C Steyn Prison had been concluded but the process had not been finalised, the spokesman said.

The King William's Town and East London prison inquiries, concluded in 1990, led to 15 warders' being dismissed and four demoted. These dismissals became final when an appeal was rejected.

The department's policy is not to divulge the names of staff involved in disciplinary actions, but Popcru sources say the dismissed Pollsmoor warders include

the union's secretary-general, Warrant Officer Peter Loggenberg.

Other Pollsmoor names given by Popcru are Sergeants Carolissen, Ramalaine, Masala, Lakay, Fortuin and Speelman, and Warders Jordaan, Lottring, Van Staden, Plato, Minnaar and October.

Those demoted in rank were named as Warrant Officer Pietersen and Sergeant Jackson.

Under departmental regulations, members who face dismissal or demotion have 14 days to lodge an appeal.

"We will make use of this final channel and we have already met our attorneys," a Popcru spokesman said.

## Actions

Two Popcru warders initiated a Supreme Court action last year to halt the Pollsmoor hearing on the grounds that cassette tapes containing key evidence for the defence had disappeared while under prison guard.

However, the Supreme Court case was postponed indefinitely.

If the warders' dismissal is made final the court application will be resumed, a Popcru spokesman says. Other actions will also be considered.

## Prison warders dismissed (253)

Twelve prison warders who participated in a strike at the Pollsmoor Prison two years ago would be dismissed, while a further two would be demoted, the Department of Correctional Services said yesterday. The 12 warders had reportedly been informed of their dismissals, and could appeal against the decision. The department has also confirmed that other inquiries relating to the strike had been held against warders at the Diepkloof Prison in Johannesburg, St Alban's Prison in Port Elizabeth, General J C Prison in Kirkwood and prisons in Queenstown and Grahamstown. Fifteen prison warders from King William's Town and East London have also been dismissed and four prison warders have been demoted. STAR 3/3/92

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PAC (253)  
official  
jailed  
18 years  
C/P/ren 11/3/92

A SENIOR PAC official based in Zimbabwe was on Friday sentenced to 18 years' jail by a high court judge for illegal drug dealing

Ramudi Michael Maphai, the PAC's deputy chief representative in Harare, and his Indian accomplice, Chjandrakant Jomnadas Ajmera, were found guilty of smuggling drugs into Zimbabwe last year

They had collaborated to ship about one ton of Mandrax tablets with an estimated street value of Z\$8-million (about R4,5-million) from India, the judge said.

Maphai was arrested while offloading the drugs at a house in a Harare suburb last year.

Judge Wilson Sandura slapped an additional Z\$3 000 (about R1 700) fine on both men and also refused them appeal

The PAC head office in Johannesburg would not comment and referred City Press to their acting chief of information and publicity, Waters Toboti, who was not available - Sapa-AFP-CP Staff



OLD COMRADES ... Tambo greets KK at Jan Smuts Airport. ■ Pic: EVANS MBOWENI

'FW de Klerk, I presume'

By ZB MOLEFE C/P/ren 11/3/92

FORMER Zambian President Kenneth Kaunda on Friday night added his sharp wit to South Africa's political vocabulary.

"I keep on saying Margaret Thatcher discovered Gorbachev, and I discovered FW de Klerk," said Kaunda in a light-hearted moment at an informal meeting with black journalists held in a swank Johannesburg hotel.

There was another pearl of wisdom from the father of Zambian independence when journalist Joe Latakomo reminded him of his scheduled meeting with AWB leader Eugene Terre'Blanche during his four-day South African visit and that the name Terre'Blanche means "white earth"

Kaunda broke into his famous toothpaste smile and said "Oh, if he is 'the white earth', then I'm the 'black earth'."

There was a note of sadness in Kaunda's voice when he touched on the violence wreaking havoc across SA, particularly in black areas. He warned that if the violence continued unabated "you will be delaying the coming of freedom"

"We can't accept your killing each other. Whenever it happens we weep with you," he said



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STAR 3/3/92

### **Train attack charges dropped**

Charges against three hostel dwellers in connection with an attack on a train at a Soweto station last year were withdrawn in the Johannesburg Magistrate's Court yesterday. The court heard that the Attorney-General had declined to prosecute Khulekani Mvelase (21), Mlanulemi Mchunu (22) and Richard Majola (28), all of Nancefield hostel in Soweto. The men faced seven murder charges, and 18 of attempted murder, relating to an attack at Kiptown station on June 25.

(252)

# Death squad murders soared last year — report

By Jo-Anne Collinge

Assassination squads were "rampant" last year, eliminating no fewer than 60 political activists — three times the number killed in the previous year, says the Human Rights Commission

In its annual Human Rights Update — 1992, a mainly statistical summary, the HRC reveals continually high levels of "informal repression" — that is, action taken by various groups without statutory authorisation to thwart political expression

In contrast, "formal repression", which is exercised by the State with the authority of law, is shown to have fallen considerably

However, the HRC insists that the incidence of certain categories of formal repression is still unacceptable. For instance

● It records 100 deaths resulting from security force action in 1991 and 700 injuries. The 1990 figures were 300 deaths and 3 000 injuries. "While the deaths and injuries inflicted by the security forces are still at an unacceptable level and

are to be deplored, nevertheless it is clear that the censure of their methods by various commissions of inquiry has had its effect," the HRC comments

● Close to 9 300 arrests arising from political action are recorded by the HRC, the majority resulting from mass protests being viewed as illegal gatherings

● There were 298 prisoners on Death Row at the end of last year, according to the HRC count. In all, 85 people were sentenced to death during the year, only one for a political offence

While 53 political prisoners were released from Death Row during 1991, 13 persons regarded by the HRC as political offenders remained in the death cells

● Apart from Bophuthatswana and Ciskei, detentions dropped sharply in 1991. Bophuthatswana accounted for 262 and Ciskei for 704 of the total number of 1 093 detentions recorded by the HRC in Greater South Africa in 1991

Outside of the TBVC states, legislative reform saw the period of security detentions significantly curtailed

● The HRC recorded no deaths in security-law detention but noted 10

deaths of prisoners held under the common law "in politically related circumstances"

● The HRC's count of the number of political trials completed in 1991 remains high, at 575. But the organisation observes that sentencing has become perceptibly lighter. It adds that "convictions for minor crimes continue as the police use the courts to carry out political harassment"

In the area of informal repression, hit squad assassinations of carefully targeted political figures have shown the most dramatic increase. But the overall toll is still a mere fraction of the 2 000 deaths "judged to be related to vigilante-created situations"

The HRC uses the term "vigilantes" to refer to forces which arose from attempts by various homeland administrations and black local authorities to defend their vested interests. Both the deaths inflicted by such forces and losses which they sustain in counter-attacks are included in the toll

The HRC also notes that so-called "right-wing actions" caused far fewer deaths than vigilante formations last year — 21, with 178 injuries

STAR 4/3/92

253



Action <sup>(253)</sup>

## against warders

*Sowetan 4/3/92*  
TWELVE prison warders who participated in a strike at the Pollsmoor Prison two years ago will be dismissed, while a further two will be demoted, the Department of Correctional Services said on Monday.

SABC radio reported the 12 warders had been informed that they might be dismissed, and could appeal against the decision.

The department also confirmed that similar inquiries relating to the strike had been held against warders at the Diepkloof Prison in Johannesburg, St Alban's Prison in Port Elizabeth, General J C. Prison in Kirkwood and prisons in Queenstown and Grahamstown.

Fifteen warders from King William's Town and East London have also been dismissed and four have been demoted. - Sapa

# What are your thoughts on prisons?

*Sowetan 5/3/92*  
THERE is a widespread belief that South Africa's prisons and penal system are in need of reform

The Government's response to prison overcrowding, for instance, has been the early release of prisoners and a proposal that convicted people do community service

What has been the response and impact on the public?

*(253)*  
This question is being posed to studio guests Heather Renegass of Nicro and a spokesman of the Department of Correctional Services on the *Sowetan/Radio Metro* Talkback Show tonight

You can share your opinion live with the nation by phoning popular DJ Tim Modise on (011) 7148063

You can tune in to the programme on FM 96.4 Mhz

# Ex-Inkatha leader quizzed on letter

STAR 613192

One of the chief sources of alleged SA Defence Force implication in Inkatha training, Mbongeni Khumalo, was yesterday accused of having applied for a job from Ciskei military leader, Brigadier Oupa Gqozo.

The committee of the Goldstone Commission of Inquiry into the Prevention of Violence and Intimidation investigating the Weekly Mail's claims heard that Mr Khumalo had had a meeting with Brigadier Gqozo on November 8 last year.

## Catalyst

Mr Khumalo told the committee yesterday he had not asked for a job at the meeting. Instead they had discussed "general issues" which he was not able to expand on.

Pierre Rabie, for the SADF, then produced an unsigned letter allegedly drafted by Mike Davis, of Creed Consultants, in

which Mr Khumalo referred to the November 8 meeting and said Brigadier Gqozo's African Democratic Movement (ADM) should act as a catalyst to bring together South African pragmatists so that "the future of South Africa will be better than its past".

He also mentioned that the ADM should "start initiating training programmes so that the movement will be ready for the inevitable election". "I believe I could be invaluable in this regard," the letter said.

The letter also said Mr Khumalo's previous experience with Inkatha would allow him to offer a substantial contribution to the brigadier.

Mr Khumalo, who was an Inkatha Youth Brigade organiser, denied speaking to Mr Davis or asking him to draft a letter to Brigadier Gqozo.

Mr Khumalo's information on an elite group of Inkatha members who were trained at a camp in the Caprivi Strip, and

the training of a group called the "Black Cats" from Wessington near Ermelo, formed much of the basis for the setting up of the investigative committee.

Mr Khumalo was adamant that Creed Consultants was responsible for the hit-squad training of Inkatha members in the Caprivi in 1986, although it had been registered as a close corporation only in February 1989.

## Funding

He was also insistent that he visited Creed's offices in 1988.

The reason he thought Creed had been behind the training and funding was that Guy Boardman of Creed had spoken to some of the Caprivi trainees in 1989 and been on first-name terms with them.

Some of the trainees had told Mr Khumalo that Mr Boardman was at Caprivi with them.

The commission's hearing continues. — Sapa



# ANC consults traitor Gerhardt

By Thabo Leshilo  
Political Staff

STAR  
6/3/92

The ANC has confirmed it is consulting convicted Russian spy and former SA navy commodore Dieter Gerhardt on Codesa.

Umkhonto we Sizwe chief-of-staff and SACP secretary-general Chris Ham said yesterday that Nelson Mandela and other senior ANC leaders had already met Gerhardt in the Pretoria maximum security prison.

He said Gerhardt — who has joined the ANC — had invaluable information that could assist the ANC and Codesa with the process of transforming the SADF.

He demanded that the pris-

oner be immediately released in terms of the Pretoria Minute.

“Although Gerhardt spied for the Soviet Union, he did so because he saw apartheid as an oppressive system which was being supported by western imperialism. He was trying to strike a blow for freedom.”

The Government has rejected calls for his release, saying his actions were not political but motivated by financial gain.

Mr Ham said it was strange that Pretoria continued to hold Gerhardt after establishing relations with the then Soviet Union — his former master.

Gerhardt, who became part of a sophisticated Russian spy network, was convicted of treason and sentenced to life im-

prisonment in a secret trial in Cape Town in 1983.

Speaking for the first time about Gerhardt's 20 years of espionage, the SAP last month said his modus operandi “was faultless and would make James Bond green with envy”.

According to the police publication Servamus, Gerhardt “fell into the laps of the Russians” when he walked into the Russian Embassy in London and offered to spy against South Africa.

His Swiss wife Ruth was sentenced to 10 years' jail for her part in the crime. She was freed in 1990 after serving six years and now lives in Switzerland, her homeland.

# Criminals 'belong in jail'

By MOKGADI PELA

IT was unfair to release prisoners before they had completed their sentences, callers to *Sowetan*/Radio Metro Talkback said last night

The callers said early releases undermined the credibility of the system of justice in the country

"If this continues the wronged may be forced to take the law into their own hands," Kenny of Eesterivier told host Tim Modise



An official of the National Institute of Crime Prevention and Rehabilitation of Offender, Heather Renegass, agreed and added that the self-esteem of offenders should be rebuilt

Brigadier G Jonker and

General GJ Bruyn of the Department of Correctional Services said it cost the Government R42 a day to keep a prisoner in jail

They said it was less costly to release criminals and supervise their actions outside the walls of prison

"The society is therefore important in helping maintain law and order in the community," the policemen said

They said they had an 86 percent success rate in terms of those prisoners who had already been released

Some had been sent back to jail after committing new crimes

They said the department took a very "serious look" into sexual offenders and child molesters

They said these did not easily qualify for early releases

Handwritten notes and stamps at the top of the page, including the number 13192.

By EVELYN HOLTZHAUSEN

A JUDGE summoned the Commissioner of Correctional Services to court this week to seek assurance that the murderer he was about to jail would serve a reasonable portion of his sentence.

Mr Justice Steenkamp, of the Northern Cape division of the Supreme Court in Kimberley, has joined a growing number of judges who believe the early-release policy is making a mockery of sentencing and subjecting the courts to ridicule.

In court this week, Mr Justice Steenkamp said convicts were sent to jail for 10 years but released after serving only two or three years.

He said he was aware of the "good work" which had been done by the Department of Correctional Services, but the recent spate of releases and amnesties granted to prisoners had led to "great anxiety among judicial officers and the community at large."

Handwritten note: S/Timp 8/13/92 Farce

"However well intentioned, the policy has led to the administration of justice being viewed as a farce and has made it an object of ridicule."

"There are hopeful signs that steps are being taken to revise this policy and I accept that, in future, amnesty will not be granted indiscriminately."

"The administration of justice must never be jeopardised by political expediency," he added.

The judge made his comments just before he sentenced Pieter Williams to 10 years in jail for the murder of 28-year-old Hercules Johannes Viljoen.

Mr Justice Steenkamp had earlier summoned the Commissioner of Correctional Services, Lieutenant-General WH "Willie" Willemsse to court.

The commissioner was not available but the regional commissioner of Correctional Services, Major-General Gerrie Malan, told the judge that departmental policy on amnesty and parole was "under review."

### Advice

Criticism by judges of the early-release policy is believed to have led, in part, to a statement by the Minister of Correctional Services, Mr Adriaan Vlok, on Thursday that all short-term prisoners would serve at least a third of their sentences.

Mr Vlok said that as the level of "criminality" in South Africa had become completely unacceptable, he had acted on advice from the Advisory Release Board to amend prison release policy.

Meanwhile, Natal attorney-general Mike Imber may petition the Chief Justice if he is denied leave to appeal against allegedly light sentences given by Mr Justice Thirion to five policemen last week.

Mr Imber's appeal is the first to be launched under new 1990 legislation enabling the state to dispute decisions by the Supreme Court in certain circumstances.



# Prisons rapped on knuckles

ALLEGATIONS of racist and inhuman treatment of convicts provoked a heated debate during last night's Sowetan/Radio Metro Talkback Show

Mr Golden Miles Bhudu, founder of the South African Organisation for Human Rights, accused prison authorities of encouraging gangsterism and victimising those who laid complaints

He told the head of the liaison section of the Department of Correctional



Services, Brigadier Erika van Zyl, who was also a studio guest, that "sexual abuse and assault was rife and sometimes, done in full view of warders"

Van Zyl categorically denied the allegations and said her department in-

vestigated all complaints presented

"We do our best to ensure the safety, good diet for all prisoners but we have financial constraints

"We also cannot enforce integration but we are phasing it in. We have multi-racial staffers who are treated the same," Van Zyl said

Another ex-convict, Mr Robbie Lombard, said the department freed prisoners without enough money to live on

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply

General Affairs

Valkenberg hospital

117 Miss M SMUTS asked the Minister of National Health

- (1) (a) How many psychiatric patients escaped from the maximum security unit at the Valkenberg Hospital during February 1992, (b) for how long was each of them at large, (c) how many patients (i) is this unit intended to accommodate and (ii) were accommodated there at the time and (d) how many (i) medical and (ii) nursing posts at this hospital were vacant at the time of the escape,

The MINISTER OF NATIONAL HEALTH

- (1) (a) 32 escaped on 17 February 1992, (b) by 18 February 1992, 30 patients were recaptured while two awaiting trial are still at large, (c) (i) 65 and (ii) 90 and (d) (i) 4 and (ii) 22,
- (2) yes, (a) 1, (b) middle 1991 and (c) less than 24 hours,
- (3) yes, from an average of 33 to 43 per month

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply

General Affairs

Number of persons without legal representation

44 Mr L FUCHS asked the Minister of Justice

- How many persons appeared in (a) (i) district and (ii) regional courts and (b) the Supreme Court in each province in 1991 without legal representation?

The MINISTER OF JUSTICE

The statistics hereunder are only with regard to more serious criminal offences. Statistics with regard to minor offences, for example stationary traffic offences, are not included in the data. The required information regarding the Supreme Court is not readily available. To obtain the information all court records will have to be scrutinized which is not economically feasible

- Transvaal*
  - (a) (i) District Courts—215 135 persons
  - (ii) Regional Courts—11 130 persons
- Orange Free State*
  - (a) (i) District Courts—61 148 persons
  - (ii) Regional Courts—5 110 persons
- Natal*
  - (a) (i) District Courts—120 031 persons
  - (ii) Regional Courts—7 152 persons
- Cape Province*
  - (a) (i) District Courts—242 217 persons
  - (ii) Regional Courts—21 718 persons

It is important to take cognizance of the fact that our system of adjudication of criminal matters provides for various intrinsic safeguards to prevent miscarriages of justice and this means that accused appearing in courts are

not necessarily prejudiced by a lack of legal representation. Consequently only approximately 20 percent of the large number of accused which appeared in the courts without legal representation were convicted and committed to prison

Assault complaints: prisoners against prison warders

100 Mr L FUCHS asked the Minister of Correctional Services

- (1) (a) How many complaints relating to assault were made by prisoners against prison warders in 1989, 1990 and 1991, respectively, and (b) how many prison warders were (i) charged with and (ii) convicted of assault on a prisoner in each of these years,
- (2) in respect of 1989, 1990 and 1991, respectively, (a) how many prison warders faced disciplinary hearings arising out of an assault on a prisoner, (b) how many prison warders were dismissed for assaulting prisoners and (c) what other forms of disciplinary action was taken against such prison warders?

The MINISTER OF CORRECTIONAL SERVICES

With reference to the information for 1989 and 1990 respectively, I refer the hon member to my written reply of 9 April 1991 to question number 180 in the House of Assembly (Hansard col 902-904). Regarding 1991, the information is as follows

- (1) (a) A total of 1 426 complaints of alleged assault were received and registered

The Department of Correctional Services regards every complaint of alleged assault on a prisoner by a member of the Service, no matter how petty, in a very serious light. In terms of the Departmental Orders, every complaint of alleged assault is registered in the appropriate register and properly investigated by the Commanding Officer

Likewise, assaults on personnel by



prisoners are not tolerated either and offenders are dealt with severely

(b) (i) and (ii)

253

63 Members were charged in public courts due to complaints of assault on prisoners. Of these, 39 members were found not guilty whilst 24 members were found guilty

(2) (a) 200 Members stood trial in terms of Prisons Regulation 71(1)(h) read together with Section 53 of the Correctional Services Act, 1959 (Act 8 of 1959) on counts of assault on prisoners. Of these, 144 members were found not guilty whilst 56 members were found guilty and were sentenced in terms of Section 53(2) of the Correctional Services Act

In respect of 889 complainants, no substance could be found after thorough investigation to lay charges against any member of the Department. Furthermore, the Attorney-General refused to prosecute in 153 cases. On 31 December 1991, the remaining cases were still being dealt with

(b) Inquires in terms of the stipulations of Prisons Regulation 77(1) to determine the suitability of members to remain in service, inter alia led to the dismissal of one member against whom an offence of assault on a prisoner was recorded

(c) Besides sentences imposed in terms of Section 53 of the Correctional Services Act, 1959 (Act 8 of 1959) during departmental trials, members were seriously warned against such actions and were made aware of the implications thereof on their careers. Furthermore, such inadmissible conduct is duly considered in the competence evaluation of such members

Insulin: representations

107 Mr M J ELLIS asked the Minister of National Health

(1) Whether she has received any representations from individuals and/or organizations with regard to the high cost of insulin required for the treatment of dia-

betes, if so, (a) from whom or what organizations and (b) what was the nature of these representations,

(2) Whether she has been notified of any medical and schemes that do not cover the cost of insulin required for such purposes, if so,

(3) whether she will furnish the names of these medical aid schemes, if not, why not, if so, what are their names,

(4) whether she intends taking any steps to make insulin more freely available to diabetics, if not, why not, if so, (a) what steps and (b) when,

(5) whether she will make a statement on the matter?

B267E

THE MINISTER OF NATIONAL HEALTH

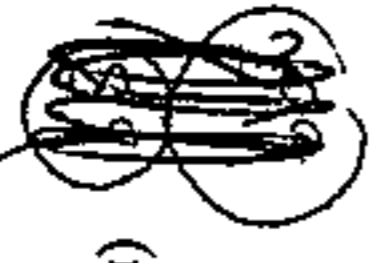
(1) Yes,

(a) four members of the public and the South African Diabetic Association, and

(b) the excessive increase in the price of insulin and requests that

(i) diabetics without a medical aid scheme may purchase the medicine at cost price at the provincial hospitals,

(ii) diabetics with a medical aid scheme who exceed the maximum may purchase the medicine at cost price at the provincial hospitals,



(iii) price control on medicine be instituted,

(iv) a maximum limit on life-saving medicine be instituted, and

(v) insulin be exempted from value added tax,

(2) no,

(3) falls away,

(4) no, insulin is but one of a variety of life-saving medicines and to exclude insulin at this stage is not appropriate. There was, however, a forum on the high cost of medicine on 28 February 1992. It is expected that steps which flow from the

Forum will address this type of problems, (a) and (b) fall away,

(5) no

Prison warders: killed/injured

111 Mr D J DALLING asked the Minister of Correctional Services

253

(1) Whether any prison warders were (a) killed and (b) seriously injured by prisoners in 1991, if so, (i) how many and (ii) in which prisons,

(2) whether any prisoners were (a) killed and (b) seriously injured by fellow prisoners in that year, if so, (i) how many and (ii) in which prisons?

B275E

THE MINISTER OF CORRECTIONAL SERVICES

(1) (a) No

(i) No member of the Department of Correctional Services was killed by prisoners during 1991

(b) Yes

(i) and (ii)

Fifteen (15) members of the Department of Correctional Services were seriously injured by prisoners during 1991 at the prisons mentioned below and a further twenty five (25) members received medical treatment, consultations for minor injuries sustained as a result of assaults by prisoners

- Barberton
- Beaufort West
- Brandvlei
- Durban
- Groenpunt
- Lospertontein
- Middelburg (Cape)
- Modderbee
- Robben Island
- St Albans
- Victor Verster
- Voorrekkerhoogte

(2) (a) Yes

(i) and (ii) Available information indicates that

twelve (12) prisoners were killed by fellow-prisoners at the following prisons: Bethal, Goedemoed, Groenpunt, Johannesburg, Krugersdorp, Modderbee, St Albans, Maaumum, Pretoria, Stellenbosch, Leeuwkop and Pollsmoor. However, these inquiries have not yet been finalized

All deaths in prisons in respect of which a medical practitioner is unable to certify that the prisoner died as a result of natural causes, are reported to the South African Police or a magistrate for the necessary investigations. Inquests into every case where death is ascribed to unknown or unnatural causes, are instituted in terms of the stipulations of the Inquest Act, 1959 (Act 58 of 1959) and at the same time departmental investigations are also undertaken

(b) Yes

253

(i) and (ii)

The Department of Correctional Services regards every complaint of an assault, no matter how petty, in a serious light. Prisoners are daily given the opportunity to lodge any complaint or request, and preventive measures, for example the re-allocation of sleeping quarters or working places, are instituted should it appear that there is reason to believe that a prisoner is threatened. In cases of injuries which are related to complaints of alleged assault, a suitable entry is made in a complainants register and/or a register of injuries and in addition to the necessary medical treatment which may be administered or prescribed by the medical officer, a departmental inquiry is instituted into the alleged assault. Where such a complaint is substantiated suitable disciplinary action is taken in terms of Prisons Regulation 99 in the case of minor assaults, while complaints of serious assault are reported to the South African Police without delay for investigation in order that the legal process may take



# Mandela held talks on striking warders

S/Times (Cm.) 15/3/92

By KURT SWART

ANC president Mr Nelson Mandela intervened on behalf of warders facing dismissal from the prisons department for taking part in a protest strike it was revealed this week.

Mr Mandela and the advocate representing the warders, Mr Denzil Potgieter, met the Commissioner of Correctional Services Lt Gen W H Willemse late last year to make representations on behalf of the warders, said Mr Potgieter.

The 12 warders who were told they faced dismissal after a marathon disciplinary hearing at Cape Town's Pollsmoor Prison are all members of the Police and Prisons Civil Rights Union (Popercu).

The disciplinary action followed the participation of 70 Pollsmoor warders in a sit-in strike in March 1990 to highlight alleged racial discrimination in prisons.

The hearing, which started in July 1990, ended in September last year when the presiding officer Col J C Robberts recommended the dismissal of 63 of the 70.

According to Mr Potgieter, Popercu members approached Mr Mandela at an ANC banquet at the Lord Charles Hotel in Somerset West in late September last year

and asked him to intervene on their behalf.

"On November 28 last year Mr Mandela and I met the department commissioner Gen Willemse in Pretoria.

"The meeting took place in a cordial spirit and we reached certain agreements on how the matter was to be handled," said Mr Potgieter.

Last month the final recommendations in the disciplinary action were made and 12 warders received written notice that they faced dismissal. In terms of the department's regulations, the warders were invited to submit representations as to why they should not be dismissed.

This week spokesman for the Department of Correctional Services, Col Danie Immelman, said that no representation "from the members involved" had yet been received.

Said Mr Potgieter: "The commissioner has not yet decided on the matter. He will make his final decision on the fate of the warders once he has his department's report as well as the representations from the warders on his desk."

Similar disciplinary hearings in connection with the countrywide warders' sit-in strike were also conducted at seven other prisons.

253

# Prisoners' CP blues

By THEMBA KHUMALO

Mokhesi said.

AS whites go to the polls on Tuesday in the referendum, families of political prisoners are worried about the fate of their children in the event of a Conservative Party win.

Bassic Mokhesi, 80, whose son Francis is one of the two remaining "Sharpeville Six", said he was crossing his fingers that the National Party wins so that the prisoners should be released soon.

"The CP must not win this one. Their victory will spell disaster not only for the prisoners but for the whole of South Africa,"

He expressed disappointment that nearly three years after President FW de Klerk came to power political prisoners were still battling for their release.

George Mncube and his wife Winifred said they were praying for De Klerk's victory so their son Mthetheleli, who is on Death Row, should be freed.

Mthetheleli was sentenced to death with his co-accused, Mzondeleli Nondula, four years ago for their part in the Messina limpet mine blasts.

253

### ANC jailbird takes flight (253)

AN ANC guerrilla is among three prisoners that escaped last Monday from Botswana's Gaborone Central Prison *C/P No 15/3/92*

According to Botswana's prisons department, ANC guerrilla Stephen Lesole escaped along with fellow South African Albert Solomon and a local prisoner. Lesole was sentenced to eight years in prison last year for murder and possession of arms. Police have launched a massive manhunt



prisoners are not tolerated either and offenders are dealt with severely

- (b) (i) and (ii) <sup>253</sup>  
63 Members were charged in public courts due to complaints of assault on prisoners. Of these, 39 members were found not guilty whilst 24 members were found guilty

- (2) (a) 200 Members stood trial in terms of Prisons Regulation 71(1)(h) read together with Section 53 of the Correctional Services Act, 1959 (Act 8 of 1959) on counts of assault on prisoners. Of these, 144 members were found not guilty whilst 56 members were found guilty and were sentenced in terms of Section 53(2) of the Correctional Services Act

In respect of 889 complainants, no substance could be found after thorough investigation to lay charges against any member of the Department. Furthermore, the Attorney-General refused to prosecute in 153 cases. On 31 December 1991, the remaining cases were still being dealt with

- (b) Inquiries in terms of the stipulations of Prisons Regulation 77(1) to determine the suitability of members to remain in service, inter alia led to the dismissal of one member against whom an offence of assault on a prisoner was recorded
- (c) Besides sentences imposed in terms of Section 53 of the Correctional Services Act, 1959 (Act 8 of 1959) during departmental trials, members were seriously warned against such actions and were made aware of the implications thereof on their careers. Furthermore, such inadmissible conduct is duly considered in the competence evaluation of such members

#### Insulin: representations

107 Mr M J ELLIS asked the Minister of National Health

- (1) Whether she has received any representations from individuals and/or organizations with regard to the high cost of insulin required for the treatment of dia-

HOUSE OF ASSEMBLY

betes, if so, (a) from whom or what organizations and (b) what was the nature of these representations,

- (2) Whether she has been notified of any medical and schemes that do not cover the cost of insulin required for such purposes, if so,
- (3) whether she will furnish the names of these medical and schemes, if not, why not, if so, what are their names,
- (4) whether she intends taking any steps to make insulin more freely available to diabetics, if not, why not, if so, (a) what steps and (b) when,
- (5) whether she will make a statement on the matter?

B267E

#### THE MINISTER OF NATIONAL HEALTH

(1) Yes,

- (a) four members of the public and the South African Diabetic Association, and
- (b) the excessive increase in the price of insulin and requests that

(i) diabetics without a medical aid scheme may purchase the medicine at cost price at the provincial hospitals,

- (ii) diabetics with a medical aid scheme who exceed the maximum may purchase the medicine at cost price at the provincial hospitals,
- (iii) price control on medicine be instituted,
- (iv) a maximum limit on life-saving medicine be instituted, and
- (v) insulin be exempted from value added tax,

(2) no,

(3) falls away,

- (4) no, insulin is but one of a variety of life-saving medicines and to exclude insulin at this stage is not appropriate. There was, however, a forum on the high cost of medicine on 28 February 1992. It is expected that steps which flow from the

forum will address this type of problems, (a) and (b) fall away,

(5) no

#### Prison warders: killed/injured

111 Mr D J DALLING asked the Minister of Correctional Services <sup>253</sup>

- (1) Whether any prison warders were (a) killed and (b) seriously injured by prisoners in 1991, if so, (i) how many and (ii) in which prisons,
- (2) whether any prisoners were (a) killed and (b) seriously injured by fellow prisoners in that year, if so, (i) how many and (ii) in which prisons?

B275E

#### THE MINISTER OF CORRECTIONAL SERVICES

(1) (a) No

- (i) No member of the Department of Correctional Services was killed by prisoners during 1991
- (b) Yes

(i) and (ii)

Fifteen (15) members of the Department of Correctional Services were seriously injured by prisoners during 1991 at the prisons mentioned below and a further twenty five (25) members received medical treatment, consultations for minor injuries sustained as a result of assaults by prisoners

Barberton  
Beaufort West  
Brandvlei  
Durban  
Groenpunt  
Lospertfontein  
Middelburg (Cape)  
Modderbee  
Robben Island  
St Albans  
Victor Verster  
Voortrekkerhoogte

(2) (a) Yes

(i) and (ii)  
Available information indicates that

twelve (12) prisoners were killed by fellow-prisoners at the following prisons: Bethal, Goedemoed, Groenpunt, Johannesburg, Krugersdorp, Modderbee, St Albans Maximum, Pretoria, Stellenbosch, Leeuwkop and Pollsmoor. However, these inquiries have not yet been finalized

All deaths in prisons in respect of which a medical practitioner is unable to certify that the prisoner died as a result of natural causes, are reported to the South African Police or a magistrate for the necessary investigations. Inquests into every case where death is ascribed to unknown or unnatural causes, are instituted in terms of the stipulations of the Inquest Act, 1959 (Act 58 of 1959) and at the same time departmental investigations are also undertaken

(b) Yes

(i) and (ii)

The Department of Correctional Services regards every complaint of an assault, no matter how petty, in a serious light. Prisoners are daily given the opportunity to lodge any complaint or request, and preventative measures, for example the reallocation of sleeping quarters or working places, are instituted should it appear that there is reason to believe that a prisoner is threatened

In cases of injuries which are related to complaints of alleged assault, a suitable entry is made in a complainants register and/or a register of injuries and in addition to the necessary medical treatment which may be administered or prescribed by the medical officer, a departmental inquiry is instituted into the alleged assault. Where such a complaint is substantiated suitable disciplinary action is taken in terms of Prisons Regulation 99 in the case of minor assaults, while complaints of serious assault are reported to the South African Police without delay for investigation in order that the legal process may take

HOUSE OF ASSEMBLY



its normal course  
In total, 422 prisoners were injured to such an extent as a result of assaults by fellow-prisoners that they had to be referred to prison hospitals or hospitals outside of prisons. These assaults took place at the following prisons

- Leeuwkop Maximum
- Port Shepstone
- Pollsmoor Maximum
- Pollsmoor Medium A
- Pollsmoor Medium B
- Genl J C Steyn
- Port Elizabeth Male
- Port Elizabeth Female
- Victor Verster Maximum
- Victor Verster Medium A
- Waterval Medium B
- Middelburg (Tvl)
- Obiqua
- Nylstroom
- Ficksburg
- Grootvlei Medium
- Ladybrand
- Senekal
- Fort Beaufort
- King William's Town
- Pietermaritzburg Medium A
- Umlazi
- St Albans Maximum
- St Albans Medium A
- Warmbokveld
- Zonderwater Medium A
- Zonderwater Medium B
- Kroonstad Medium A
- Kroonstad Medium B
- Staart van Paardeberg
- Barberton Medium A
- Barberton Medium B
- Barberton Maximum
- Nelspruit
- Baviaanspoort Maximum
- Grootvlei Maximum
- Brandvlei Maximum
- Caledon
- Helderstroom Medium
- Durban Female
- Groenpunt Medium
- Johannesburg Female
- Krugersdorp
- Klerksdorp

253

Rustenburg  
Bethlehem

Criminal trials in 1991

- 115 Mr A J LEON asked the Minister of Justice
- (1) How many criminal trials were conducted in (a) regional and (b) district magistrates' courts in South Africa in 1991,
  - (2) in how many such trials was the accused not legally represented?

252

B279E

THE MINISTER OF JUSTICE

- (1) The statistics hereunder are only with regard to more serious criminal offences. Statistics with regard to minor offences, for example stationary traffic offences, are not included in the data. The required information regarding the Supreme Court is not readily available. To obtain the information all court records will have to be scrutinized which is not economically feasible
- (a) Total number of accused 69 329
- (b) Total number of accused 706 753
- (2) (a) Total number of accused not represented 45 110
- (b) Total number of accused not represented 638 531

It is important to take cognizance of the fact that our system of adjudication of criminal matters provides for various intrinsic safeguards to prevent miscarriages of justice and this means that accused appearing in courts are not necessarily prejudiced by a lack of legal representation. Consequently only approximately 20 percent of the large number of accused which appeared in the courts without legal representation were convicted and committed to prison

Sentences

128 Mr L FUCHS asked the Minister of Correctional Services

253

How many sentences were handed down in the years ended 31 December 1988, 1989, 1990 and 1991, respectively, in respect of the provisions of (a) section 54(2)(a), (b) section

54(2)(c) and (c) section 54(2)(d) of the Prisons Act, No 8 of 1959?

253

B329E

THE MINISTER OF CORRECTIONAL SERVICES

With reference to the periods ending on 31 December 1988, 1989 and 1990 the hon member is referred to my written reply of 5 March 1991 to question number 64 in the House of Assembly (Hansard col 357-358). The information with regard to the period 1 January 1991 to 31 December 1991 are as follows

- (a) In 3 308 cases prisoners were reprimanded
  - (b) In 27 930 cases prisoners were sentenced to the deprivation of one or more meals on any one day
- This represents 6,9% of the total number of prisoners admitted to South African prisons from police and courts during the calendar year 1991
- (c) In 44 cases corporal punishment not exceeding six strokes was imposed in respect of convicted male prisoners

SAA: personnel

134 Mr A J LEON asked the Minister for Public Enterprises

254

- (1) What total number of (a) Whites, (b) Blacks, (c) Coloureds and (d) Asians was employed by the South African Airways (i) as apprentices, (ii) as technical staff, (iii) in the administrative services, (iv) as cabin crew (excluding pilots) and (v) as pilots as at the latest specified date for which figures are available,

(2) whether the Airways intends to increase the Black component of its staff, if so, what are the relevant details?

254

B335E

THE MINISTER FOR PUBLIC ENTERPRISES

The Managing Director of TRANSNET LIMITED has furnished the following information in reply to the hon member's question

- (1) (a) (i) 336
- (ii) 1 804
- (iii) 4 914
- (iv) 1 431
- (v) 550
- (b) (i) 19
- (ii) 597
- (iii) 1 034
- (iv) 36
- (v) 0
- (c) (i) 19
- (ii) 144
- (iii) 96
- (iv) 45
- (v) 0
- (d) (i) 17
- (ii) 4
- (iii) 15
- (iv) 18
- (v) 1

(2) SA Airways is constantly revising its employment policy to ensure that a better composition of its staff complement is obtained

## Prisoners killed 12 fellow inmates in 1991 (253) Vlok

JOHANNESBURG Twelve prisoners were killed by fellow convicts in 1991 and 422 were hospitalised after assaults by inmates, says Minister of Correctional Services Mr Adriaan Vlok. *Apr 17/3/92*

In a written reply in the House of Assembly to a question by Mr Dave Dalling (DP Sandton) he said that while no warders had been killed by prisoners in 1991, 15 had been seriously injured in assaults.

Mr Vlok said inquests had been opened into the deaths of 12 prisoners at Bethal, Goede-moed, Groenpunt, Johannes-burg, Krugersdorp, Modderbee, St Albans Maximum, Pretoria, Stellenbosch, Leeuwkop and Pollsmoor.

Twenty-five warders had been treated after assaults by prisoners — Sapa



# 80 guilty of assaulting prisoners

(153)

By BARRY STREEK

EIGHTY prison warders were found guilty last year of assaulting prisoners — departmentally and by courts — the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

Of the 1 426 complaints of alleged assault by warders received in 1991, 889 were found to have no substance, and the attorney-general had refused to prosecute in 153 cases.

Mr Vlok, who was replying to a question

tabled in Parliament by Mr Lester Fuchs (DP, Hillbrow), said 63 warders were charged in public courts with assaulting prisoners, and 24 were found guilty.

A further 200 warders stood trial in terms of prisons regulations on counts of assault on prisoners and 56 were found guilty, and 144 were acquitted.

One warder was dismissed after an offence of assault on a prisoner was recorded against him.

The remaining cases of assault were still to be dealt with.

Mr Vlok said in reply to another question, which was tabled by Mr David Dalting (DP, Sandton), that no warders were killed by prisoners last year, but 15 were seriously injured by prisoners and a further 25 had to receive medical treatment.

Available information indicated that 12 prisoners were killed by fellow prisoners at the Bethal, Goedemoed, Groenpunt, Johan-

nesburg, Krugersdorp, Modderbee, St Albans Maximum, Pretoria, Stellenbosch, Leeuwkop and Pollsmoor prisons.

A further 422 prisoners were injured in assaults by fellow prisoners to such an extent that they had to be treated in hospital.

Mr Vlok also said in reply to another question by Mr Fuchs that in 1991 3 308 prisoners were reprimanded and 27 930 were sentenced to the deprivation of one or more meals.

CT 17/8/92

# 80 prison warders found guilty of assault

CAPE TOWN — Last year, 80 prison warders were found guilty of charges of assault on prisoners in courts and departmentally, Correctional Services Minister Adriaan Vlok said yesterday

Although 1 426 complaints of alleged assault by warders were received and registered in 1991, 889 were found to have no substance after thorough investigation and the Attorney-General had refused to prosecute in 153 cases

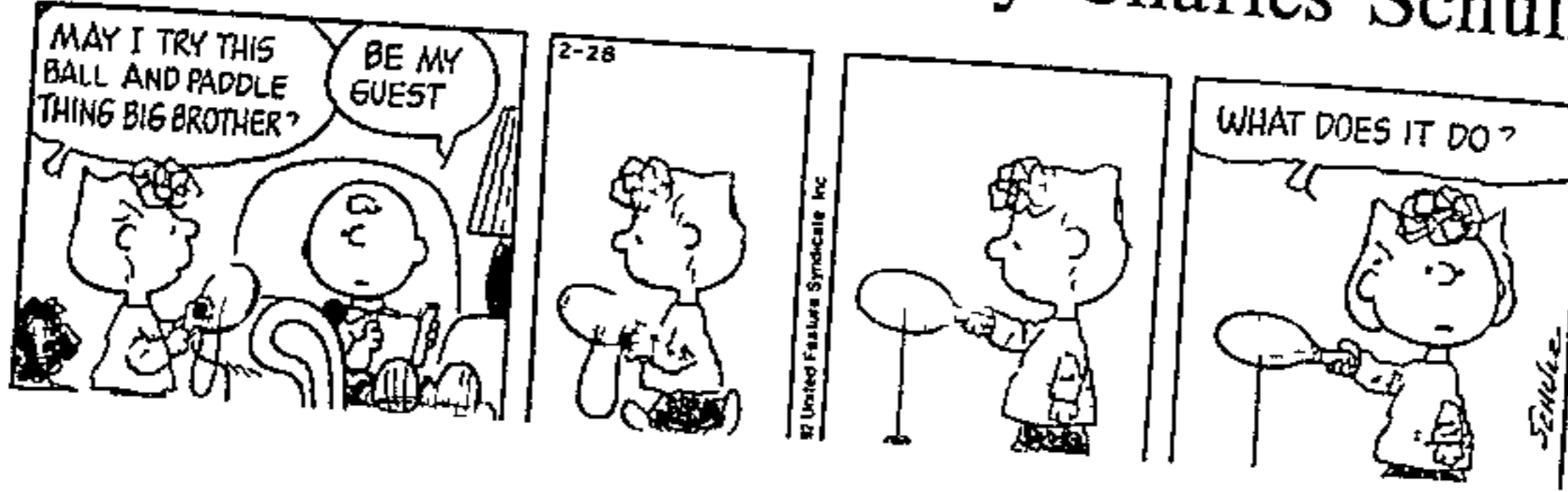
Political Staff

Vlok, replying to a question tabled in Parliament by Lester Fuchs (DP, Hillbrow), said that apart from those charged, the remaining cases were still being dealt with on December 31 last year

He said 63 members were charged in public courts due to complaints of assault on prisoners and 24 members were found guilty

## PEANUTS

By Charles Schulz





The matter is now in the hands of the Attorney General. If there is any unhappiness about the manner in which this matter has been investigated, it is the right of any hon member to contact the Attorney General in question and say that he objects, as the hon member for Sandton stated, against the sloppy investigation of the matter. He can ask that the matter be investigated properly, and that allegations against the police be investigated in the light of any facts which the hon member for Claremont might have.

The information at my disposal, however, is that the SA Police could not prevent this incident. That incident did not take place during the day and in front of everyone.

I do not want to discuss the merits of the incident with the hon member today. This matter is sub-judice. Legal proceedings have been instituted and a trial will take place, and if the hon member wants to discuss the matter further, I can inform him fully. I therefore invite the hon member to visit me in my office. I will give him all the facts, but in an interpellation such as this we cannot discuss a complete case with 350 statements. If the hon member is not satisfied with the results of the trial, or if he has more allegations against the SA Police, he can also come forward with that matter. Our doors are open to him.

Debate concluded

### QUESTIONS

Indicates translated version

For oral reply

General Affairs

*Questions standing over from Wednesday, 26 February 1992*

#### Cinema shows on Sundays

\*3 Mr A J LEON asked the Minister of Justice

- (1) Whether he has given consideration to repealing or amending the legislation governing the prohibition of commercial cinema shows on Sundays, if so,
- (2) whether it is the intention to repeal or amend the legislation in question during

HOUSE OF ASSEMBLY

the current session of Parliament, if not, why not,

- (3) whether he will make a statement on the matter? B200E

†The MINISTER OF JUSTICE

(1), (2), and (3) Legislation in general is the subject of constant investigation and evaluation to ensure that it meets with public demand. That is indeed also the position with the legislation concerned. In this regard I have in the past amongst others conducted numerous discussions with representatives of the film industry on the issue of the exhibition of films on Sundays and public holidays. It always took place in a responsible manner and in good spirit with mutual understanding for each others views.

During these discussions the possibility was raised that the power of the Minister of Justice in the Prohibition of the Exhibition of Films on Sundays and Public Holidays Act, 1977, to grant consent for the exhibition of films on Sundays for any consideration, be devolved to local authorities. In view of the fact that various Sunday activities are at present being regulated by provincial or local enactments, the Government has now accepted the principle that the power to regulate on an issue of this nature, be devolved either to provincial and/or local authorities. Consideration is at present being given to a framework within which such devolution may take place.

Mr A J LEON Mr Chairman, I should like to ask a supplementary question arising from the reply of the hon the Minister of Justice. While I am grateful for the information that this is now going to be devolved to local authorities in due course, perhaps the hon the Minister could just address two aspects of this.

On a national level at least M-Net and SABC-TV currently allow films to be shown on Sunday evenings. That has national implications and is tolerated. Surely the same principle should be allowed with regard to movie houses and cinemas operating nationally. [Interjections]

The second aspect is this. Currently, as we debate this question here in Parliament, there is a cinema chain in Goodwood, Cape Town, which in contravention of this particular law, is showing films on Sundays without prosecution. [Interjec-

tions] I know a lot of hon members here will enjoy [Interjections]

The CHAIRMAN OF THE HOUSE Order! I cannot allow hon members to make supplementary statements. I can only allow them to put supplementary questions. [Interjections]

The MINISTER Mr Chairman, I was going to remark that had we been in court of law, I would have asked the Chairman to rule that the first remark be removed altogether from the record since it is argumentative and superfluous. Secondly, as to the second point the hon member made

The CHAIRMAN OF THE HOUSE Order! I would have concurred with my hon learned friend [Interjections] The hon the Minister may continue

The MINISTER I accept your verdict, Mr Chairman

As to the second point, is the hon member going to lay a charge? [Interjections] If he is not going to lay a charge, we obviously have to take cognizance of that situation, but the hon member must surely then consider whether it is relevant or not, although it does support my approach that a local authority is in the best position to gauge what the sentiments of a local community are. [Interjections]

#### Mamelodi: persons killed

\*7 Mr P G SOAL asked the Minister of Law and Order

Whether, with reference to the inquest into the deaths of certain persons killed in Mamelodi on 21 November 1985 and the reply to Questions No 12 on 5 March 1991, the South African Police will disclose the (a) contents of the statement made by and (b) identity of the witness that was traced on 15 February 1991, if not, why not, if so, what are the details? B249E

The MINISTER OF LAW AND ORDER

(a) and (b) No, the Attorney General decided that the statement provided by and the identity of the witness traced, at his request, should not be disclosed

*Questions standing over from Wednesday, 4 March 1992*

Prisoners injured  
\*1 Mr A J LEON asked the Minister of Correctional Services

How many persons serving terms of imprisonment were injured accidentally in 1991? B253E

†The MINISTER OF CORRECTIONAL SERVICES

During 1991, 5 228 prisoners sustained injuries. This represents approximately 1,29% of the total number of prisoners admitted to South African prisons from police and courts during the 1991 calendar year. These statistics include, *inter alia*, injuries sustained in work situations and participation in sport.

The Department of Correctional Services does everything possible to prevent accidents and injuries to prisoners. The safe custody of prisoners implies, *inter alia*, the prevention of accidents and injuries. With due consideration of safety measures comprehensive instructions and precautions exist to ensure that prisoners do not injure themselves or other prisoners during work, recreation or otherwise. Where appropriate, the stipulations of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983) are complied with.

When prisoners participate in organised sport it is done under supervision and as far as is possible, preventative measures are also taken to prevent prisoners from being injured.

Every injury sustained by a prisoner is properly recorded and should the circumstances under which it was sustained or the nature of the injury necessitate it, a comprehensive enquiry is held into the incident. If necessary remedial/preventative steps are instituted. It is standing practice that every prisoner who sustains an injury is seen by a doctor in order that he may receive the necessary medical treatment.

Should a prisoner sustain an injury during the accomplishment of his work or during participation in organized sport he is covered by the stipulations of Prisons Regulation 107.

#### Social pensions cancelled

\*2 Mr M J ELLIS asked the Minister of Local Government and National Housing

HOUSE OF ASSEMBLY



ried police station serving the Indian areas of Chatworth, Merebank and Isipingo, respectively, during the latest specified period of 12 months for which figures are available?

The MINISTER OF LAW AND ORDER D50E

	WENT- WORTH	ISIPINGO	CHAT- WORTH
(a)	19	159	30
(b)	11	28	22
(c)	207	163	339
(d)	689	319	588
(e)	27	43	43
(f)	234	380	704
(g)	128	309	185
(h)	103	203	358
(i)	370	293	730
(j)	240	92	536

Note  
Merebank forms part of Wentworth police station and the figures include White areas

Police men recruited/re-enlisted: all races

12 Mr M RAJAB asked the Minister of Law and Order

- (1) How many (a) White, (b) Indian, (c) Coloured and (d) Black policemen were recruited in 1991.

(2) how many of these policemen were officers who re-enlisted?

The MINISTER OF LAW AND ORDER D51E

- (1) (a) 7 025  
(b) 563  
(c) 1 888  
(d) 5 228  
(2) 8 officers

Note

The amount mentioned in one (1) includes Municipal Police and Police Assistants

Prisoners on parole rearrested/sought

17 Mr M RAJAB asked the Minister of Law and Order

- (a) How many prisoners who were released on parole in the 1991 calendar year (i) have been rearrested for and (ii) are being sought in connection with criminal offences and (b) in respect of what date is this information furnished?

The MINISTER OF LAW AND ORDER D68E

- (a) (i) 4 099  
(ii) 1 509  
(b) January 1991 until 31 December 1991

HOUSE OF ASSEMBLY

parts of the present curricula and syllabuses will be maintained

(2) No

Teacher/pupil ratio

110 Mr R M BURROWS asked the Minister of National Education

- (1) Whether he or his Department has made any calculation regarding the likely effect on teacher personnel of the application to all education departments of a ratio of 1 teacher per 30 pupils, if not, why not, if so, (a) what effect would such a change have on teacher distribution and (b) what is the likely educational effect of such a changed ratio in each department,  
(2) whether he will make a statement on the matter? B270E

The MINISTER OF NATIONAL EDUCATION

(2) whether he will make a statement on the matter? B152E

The MINISTER OF NATIONAL EDUCATION

- (1) Not the Department but the Committee of Heads of Education Departments (CHED) has started with the proses to revise the existing core syllabuses

(a) On 20 November 1991 the CHED has released a model for a broad curriculum for school and technical college education as a discussion document Comments on the proposals were awaited until 6 March 1992 The development of frameworks will commence as soon as the model has been finalized, in terms of the comments received, and approved by the Minister of National Education

(b) For each subject included in the final model, a framework will be developed to provide for a common content and standard that must be achieved From these frameworks various syllabuses could be developed to accommodate differences in interpretation and different circumstances It is well imaginable that



HOUSE OF DELEGATES

THE DEPUTY MINISTER OF NATIONAL HEALTH

QUESTIONS

Indicates translated version

For oral reply

General Affairs

Question standing over from Wednesday, 4 March 1992

Compulsory third-party insurance

\*1 Mr M RAJAB asked the Minister of Transport

Whether his Department is considering making it compulsory for all vehicles in South Africa to be insured for balance of third party to cover damage caused to other vehicles involved in traffic accidents, if not, why not; if so, what are the relevant details?

D35E

The MINISTER OF TRANSPORT

Yes The Department of Transport considered this option following investigations into the matter by the Grosskopf Commission in 1985 and the Advisory Committee on Third Party Matters instituted in terms of section 7 of the Motor Vehicle Accidents Act, 1986, in 1987. For various reasons no justification could, however, be found for such a compulsory balance of third party insurance. I have now referred the matter to the Transport Advisory Council for investigation and report by 29 May 1992

New questions

Air pollution problems: Durban

\*1 Mr M RAJAB asked the Minister of National Health

(1) Whether her Department has been asked to conduct a joint environmental impact study into the air pollution problems being experienced in the Durban suburbs of Merebank, Wentworth and the Bluff, if so, (a) by whom and (b) what has been done in this regard,

(2) whether she will make a statement on the matter?

D57E

THE DEPUTY MINISTER OF NATIONAL HEALTH

(1) Yes,

(a) the Durban City Council and

(b) the study has not been started yet since the results of a similar study, presently being done on request by Genref, one of the industries in the area, are being awaited. The report is expected to be released during April. It should contain basic information regarding the extent of the problem. If the report indicates that more information is required regarding the influence of other industries in the area, a joint study will be undertaken,

(2) no

Prisoners released on parole

\*2 Mr M RAJAB asked the Minister of Correctional Services

(1) (a) How many prisoners were released on parole in the 1991 calendar year and (b) how many such prisoners had been granted amnesty by the State President, (2) whether he will make a statement on the matter?

D59E

The MINISTER OF CORRECTIONAL SERVICES

(1) (a) From 1 January 1991 until 31 December 1991, 47 349 prisoners were released on parole

(b) The statistics are unfortunately not centrally available in the format as requested and can only be obtained by a costly and manpower intensive country-wide survey

The following information may be of value to the hon member

During the period 1 January 1991 until 31 December 1991 special remission of sentence (amnesty) was granted to prisoners on two occasions, namely on 30 April 1991 and 1 July 1991. The press statements which were released at that stage is self-explanatory and is attached for

Handwritten: Hcusard

the hon member's convenience to his copy of this reply

During the period 30 April 1991 until 30 June 1991, 25 467 prisoners were released as their sentences expired after they partially or fully received the 6 months special remission of sentence

During the period 1 July 1991 until 31 October 1991, 9 247 prisoners were released as their sentences expired after they received special remission of sentence which was granted to sentenced first offenders who were serving sentences on 1 July 1991

During the interpretation of the above-mentioned statistics the following factors should also be borne in mind

Prisoners who receive amnesty are not necessarily paroled and vice versa

Several prisoners who benefited by the concessions concerned have not yet been released as their sentences have not yet expired in spite of the amnesty they were granted

All prisoners do not benefit fully from these type of concessions as their dates of release were in any event imminent at the time of the announcement thereof

That all prisoners who are released do not necessarily benefit from the granting of amnesty as certain categories of crimes are excluded from such an award as, for instance, specified in the press statements

During the periods 1 July 1989 until 30 June 1990 and 1 July 1990 until 30 June 1991 respectively 56 690 and 53 257 prisoners were released on parole. If these statistics are compared to those for the 1991 calendar year (47 349), it shows a decrease in the number of releases on parole over the past year

(2) No

Handwritten: 253

Press Statement by Mr H J Coetsee MP Minister of Justice and of Correctional Services

Cape Town Amnesty to Prisoners

In the spirit of reconciliation the State President has in terms of section 69(1) of the Prisons Act (Act 8 of 1959) as amended, approved that 6 months special remission of sentence be granted to all sentenced prisoners on 30 April 1991 with the exclusion of the following

Persons that have otherwise benefited by the release process in terms of the Pretoria Minute

- Judgement debtors
Mentally ill prisoners
Certified psychopaths
Also excluded are

Persons convicted of the following crimes where a sentence of longer than 5 years were imposed

- Rape
Murder
Indecent assault or sodomy on a child

- Kidnaping
Dealing in dependent-producing drugs
Robbery
Culpable homicide

Housebreaking and theft
Prisoners who qualify will be released as soon as possible after 30 April 1991 when the administrative processes have been completed. The expectation is that a considerable number of prisoners will benefit

Liaison Office Department of Correctional Services
Tel (012) 3236327
Press Statement by the State President, Mr F W de Klerk
I should like to make two announcements
1 At a meeting between the Minister of Justice and of Correctional Services,



Mr H J Coetsee, and representatives of the National Executive Committee of the ANC on 30 June 1991, it was agreed that, with regard to prisoners imprisoned within the RSA, finality has now been reached in terms of the process of release set out in the Groote Schuur and Pretoria Minutes. It was also agreed that the results of the process were acceptable to both sides.

\* It was also agreed that no further applications for the release of prisoners in terms of the Groote Schuur and Pretoria Minutes received after 15 July 1991 would be considered. This was because the number of applications, especially those submitted by prisoners direct, has already diminished considerably. Most of these direct applications in any event do not qualify for the application of the categories and guidelines relating to political offences. However, applications submitted after 15 July 1991 will be considered if the delay was not due to the fault of the prisoner or his representative.

\* Prisoners whose applications for release have been refused by the Government will still have the right to approach the Advisory Body of Judges, established in terms of the Groote Schuur and Pretoria Minutes, for further advice to the Government.

The release programme in terms of the Groote Schuur and Pretoria Minutes has now virtually run its course, resulting in the release of more than 1 040 prisoners.

The Government is confident that other issues such as prisoners in neighbouring independent countries could suitably be discussed amongst responsible parties. The Government is prepared to play an intermediary role.

2 The second announcement deals with a general special remission of sentence for the broad spectrum of prisoners. The release programme which had followed upon the Groote Schuur and Pretoria Minutes benefited only a specific category of prisoners. This brought about an im-

balance, and a more even-handed approach is called for.

(253) I have therefore decided to grant a one third remission of sentence to all sentenced first offenders who were serving sentences on 1 July 1991. This remission will, however, not apply to persons serving life sentences, sentences for sexual offences, child abuse and molestation and a few other exceptions. On release, all relevant factors will be taken into consideration, such as reintegration into the community, the possibility of recidivism and the prospects for rehabilitation. Thus the safety and interests of the public will also receive adequate attention.

In appropriate cases parole will also be considered. Where the seriousness of the crime however justifies it and the prisoner has not yet served a significant part of his sentence, longer than normal parole periods—up to 5 years—will apply and also stricter conditions will be set.

These measures will take effect immediately and will be administered by the Department of Correctional Services. The effect of the special remission will be spread over an extended period. A substantial number of prisoners will, however, benefit immediately or in the near future, by way of release and/or parole. I am also considering further proposals as to what may be done, if anything, in respect of second and further offenders.

The Government believes that it has now reached an equitable solution to all outstanding questions relating to the release of prisoners.

I wish to emphasize that justice will continue to take its course and that all offenders, especially those involved in violence, can expect to be prosecuted and punished in accordance with the law.

Issued by the Office of the State President

Pretoria

1 July 1991

THE LEADER OF THE OFFICIAL OPPOSITION Mr Charman, arising out of the hon the Minister's reply, in respect of the 47 349 that were released on parole, is the hon the Minister

able to let us know how many of them were convicted of drug-related offences? (253)

THE MINISTER OF CORRECTIONAL SERVICES Mr Charman, I am not sure, but I shall check on this. I am not sure whether or not they qualify in terms of the amnesty qualifications. However, I shall check on this and let the hon member know.

*Own Affairs*

*Questions standing over from Wednesday, 4 March 1992*

Land for schools: House of Delegates

\*1 Mr K PANDAY asked the Minister of Education and Culture

(1) Whether any land originally acquired by the Administration House of Delegates for the building of schools is no longer needed for this purpose, if so, what is to become of this land,

(2) whether he will make a statement on the matter?

D32E

THE MINISTER OF EDUCATION AND CULTURE

(1) Yes. The Chief Director of the Department of Local Government, Housing and Agriculture has been requested to relinquish the State-owned sites that are no longer required by this Administration.

(2) As the Minister of Education and Culture I have instructed my Department to advise the Chief Director of the Department of Local Government, Housing and Agriculture to request Treasury to deposit the money generated thereby into the State Revenue Account but reserved for the execution of the Administration's urgent Capital Works Project.

THE LEADER OF THE OFFICIAL OPPOSITION Mr Charman, arising out of the hon the Minister's reply, is he able to let us know whether land is going to be released to other education departments for educational purposes or housing, or whether consideration was given to these sites being given to other communities that had been deprived of schooling accommodation?

THE MINISTER OF EDUCATION AND CULTURE Mr Charman, if any department specifically requests any site that we have and that we do not need for building schools, we shall meet that request if it is a laudable one.

Regarding residences, there are certain areas that we shall reserve for residences for teachers, as that was requested by the Department. We have 18 school sites that will have handed over for housing or other purposes for which they are necessary in this country.

Mr M MOHANLALL Mr Charman, further arising out of the hon the Minister's reply, will he return this land which was occupied or owned by members of a particular community to that community or will he deprive them of that opportunity?

THE MINISTER Mr Charman, I do not want to deprive anybody of land that they held previously, and historical imbalances must be redressed if such a request is made. My department has received a request with regard to a specific area in Ungem South near Durban, namely site no 8 at Palmiet, which is State-owned and reserved for a school. It has been requested by a particular family that owned it previously. This will be considered most sympathetically.

Mr M MOHANLALL Mr Charman, further arising from the hon the Minister's reply, I did indicate to the hon the Minister in previous debates that the same applies to the site in Clare Road and Barton Place. That land should also be returned to the original owners.

THE MINISTER Mr Charman, that aspect is being looked at by the Department and finally will be reached when a suitable price can be agreed upon.

Retired person appointed as school principal

\*2 Mr K PANDAY asked the Minister of Education and Culture

(1) Whether a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, was brought back from retirement to act as principal of a school, if so, (a) why, (b) what is her name and (c) to which school was she appointed,

(2) whether he will make a statement on the matter? D33E



Huisser

THURSDAY, 19 MARCH 1992

Huisser

Huisser

THURSDAY, 19 MARCH 1992

Huisser

tural changes in education could flow from the ERS which would result in a changed education context within which the above-mentioned matter would have to be placed

(a) Lapses

(b) Lapses

(2) No

**Prisoners escaping from prisons**

114 Mr A J LEON asked the Minister of Correctional Services

Whether any (a) awaiting-trial and (b) sentenced prisoners held in custody escaped from prisons in South Africa in 1991, if so, (i) how many prisoners escaped, (ii) from which prisons did they escape, and (iii) how many were recaptured, in each case? B278E

**THE MINISTER OF CORRECTIONAL SERVICES**

(a) and (b) Yes

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(i) During the period 1 January 1991 to 31 December 1991, six hundred and forty six (646) sentenced prisoners and one hundred and twenty one (121) awaiting trial prisoners escaped from South African prisons. Ninety (90) of the 646 escapes by sentenced prisoners took place from prison institutions while five hundred and fifty six (556) took place from workteams, courts, hospitals, etc. The total number of escapes represent 0,18% of the total number of prisoners admitted to South African prisons from police and courts during the 1991 calendar year. Up to and including 31 December 1991, two hundred and forty four (244) sentenced prisoners and twenty eight (28) awaiting trial prisoners were re-arrested.

The endeavour continually remains to eliminate escapes, hence every escape incident is thoroughly investigated in order to identify shortcomings and introduce preventive measures where necessary.

Appropriate disciplinary steps are taken in cases of negligence whilst in cases where aiding in escaping are suspected, the matter is reported to the SA

Police for the necessary judicial process to take its course. Flaws which may be found to exist in directives are rectified while the correct application and fulfilment of directives are regularly brought to the attention of members. Defects to buildings and over-population are also factors attributing to escapes and corrective steps are also taken in this regard although financial implications sometimes play a restrictive role.

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In addition to the afore-mentioned, the Department of Correctional Services continuously strives to keep abreast of developments in the field of technology through close contact with Government institutions and the private sector in order to better equip its staff for the performance of their custodial function and the protection of society, with due cognizance of the restrictive role of financial implications.

The same security measures are not applied to all prisoners because these are determined by the security risk represented by the prisoners. All sentenced long-term prisoners are classified according to their security risk as soon as possible after admission on the basis of a standardized instrument of measurement. Depending on the results of this measurement, such prisoners are then referred to and detained in a maximum or medium security prison. If a prisoner's conduct and adaptation are such that his security risk is reduced, he may be considered for reclassification to a lower security classification and considered for a transfer to a prison with a lower security classification. Naturally the opposite also applies, and should a prisoner's conduct, adaptation and co-operation indicate that he is a high security risk, he is dealt with accordingly.

Finally, it should be noted that there is a high degree of stability in South African prisons. Although incidents of disorder, revolt, assault and so forth cannot be prevented entirely in any prison set-up, they are limited to a minimum in comparison with prisons abroad. This situation can be attributed mainly to the military character of the Department of

Correctional Services and the resulting firm, yet humane manner in which discipline and order are maintained. Furthermore, a variety of treatment and other programmes have as their object the

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establishment of a satisfied prison population (ii) and (iii) For the hon member's convenience the detail is set out in the enclosed schedule (ANNEXURE)

Prison	Awaiting-trial prisoners		Sentenced prisoners		
	Escaped	Recaptured	Escaped	From workteams, courts, hospitals, etc	Recaptured
<b>Allandale Prison Command</b>					
Allandale			1		1
Hawequa			1		1
Klein Drakenstein			1		1
Malmesbury			1		1
Saart van Paardeberg			1		1
Total	0	0	0	5	3
<b>Barberton Prison Command</b>					
Barberton Med B			6		2
Barberton Med A			1		1
Barberton Max			2		1
Barberton Town			1		1
Nelspruit			5		5
Total	0	0	5	20	10
<b>Baviaanspoort Prison Command</b>					
Baviaanspoort Max			1		1
Baviaanspoort Med			1		10
Louis Trichardt			1		1
Nylstroom	6	4	10		6
Pietersburg			2		1
Tzaneen			12		6
Total	6	4	2	46	25
<b>Bethal Prison Command</b>					
Geluk			1		1
Piet Retief			4		3
Standerfontein B			1		1
Total	0	0	0	6	4
<b>Bloemfontein Prison Command</b>					
Bloemfontein	1	1	3		3
Brandfort	1	1	1		1

cont - - -





491	Heunisara	THURSDAY, 19 MARCH 1992	Heunisara	492
		253		
Ikopo			1	1
Kolstad			2	2
New Hanover			2	2
Pietermaritzburg Med A	2	1	1	2
Sevontem			19	2
Estcourt	1	1	21	12
Kranskop			1	1
Port Shepstone			1	1
Total	3	2	48	20
<i>Pollsmoor Prison Command</i>				
Pollsmoor Max			2	3
Pollsmoor Med A			1	14
Pollsmoor Med B			2	1
Total	0	0	24	18
<i>Port Elizabeth Prison Command</i>				
Cradock			2	2
Graaff-Reinet			1	1
Grahamstown			1	1
Genl J C Steyn			1	1
Patensie			2	1
Port Elizabeth Male			3	3
Somerse East			1	1
St Albans Med A			1	1
St Albans Med B			10	4
St Albans Max			2	2
Total	0	0	23	17
<i>Pretoria Prison Command</i>				
Brits			3	3
Losperfontein			1	7
Pretoria Central			4	2
Pretoria Local			23	2
Voortrekkerhoogte			12	1
Walvis Bay			1	1
Total	0	0	64	13
<i>Robben Island Prison Command</i>				
Robben Island Med			1	1
Total	0	0	1	1
<i>Victor Verster Prison Command</i>				
Bien Donne			2	1
Victor Verster Med B			3	2
Victor Verster Med A			6	5
Total	0	0	11	8
<i>Wabank Prison Command</i>				
Carolina			1	

HOUSE OF ASSEMBLY

493	Hanusara	THURSDAY, 19 MARCH 1992	Hanusara	494
		253		
Middelburg (TVI)			1	1
Witbank Male			4	2
Total	0	0	6	3
<i>Worcester Prison Command</i>				
Buffeljagsrivier			1	1
Calvinia			2	2
Obiqua			1	1
Robertson			1	1
Springbok			4	3
Warmbokveld			1	1
Worcester Male			11	10
Total	0	0	3	3
<i>Zonderwater Prison Command</i>				
Zonderwater Med B			0	0
Total	0	0	3	0

**Public Service: parity**

138 Miss M SMUTS asked the Minister for Administration and Tourism

- (1) Whether parity has been achieved in the service dispensation of male and female workers in the Public Service in regard to (a) the house owner allowance scheme, (b) the 100 per cent housing loan scheme, and (c) pension benefits, if not, why not,
- (2) whether the Commission for Administration commissioned the Human Sciences Research Council to investigate this matter, if so, when,
- (3) whether this council has submitted a report on the matter, if so,
- (4) whether this report has been or will be made public, if not, why not, if so, when?

**THE MINISTER FOR ADMINISTRATION AND TOURISM**

- (1) (a), (b) and (c) Parity has been achieved except that—
- (a) a house owner allowance is payable to married female personnel only if they are breadwinners due to their husbands being permanently medically unfit to obtain paid employment
  - (b) the same condition with regard to being the bread-winner as referred to in (a) above, also applies to married

female personnel who wish to participate in the 100% housing loan scheme, and

(c) in the case of the Government Service Pension Fund male members contribute to the Fund at the rate of 8% of their pensionable emoluments and female members at the rate of 6% of their pensionable emoluments. The reason for the higher contribution in the case of male members is to provide for a widow's pension. As a result of the difference in membership contributions to the Fund, female members who retire prior to having 10 years pensionable service to their credit, are paid a gratuity calculated at 11 1/2% of their final salary. In the case of a male member the gratuity is calculated at 15 1/2% of his final salary. Provision also exists in terms of which a gratuity may be paid to a female member who resigns from the service to marry, as regards 1 (a) above the cost implications prohibit the payment of an allowance to all personnel and consequently consideration has been given mainly to the areas where the need for assistance is the greatest. The need for assistance is undeniably the greatest amongst the breadwinners of families who, under common law, is normally the husband.

HOUSE OF ASSEMBLY



767 escaped  
from prison  
last year <sup>253</sup> <sub>STAR 20/3/92</sub>

A total of 767 prisoners had escaped in 1991, the Minister of Correctional Services, Adriaan Vlok, said in the House of Assembly yesterday in a written reply to a question by Tony Leon (DP Houghton).

He said 646 sentenced and 121 awaiting-trial prisoners escaped. Of these, 244 sentenced and 28 awaiting-trial prisoners were recaptured.

The escapers constituted 0,18 percent of the total number of prisoners admitted in 1991.

A total of 556 escapers fled from work teams, courts or hospitals and 90 took place from prison institutions. — Sapa.

**CORRECTIONAL SERVICES**

EIGHTY prison warders were found guilty of assaults on prisoners last year, Correctional Services Minister Adriaan Vlok said this week. *W/Mon 20/3-26/3/92*

Although 1 426 complaints of alleged assaults by warders were registered in 1991, 889 were found to have no substance after thorough investigation. The attorney general had refused to prosecute in 153 cases.

Vlok said 63 members of his department were charged in public trials with assaults on prisoners and 24 were found guilty. A further 200 members stood trial for alleged assault in terms of prison regulations, with 56 members found guilty and 144 not guilty.

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# Number of paroled prisoners rearrested 'quite low'

By Michael Sparks **253**

STAR 23/3/92

The 12 percent of prisoners released on parole who have been rearrested or are being sought by police is quite low, according to the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro).

Corrections Services Minister Adrian Vlok last week told Parliament that nearly 12 percent of the 47 349 people released on parole last year had been rearrested or were sought by the police.

"That is quite a low figure when you consider the socio-economic situation in South Africa," said Nicro marketing manager Heather Regness.

The director of the Project for the Study of Violence at Wits University, Lloyd Vogelman, said that while the figure may be low, it represented a number of people who probably committed more than one offence.

"The impact this has on the community, who observe that others have got away with violent crimes, is significant. It also affects the police, who have worked hard for a conviction only to see an early release," Mr Vogelman said.

He said that often the motivation for the release of prisoners was a shortage of prison accommodation space.

Mrs Regness said a real problem for released prisoners was unemployment.

"The first month after release from prison is the most crucial. If a person can get a job and a place to stay in that first month, the chances of becoming a repeat offender are greatly diminished."

The early release of prisoners has been severely criticised — even by judges.

The most recent criticism of the parole system came from

Justice M J Strydom, who said prison authorities had "no regard" for stiff prison sentences.

The Department of Corrections said on Friday that the easiest way of dealing with criticism would be to keep prisoners in jail for the entire duration of their sentences.

"This in itself, however, still carries no guarantee that such a person will not again commit a serious crime upon his release when his sentence expires."

"On the contrary, a prisoner can reach a stage in his detention when it is in both his and the community's best interests that he be released."



# Many parolees back in prison

CF 23/3/92

253

Political Staff

NEARLY 12% of the 47 349 prisoners released on parole last year had been re-arrested or were being sought in connection with a criminal offence, the Minister of Correctional Services, Mr Adriaan Vlok, said last week.

He said 4 099 of the prisoners had been re-arrested and 1 509 were being sought in connection with a criminal offence.

However, he said that between July 1989 and June 1990, 56 690 prisoners were released on parole, and between July 1990 and June 1991, 53 257 were released.

Mr Vlok told Mr Tony Leon (DP, Houghton), in reply to a question, that 646 sentenced prisoners and 121 awaiting-trial prisoners escaped from South African prisons last year.

He said 90 of 646 escapes were from prison institutions and 556 were from work teams, courts and hospitals.

# 12 killed in SA prisons last year

Sowetan 24/3/92

253

TWELVE prisoners were killed by fellow convicts and 422 hospitalised after assaults by inmates last year, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

While no warders were killed by prisoners, 15 were seriously injured in assaults, Vlok said in written reply to a question by Mr Dave Dalling, Democratic Party MP for Sandton.

Vlok said inquests had been opened into the deaths of the 12 prisoners.

## Investigation

All deaths which could not be ascribed to natural causes were reported to the police or a magistrate for investigation. Every inquest was accompanied by a departmental investigation.

Prisons where warders were assaulted and injured by prisoners were 'Barberton, Beaufort West, Brandvlei, Durban, Groenpunt, Losperfontein, Middelburg (Cape), Modderbee, Robben-Island, St. Albans, Victor Verster and

## Voortrekkerhoogte

A total of 422 prisoners at 46 prisons had to be hospitalised after assaults by fellow-inmates either in prison or outside hospitals.

"The Department of Correctional Services regards every complaint of an assault, no matter how petty, in a serious light," Vlok said.

## Complaint

Prisoners could lodge any complaint or request daily. Preventative measures, where necessary, were instituted if it seemed that a prisoner was being threatened. This could mean sleeping quarters or working places being re-allocated.

In the case of injuries from assault, complaints were registered, the prisoner given medical treatment and a departmental inquiry launched.

Proven minor assaults led to action in terms of Prisons Regulation 99, while complaints of serious assault were referred to the police -Sapa.



ANC cadre Mthetheleli Mncube's parents, George and Winnie, are angry over the commuting of his sentence to life term. Pic MBUZENI ZULU

## Parents demand:

# FREE THEM

*Sowetan 25/3/92*  
**THE** parents of ANC cadre Mthetheleli Zephania Mncube greeted his Death Row reprieve yesterday with little glee.

Mncube and another ANC cadre Mzondeleli Euclid Nondula were among 16 Death Row prisoners who were granted a reprieve yesterday and given alternative sentences ranging from 15 years to life imprisonment

Nondula (30) and Mncube (31), were sentenced to death for landmine blasts in Messina in 1988

Their sentences have now been commuted

By ISMAIL LAGARDIEN  
 and THEMBA MOLEFE

*(253)*  
 to life imprisonment

Yesterday's announcement brings to 35 the total number of death penalty prisoners who have had their sentences commuted

Reacting to her son's reprieve, Mrs Winnie Mncube said it was not enough for him to be removed from Death Row

"Why should my son spend his whole life in jail for being an ANC soldier while its leaders are free and talking to the Gov-

• To page 2

P.T.O.



# MK two to spend life in jail

From page 1

ernment they sent him to fight?" she asked

"Mthetheleli was a soldier, a freedom fighter at war with apartheid.

"It is not enough that he is being moved from Death

Row He should be released"

"I'm going to meet the ANC leaders and ask them to intervene. When he was arrested my son was acting on their orders and as such deserves justice"

Mncube and Nondula received multiple death sen-

tences in the Messina Circuit Court in May 1988, after Mr Justice JPO de Villiers had convicted them of terrorism charges after eight whites and two blacks were killed in the attacks.

Throughout the seven-month trial, Mncube and Nondula refused to plead and insisted they were not terrorists but soldiers of the ANC

ANC spokesman Mr Saki Macozoma said the question of the death penalty had been referred to Codesa, "but only as a matter of principle"

The ANC demanded the release of all political prisoners on death row, he said

DP MP Mr Peter Soal welcomed the latest reprieves, saying "Obviously the cases are being treated on merit. I'm not suggesting you must release criminals on to the streets willy-nilly.

"If people have committed heinous crimes then they must be punished, and remain in jail forever"

The 14 other prisoners granted reprieve together with Mncube and Nondula (with new sentences in brackets) are E Hanana (30 years) MS Mavela (25 years) JT Ledula (20 years) I Tsotesi (15 years) SD Mabine (life) JN Masango (30 years) B Maseko (life) MZ Mnune (life) JN Mosuwe (25 years) S Phungula (25 years) NL Zibonda (25 years) P Dlemnyango (30 years) A Ngidi (Life) and A Generals (30 years)

## Popcru gets Dutch support

CT 27/3/1972  
JOHANNESBURG. —

Three major police trade unions in the Netherlands yesterday appealed to President F W de Klerk to end persecution of Popcru members.

The unions also asked him in a letter to recognise the right of police and prison staff to form trade unions (253).

The unions were referring to the Police and Prisons Civil Rights Union, which is not recognised by authorities.

The Dutch unions said they were "disappointed" to find that Popcru members had been dismissed, suspended or demoted, adding that their comments were based on a visit to South Africa.

## Vlok to scrap prisons law

S Times 29/3/92  
THE section of the Correctional Services Act which deals with the publishing of incorrect information about prisons or prisoners is to be scrapped. (253)

Correctional Services Minister Adriaan Vlok said at a press briefing on Robben Island on Friday that the law put the onus on publishers to prove reasonable steps had been taken to verify the information used.

He said he would try to have the law scrapped this parliamentary session.



## Hunger strike leaves cadre hospitalised

By SOPHIE TEMA

CIPRESS 29/3/92

MK operative Petrus  
Mothupi, who suspended  
his hunger strike after 72  
days, is still at the Bophe-  
long Hospital in Mafi-  
keng

~~111~~ (253)  
Mothupi, who has lost  
a tremendous amount of  
weight, is receiving post  
hunger-strike treatment

Doctors treating him  
said his legs were numb  
and he was suffering per-  
sistent chronic head-  
aches.

C

## Vlok gets Act together

THE section of the Correctional Services Act dealing with the publishing of incorrect information about prisons or prisoners is to be scrapped, the Minister of Correctional Services, Adriaan Vlok, says.

Vlok said at a press briefing on Robben Island the legislation put the onus on the publisher of the story to prove that reasonable steps are taken to verify information.

Contravention of Section 44(1) provided for a fine of up to R8 000 or a maximum prison sentence of two years. — Sapa

# Former Robben Islander goes back to jail with Vlok

253

STAR 30/3/92

Rafik Rohan, the man who bombed Durban's C.R. Swart Square, returned to Robben Island on Friday as a guest.

Along with him was Adriaan Vlok, the man who, as Minister of Law and Order, announced his arrest the day after the incident.

The return for Rohan, who was freed from Robben Island less than a year ago, was traumatic. The news editor of Post Natal at the time of his arrest, he is now the deputy editor of the Cape Town weekly news-

paper South

Correctional Services entertains the press at an annual theme evening. This year, journalists spent the night on the island after being "incarcerated" for asking questions which "caused pain and suffering". Mr Vlok was sentenced for "upsetting the media."

On the ferry to the event, Rohan said he was looking forward to his return with mixed feelings.

"It is all quite bizarre. It

is pretty Kafkaesque."

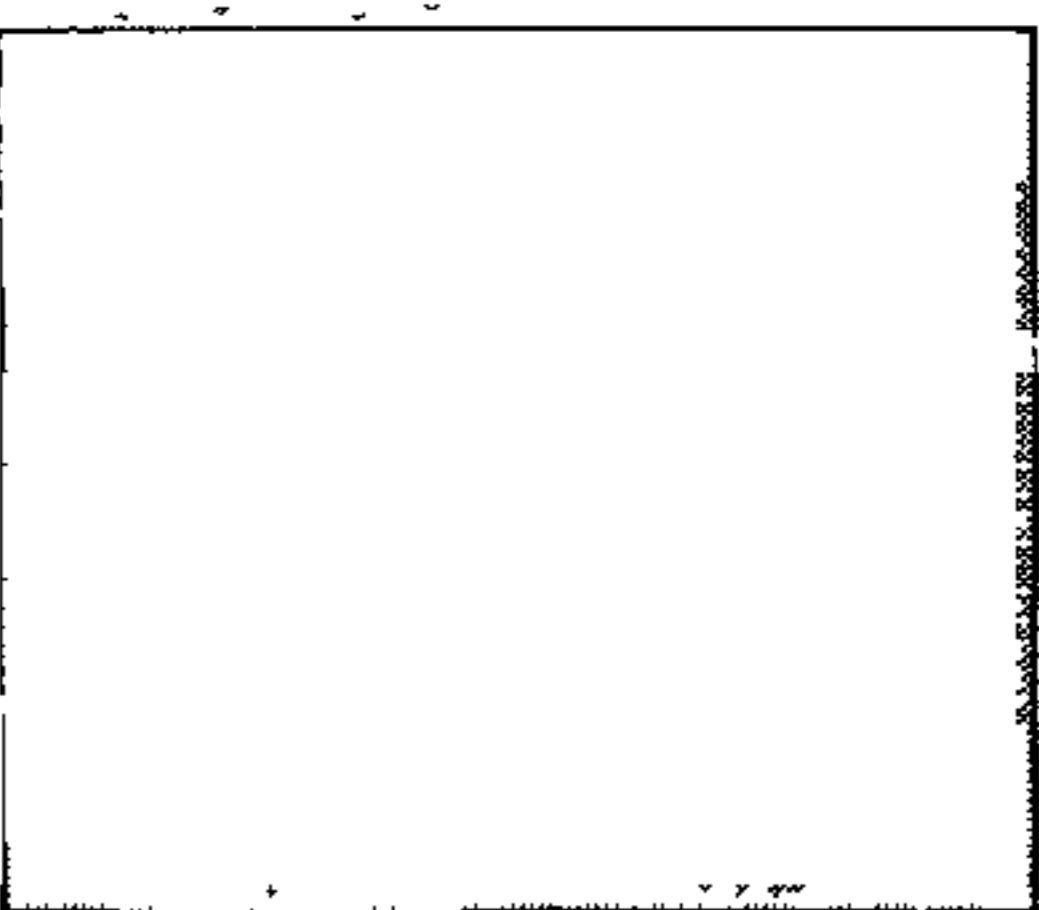
The press was shown the maximum security section and when the gate closed behind them, Rohan said he felt trapped and wanted to get out as quickly as possible — but stayed and had a photograph of himself taken at the door to Cell 3, where he had spent almost two years.

Cape Times political correspondent and chairman of Parliament's Press Gallery Association, Barry Streek, noted that things had certainly

changed, with a former prisoner able to come to the island and report on the visit.

A similar sentiment was expressed by Mr Vlok when he said "Something is happening in this country when a former prisoner can return and take part in activities here."

The whole spirit of change could be summed up in the photograph taken of both prisoners — Rohan and Mr Vlok — in prison garb with their arms on each other's shoulders — Sapa



Bizarre Rafik Rohan



**Prisons info**  
**curbs to go**

SECTION 44 (1) (f) of the Correctional Services Act which deals with the publishing of incorrect information about prisons or prisoners is to be scrapped, Minister Mr Adriaan Vlok said at the weekend Contravention provided for a maximum fine of R8 000 or two years — Sapa (153)

## 16 escape from prison

*Soweto 3/3/92*  
SIXTEEN awaiting-trial prisoners escaped from the Nylstroom prison yesterday morning

The Department of Correctional Services said the men escaped by sawing off the frame of a cell window early yesterday

The prisoners were all dressed in civilian clothing

Three of the escapees - Daniel Baloyi, Wilson Gezani and Lasarus Moroka - are facing murder charges. The others are awaiting trial on charges ranging from rape to armed robbery.

Meanwhile, another prisoner is reported to have escaped from Baviaanspoort Prison in the northern Transvaal. - Sapa

599

*Hansard*

MONDAY, 30 MARCH 1992

*Hansard*

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7 Mr P B Peters was transferred and appointed on Level 6 on 1/7/91

Promoted from Level 6 to Level 7

1 Mr G Pather

2 Dr M Naidoo

Promoted from Level 7 to Level 8

1 Mr R L Penaar

2 Mr B M Moodley

Urdu/Tamil/Hindi/Arabic as matriculation courses

14 Mr M RAJAB asked the Minister of Education and Culture

(a) How many secondary schools fall under his jurisdiction and (b) how many of these schools

offer (i) Urdu, (ii) Tamil, (iii) Hindi and (iv) Arabic as a matriculation course?

D64E

THE MINISTER OF EDUCATION AND CULTURE

(a) 147

(b) (i) Urdu None

(ii) Tamil None

(iii) Hindi 1

(iv) Arabic 5

It must be noted that although the above-mentioned languages and others such as Telugu, Gujarati, Zulu, etc are on offer to the matriculation level at all secondary schools, pupils do not take them beyond the primary school level. Only Arabic is studied by a small number of pupils in the final school phase

601

*Hansard*

TUESDAY, 31 MARCH 1992

*Hansard*

602

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply

General Affairs

Unit cost per prisoner

145 Mr D J DALLING asked the Minister of Correctional Services

What was the unit cost per prisoner per day in the 1990-91 financial year?

B360E

THE MINISTER OF CORRECTIONAL SERVICES

R28,85

Prisons, visits by judges/magistrates

171 Mr D J DALLING asked the Minister of Correctional Services

(1) (a) On how many occasions in 1991 was each prison visited by a (i) judge of the Supreme Court and (ii) magistrate and (b) on what dates did each of these visits take place at each such prison,

(2) whether he took any action as a direct result of reports submitted to him pursuant to such visits, if so, what action on each occasion?

B404E

THE MINISTER OF CORRECTIONAL SERVICES

Reply bound in Annexures of House—see M229-1992

Correctional Services: staff shortages

172 Mr D J DALLING asked the Minister of Correctional Services

Whether his Department is experiencing staff shortages, if so, (a) what is the extent of the

shortages and (b) what is being done to remedy the situation? B405E

THE MINISTER OF CORRECTIONAL SERVICES

(a) Yes Shortages are being experienced in the following occupational groups

Disciplinary personnel

Artisan personnel

Work Study personnel

Computerized Information System personnel

Musicians

Nurses

Social Workers

Psychologists

Pharmacists

Due to a cut-back of 3.6% in its Budget, the Department will be able to keep a maximum of 23 397 members in its employment during the 1992/93 financial year. Essential services can be maintained with this number of members, but an under-provision of funds will result in 1 275 posts for the operationalization of, inter alia new/modernized prisons, correctional- and parole supervision and the offices of Regional Commissioners not being filled without reorganization.

In addition, it is also expected that in consequence of an amendment of the policy regarding the paroling of prisoners, a greater number of prisoners will be detained, resulting in a need for a further 800 posts.

(b) The Department continues to attempt to perform essential services effectively by means of rationalization of functions, replacement of members and the scaling-down of functions with a lower priority. Furthermore, continued efforts are made to fill especially critical posts in the specialized occupational groups, but due to a general under-supply in the labour market, this is not always possible.