

PUBLIC SECTOR-GOVT- PRISONS

1992

· APRIL - JULY

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REPUBLIEK  
VAN  
SUID-AFRIKA



REPUBLIC  
OF  
SOUTH AFRICA

# Staatskoerant Government Gazette

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Vol 322

PRETORIA, 1 APRIL 1992

No. 13904

## PROKLAMASIE

*van die*

*Staatspresident*

*van die Republiek van Suid-Afrika*

No. 32, 1992

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,  
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby 1 April 1992 as die datum waarop—

- (a) artikel 41 (a) van genoemde Wet, in soverre dit paragraaf (i) by artikel 276 (1) van die Strafproseswet, 1977 (Wet No 51 van 1977), invoeg, in werking tree ten opsigte van die gebiede van die landdrostdistrikte Adelaide, Albanie, Alexandria, Bathurst, Bedford, Bloemfontein, Botshabelo, Brandfort, Caledon, Camperdown, Ceres, Fort Beaufort, Groblersdal, Hennenman, King William's Town, Komga, Koppies, Kroonstad, Krugersdorp, Langsburg, Letaba, Lindley, Malmesbury, Middelburg (T), Montagu, Moutse, Odendaalsrus, Oos-Londen, Paarl, Parys, Petrusburg, Pietermaritzburg, Pietersburg, Robertson, Roodepoort, Somerset-Wes, Stellenbosch, Strand, Sutherland, Tulbagh, Vrededorp, Welkom, Wellington, Witbank en Worcester,
- (b) artikel 42 van genoemde Wet, in soverre dit artikel 276A (2) tot (4) by die Strafproseswet, 1977, invoeg, in werking tree, en
- (c) artikel 43 van genoemde Wet in werking tree.

258—A

## PROCLAMATION

*by the*

*State President* 253

*of the Republic of South Africa*

No. 32, 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT, 1991 (ACT No 122  
OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix 1 April 1992 as the date on which—

- (a) section 41 (a) of the said Act, in so far as it inserts paragraph (i) in section 276 (1) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), shall come into operation in respect of the areas of the Magisterial Districts of Adelaide, Albany, Alexandria, Bathurst, Bedford, Bloemfontein, Botshabelo, Brandfort, Caledon, Camperdown, Ceres, East London, Fort Beaufort, Groblersdal, Hennenman, King William's Town, Komga, Koppies, Kroonstad, Krugersdorp, Langsburg, Letaba, Lindley, Malmesbury, Middelburg (T), Montagu, Moutse, Odendaalsrus, Paarl, Parys, Petrusburg, Pietermaritzburg, Pietersburg, Robertson, Roodepoort, Somerset West, Stellenbosch, Strand, Sutherland, Tulbagh, Vrededorp, Welkom, Wellington, Witbank and Worcester,
- (b) section 42 of the said Act, in so far as it inserts section 276A (2) to (4) in the Criminal Procedure Act, 1977, shall come into operation, and
- (c) section 43 of the said Act shall come into operation

13904—1

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Een-en-dertigste dag van Maart Eenduisend Nege-honderd Twee-en-negentig.

**F. W. DE KLERK,**  
Staatspresident

Op las van die Staatspresident-in-Kabinet

**H. J. COETSEE,**  
Minister van die Kabinet

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Thirty-first day of March, One thousand Nine hundred and Ninety-two

**F. W. DE KLERK,**  
State President

By Order of the State President-in-Cabinet

**H. J. COETSEE,**  
Minister of the Cabinet

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REPUBLIEK  
VAN  
SUID-AFRIKA



REPUBLIC  
OF  
SOUTH AFRICA

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**No. 4855**

Vol. 322

PRETORIA, 1 APRIL 1992

**No. 13910**

## PROKLAMASIE

*van die*

*Staatspresident*

*van die Republiek van Suid-Afrika*

**No. R. 34, 1992**

WYSIGINGSWET OP AANGELEENTHEDE RAKENDE KORREKTIEWE DIENSTE EN TOESIG (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **1 April 1992** as die datum waarop artikels 5, 14 en 16 van genoemde Wet in werking tree ten opsigte van die gebiede van alle gevangenisse wat binne die landdrost-distrikte Adelaide, Albanie, Alexandria, Bathurst, Bedford, Bloemfontein, Botshabelo, Brandfort, Caledon, Camperdown, Ceres, Fort Beaufort, Groblersdal, Hennenman, King William's Town, Komga, Koppies, Kroonstad, Krugersdorp, Laingsburg, Letaba, Lindley, Malmesbury, Middelburg (Transvaal), Montagu, Moutse, Odendaalsrus, Oos-Londen, Paarl, Parys, Petrusburg, Pietermaritzburg, Pietersburg, Robertson, Roodepoort, Somerset-Wes, Stellenbosch, Strand, Sutherland, Tulbagh, Vredefort, Welkom, Wellington, Witbank en Worcester val

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Een-en-dertigste dag van Maart Eenduisend Negehoenderd Twee-en-negentig

**F. W. DE KLERK,**  
Staatspresident

Op las van die Staatspresident-in-Kabinet

**A. J. VLOK,**  
Minister van die Kabinet

## PROCLAMATION

*by the*

*State President*

*of the Republic of South Africa*

**No. R. 34, 1992**

CORRECTIONAL SERVICES AND SUPERVISION MATTERS AMENDMENT ACT, (ACT No 122 OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix **1 April 1992** as the date on which sections 5, 14 and 16 of the said Act shall come into operation in respect of the areas of all prisons which fall within the Magisterial Districts of Adelaide, Albany, Alexandria, Bathurst, Bedford, Bloemfontein, Botshabelo, Brandfort, Caledon, Camperdown, Ceres, East London, Fort Beaufort, Groblersdal, Hennenman, King William's Town, Komga, Koppies, Kroonstad, Krugersdorp, Laingsburg, Letaba, Lindley, Malmesbury, Middelburg (Transvaal), Montagu, Moutse, Odendaalsrus, Paarl, Parys, Petrusburg, Pietermaritzburg, Pietersburg, Robertson, Roodepoort, Somerset West, Stellenbosch, Strand, Sutherland, Tulbagh, Vredefort, Welkom, Wellington, Witbank and Worcester

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Thirty-first day of March, One thousand Nine hundred and Ninety-two

**F. W. DE KLERK,**  
State President

By Order of the State President-in-Cabinet

**A. J. VLOK,**  
Minister of the Cabinet



**GOEWERMENSKENNISGEWING****DEPARTEMENT VAN KORREKTIEWE  
DIENSTE**

No. R. 1024

1 April 1992

WYSIGINGSWET OP AANGELEENTHEDE RAKENDE KORREKTIEWE DIENSTE EN TOESIG (WET No 122 VAN 1991)

Ek, Adriaan Johannes Vlok, Minister van Korrektiewe Dienste, bepaal hierby ingevolge artikel 49 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), dat die werksaamhede van die inrigtingskomitees en die vrylatingsraad, ingestel kragtens die Wet op Gevangenis, 1959 (Wet No 8 van 1959), voordat laasgenoemde Wet deur genoemde Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991, gewysig is, ten opsigte van die gebiede van alle gevangenis wat binne die landdrostdistrikte Adelaide, Albanie, Alexandria, Bathurst, Bedford, Bloemfontein, Botshabelo, Brandfort, Caledon, Camperdown, Ceres, Fort Beaufort, Groblersdal, Hennenman, King William's Town, Komga, Koppies, Kroonstad, Krugersdorp, Laingsburg, Letaba, Lindley, Malmesbury, Middelburg (Transvaal), Montagu, Moutse, Odendaalsrus, Oos-Londen, Paarl, Parys, Petrusburg, Pietermaritzburg, Pietersburg, Robertson, Roodepoort, Somerset-Wes, Stellenbosch, Strand, Sutherland, Tulbagh, Vredefort, Welkom, Wellington, Witbank en Worcester val, met ingang van 1 April 1992 beendig word, uitgesonderd die werksaamheid van die Vrylatingsraad beoog in artikel 64 (1) (b) van die Wet op Korrektiewe Dienste, 1959 (Wet No 8 van 1959)

**A. J. VLOK,**

Minister van Korrektiewe Dienste

**GOVERNMENT NOTICE****DEPARTMENT OF CORRECTIONAL  
SERVICES**

No. R. 1024

1 April 1992

CORRECTIONAL SERVICES AND SUPERVISION MATTERS AMENDMENT ACT (ACT No 122 OF 1991)

I, Adriaan Johannes Vlok, Minister of Correctional Services, hereby determine in terms of section 49 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), that the functions of the institutional committees and the release board, established under the Prisons Act, 1959 (Act No 8 of 1959), before the latter Act was amended by the said Correctional Services and Supervision Matters Amendment Act, 1991, shall, in respect of the areas of all prisons which fall within the Magisterial Districts of Adelaide, Albany, Alexandria, Bathurst, Bedford, Bloemfontein, Botshabelo, Brandfort, Caledon, Camperdown, Ceres, East London, Fort Beaufort, Groblersdal, Hennenman, King William's Town, Komga, Koppies, Kroonstad, Krugersdorp, Laingsburg, Letaba, Lindley, Malmesbury, Middelburg (Transvaal), Montagu, Moutse, Odendaalsrus, Paarl, Parys, Petrusburg, Pietermaritzburg, Pietersburg, Robertson, Roodepoort, Somerset West, Stellenbosch, Strand, Sutherland, Tulbagh, Vredefort, Welkom, Wellington, Witbank and Worcester terminate as from 1 April 1992, excluding the function of the release board contemplated in section 64 (1) (b) of the Correctional Services Act, 1959 (Act No 8 of 1959)

**A. J. VLOK,**

Minister of Correctional Services

**INHOUD**

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# Community service now in the Cape

Political Staff

CORRECTIONAL supervision as a community-based sentence option had been extended to the Cape Peninsula from March 20, Minister of Correctional Services Mr Adriaan Vlok said last night. It had been introduced to the magisterial districts of Bellville, Cape Town, Goodwood, Kuils River, Mitchells Plain, Simon's Town and Wynberg.

"Correctional supervision literally means that a person serves his sentence within the community," Mr Vlok said in a statement.

The system was an alternative to imprisonment and should be operating in all magisterial districts by March 31 next year.

The extension of the system to the Cape Peninsula followed a pilot project which had been applied "with great success" in the Pretoria area since August last year.

Between August 15 and February 28, 404 probationers were managed in the Pretoria and Wonderboom magisterial districts and only 51 did not comply with their conditions.

"Criminals who have chosen crime as a way of life, or those who pose a real threat to society are excluded from correctional supervision," Mr Vlok said.

Correctional service cost about R15 a day per probationer, which was considerably less than the R42 a day which was the daily detention cost per prisoner, he said.

(253)  
CT 1/4/92



# 'Apartheid' departments stop functioning today

CAPE TOWN — The Development Aid Department and the SA Development Trust stop operating today following a process of rationalisation and an attempt to rid SA of apartheid administration.

Staff, functions and assets have been transferred to the self-governing homelands, central government and provincial administrators.

This brings to an end another section of the apartheid bureaucracy used by Verwoerd and succeeding Native and Bantu Affairs Ministers to implement their dream of separate homelands for different ethnic groups.

Regional and Land Affairs Minister Jacob de Villiers said at a briefing yesterday the abolishment of the Development Aid Department and the Trust brought to an end an era "started in 1910 to cater for all the material, moral and social well-being of black people".

President F W de Klerk announced last October that the department and the trust were to be abolished after recommendations of the Commission for Administration which also found evidence of corruption.

Since then the Department has been dedicated to the transfer of 3-million hectares of land to the self-

governing states. A final 1,2-million ha were to be transferred to Public Works and Regional and Land Affairs, De Villiers said.

The 11 proclamations and three Government Gazettes published yesterday finalise the termination of the department and the trust, and affect essentially 100th of SA's land that will now be administered without racial discrimination. SA's total land area is 123-million ha.

Self-governing homelands administer 7-million ha and 10-million ha are set aside in the TBVC states. The remaining 1,2-million ha are fragmented and could not be consolidated.

All the development and related functions rendered by the SA Development Trust would now rest with individual line function departments and respective administrations, De Villiers said.

No townships that were not under the jurisdiction of self-governing homelands were incorporated in the latest move, he said, adding that So-shanguve, Lethlabile and Botsabelo townships had been transferred to the respective administrations of the Transvaal and the Free State.

All residents holding occupational

rights in Soshanguve and Lethlabile would immediately be entitled to register their properties under full ownership in terms of the Upgrading and Land Tenure Rights Act of 1991. No payment would be required, but residents would have to take the initiative and register their properties, which would be transferred to them formally in the Deeds Office some time in the near future, he said.

"The dominium in other townships, settlements and areas are transferred to the Regional and Land Affairs Minister who will further dispose thereof subject to certain agreements still to be concluded," De Villiers said.

Because of this transfer of 3-million ha to the self-governing states, the legislative and executive powers of these administrations relating to land and mineral rights have been extended by proclamation.

Further proclamations were also promulgated yesterday to make provision that Acts of Parliament and proclamations of the State President are assigned to the Administrators of Provinces for execution. These relate mainly to social welfare, health, nature conservation, township establishment as well as rendering local government services.

## Accent on service to community

CAPE TOWN — Correctional supervision or community service as an alternative to imprisonment would be introduced selectively from today and was expected to be a nationwide option by the end of March next year, Minister of Correctional Services Adriaan Vlok said yesterday.

A system of correctional supervision had been experimented with in the Pretoria area since August last year. It had been introduced on March 20 to areas in the Cape Peninsula including Bellville, Goodwood, Simon's Town, Mitchell's Plain and Wynberg.

A sentence of correctional supervision is a sentence in its own right which is served within the community and not in a prison. It involves service to a community without payment.

Vlok said a number of conditions, such as house arrest, were set to limit offenders sentenced to correctional supervision. "Criminals who have chosen crime as a way of life, or those who pose a real threat to society, are excluded from correctional supervision" — Sapa



April 1 1992

# Alternative to jail in use from today

CAPE TOWN — Correctional supervision or community service as an alternative to jail would be selectively introduced from today and was expected to be a nationwide option by the end of March next year, Minister of Correctional Services Adriaan Vlok said yesterday.

A system of correctional supervision had been experimented with in the Pretoria area since August.

It had been introduced on March 20 to areas in the Cape Peninsula, including Bellville, Goodwood, Simon's Town, Mitchell's Plain and Wynberg.

A sentence of correctional supervision is served within the community, not in a prison, and involves service to a community without payment.

Mr Vlok said a number of conditions, such as house arrest, had been set to limit offenders sentenced to correctional supervision.

"Criminals who have chosen crime as a way of life, or those who pose a real threat to society, are excluded from cor-

rectional supervision.

Correctional boards had been formed and a national advisory board provided for.

Correctional supervision had a number of advantages:

- Eliminating physical and psychological degradation
- The transgressor was not exposed to the influence of hardened criminals.
- Problems were dealt with in a social context.
- Problems such as the break-up of families, deprivation of individual responsibility and dependence on prison were eliminated.
- Costs of prison care were cut.

If correctional supervision conditions were violated, the sentence was not automatically rescinded, but an investigation instituted in which more control could be applied.

Of the 404 probationers dealt with under the scheme in the Pretoria and Wonderboom areas, 51 or 12 percent had not complied with their conditions, while 88 percent had complied.

A total of 22 720 hours of free community service had been rendered by probationers during the experiment — Sapa.



STAR 2/4/92

# Fight reform

daily mass

## killer Strydom

By Esther Waugh

Mass murderer Barend Strydom has called on members of the "Boerevolk" to actively resist the reform process "at least once a day"

"At the cafe, at the restaurant, in the cinema, at school, in the defence force, at work — let your support be heard in every facet of life," Strydom writes in the latest edition of the Boerestaat Party newsletter

Strydom was sentenced to death for shooting seven black people on Pretoria's Strydom Square in 1988. His sentence was later commuted to life imprisonment

In a letter from jail sent to the newsletter, Strydom said he would never beg "the enemy" for his release

# Community service an option for many

253  
Aug 3/4/92

**MICHAEL MORRIS**  
Political Correspondent  
SCORES of prisoners held in the Peninsula for lesser crimes could soon be back in the community, serving sentences under correctional supervision.

Such supervision, which amounts to community service under probation conditions, was introduced to certain areas of the Peninsula — including Cape Town, Bellville, Goodwood, Simon's Town, Mitchell's Plain and Wynberg — on March 20.

This option is open not only to people convicted since then, but to criminals already in prisons. Cases can be referred back to the court which initially imposed the sentence, the remaining portion of which can be converted to correctional supervision.

Where conditions are violated, the case is investigated and stricter supervision and control will be considered.

In a statement, Minister of Correctional Services Mr Adriaan Vlok announced this week that correctional supervision was to be extended to a number of districts throughout the country and that the government envisaged having the system operating nationally by the end of March next year.

Among the chief benefits of the system are that it will help relieve pressure on over-crowded prisons, cut costs — from R42 to R15 a day — and boost rehabilitation.

Criminals convicted of serious crimes will be excluded from the scheme.

The system was introduced experimentally in Pretoria in August last year. Of the 404 probationers dealt with under the correctional supervision scheme in the Pretoria and Wonderboom areas between August last year and February this year, only 51 (12 percent) had not complied with their conditions.

Probationers rendered more than 22 700 hours of community service during the experiment.

# Hunt for two 'Chinese Mafia' men

Staff Reporter

WARRANTS for the arrest of two men alleged to be part of the "Chinese Mafia" were issued in the Wynberg Regional Court when they jumped bail while facing extortion, kidnapping and robbery charges.

Mr Ko Chang Chu, 40, and Mr Chen Chun Ting, 34, both of Johannesburg, are among nine men facing charges of kidnaping Rondebosch restaurateur

Mr Yu Chan Ti, his son Tony, and his chef, Mr Yang Hsien Peng, last May.

It is also alleged they assaulted Mr Chan and threatened him with death in an attempt to force him to pay them R600 000.

Mr Chu's bail of R20 000 and Mr Ting's of R5 000 was provisionally forfeited to the State.

The case was postponed to July 6

# Cry no more for CP as Koos crosses the divide

ARG 3/4/92

**MICHAEL MORRIS**  
Political Correspondent

**MOMENTS** after taking his seat in the crossbenches at the start of yesterday's sitting, Mr Koos Botha, cast out of the Conservative Party and feeling the first pang of political isolation, was overcome by emotion, his eyes welling with tears.

Ten minutes later — after being guided to the lobby to receive cover by a man who probably ranks as his closest political brother in parliament, Overvaal MP Mr Koos van der Merwe — he was back at his new seat, located, somewhat ironically, on the boundary between the Democratic Party benches and those of the Indian MPs from the House of Delegates.

Mr Koos Botha had, in just one morning, crossed a fundamental divide — he had broken from the laager of Conservative Party dogma and struck out in the direction dictated by his political conviction.

It was hardly surprising he was briefly overcome.

Mr Koos Botha, an anthropologist, became a Conservative at the party's turbulent inception in 1982 and has represented the Pretoria seat of Wonderboom for just over two years.

But, like other Conservatives, he has, more recently, tested his

concluded that the CP had "no plan, no strategy and no vision". The first public signal of his disaffection came when, getting to his feet to address parliament, Mr Botha made a speech on Tuesday that sought to offer a plan, and a vision — but one that was clearly inimical to CP doctrine.

"I will strive," Mr Botha told parliament, "for the creation of a drastically reduced, fair land area for the Afrikaner in which he can govern himself, where apartheid will be replaced by majority occupation and where violence will be minimised I commit myself to this."

A day later, on Wednesday night, Mr Botha was summoned for a chat with CP leader Dr Andries Treurnicht, deputy leader Dr Ferd Hartzenberg, and Chief Whip Mr Frank le Roux.

They did not see eye to eye. Mr Botha said: "I had made a speech which I did not repudiate."

He felt the democratic process within the CP for realising the ideal of a volkstaat had been largely closed and it was time to get out of the party.

Clearly, Mr Botha is not the only one who harbours dissenting views.

The question that remains is whether his like-minded peers will give practical effect to their dissent — or perhaps not whether, but when



Mr Koos Botha

party's flexibility, its capacity to adapt, and found it wanting.

Events since 1990, have confronted CP strategists and policymakers with countless and increasingly difficult challenges.

But a turning point was, undoubtedly, the March 18 referendum, a test of white political sentiment that cast a question mark over the very raison d'être of the CP.

In its wake, Mr Koos Botha

# Black warders threaten protests

753  
MAG 4/4/92

JOHANNESBURG — Black prison warders are considering mass action to highlight their accommodation problems at prisons around the country.

Single black women warders were forced to live in cells, the Police and Prison Civil Rights Union (Popcru) claimed yesterday.

Black male warders had been sharing accommodation with miners at a Durban hostel since 1990, said union spokesman Mr Mondli Madondo.

However, ample accommodation was provided at the Johannesburg and Diepkloof prisons for white warders, he said.

The authorities' recent concessions to allow black warders to apply for accommodation in prison barracks had backfired, he said.

Mr Madondo claimed Popcru's submissions to prison authorities about the issue had been dismissed as the union was not recognised by the Department of Correctional Services.

Union members would hold a national congress in Cape Town in May to work out a national strategy of action.

Popcru represents policemen and prison warders in South Africa and, although nonracial, has a mostly black membership — Sapa



# Four new jails for West Cape

S Times (Cape metro) 5/4/92

By KURT SWART

253

**CONSTRUCTION of four new prisons to relieve chronic overcrowding of jails is in the pipeline for the Western Cape — and Robben Island is to become a museum and nature reserve, the Department of Correctional Services said this week.**

One of the new prisons planned is a major complex in the northern suburbs, where the department is currently searching for a suitable location.

However, department spokesman Brigadier Erika van Zyl warned that the erection of the new prisons — which will provide accommodation for about 5 000 inmates — was "subject to financial realities".

Although the department said there was no direct link between completion of the new prisons and closure of Robben Island prison, it seems certain that plans to convert the island into a tourist drawcard depend on the department's ability to find other accommodation for the 460 prisoners still on the island.

Brig van Zyl said this week that the four proposed prisons were needed to alleviate overcrowding.

"A new prison mainly for unsentenced prisoners is being planned for the northern suburbs. Planning of the prison is still in a pre-investigation phase, which includes obtaining a suitable site of about 30 hectares. We don't know where it is going to be at this stage.

"The prison will be an admission prison for the courts in the area. At present these prisoners have to be transferred to prisons in other areas."

According to Brig van Zyl, Pollsmoor was overpopulated by 44 percent, Brandvlei by 72 percent, Allandale by 68 percent and Voorberg (Porterville) by 37 percent.

In an attempt to slow the burgeoning prison population, the department this week launched its system of "correctional supervision" in the Western Cape, in which convicts serve alternative sentences outside prison walls.

The handing over of Robben Island to the National Parks Board and the scaling down of the department's interest on the island did not solely depend on the new prison in the northern suburbs, said Brig van Zyl.

The department this week released comprehensive details of what is envisaged for Robben Island once it has ceased to be a prison, including the preservation of the island's rich historic and cultural heritage and the protection of its flora and fauna.

The department said steps had already been taken to make Robben Island "more accessible, especially to cultural-historic and nature conservation groups".

The following initiatives had already been implemented, said Brig van Zyl.

- The existing guest-



**WELCOME TO THE ISLAND** — the entrance to the prison in which some of South Africa's most famous leaders were once held. This area, including the prison, will one day become a museum and tourist attraction. Picture: RAYMOND JOSEPH

house and conference facilities have been restored;

- A visitors' programme for youth groups has been launched, which includes the establishment of suitable overnight facilities.

- Provision has been made for docking facilities for sailing boats in Robben Island harbour. This was being done in co-operation with the Royal Cape Yacht Club.

- Robben Island has been registered as a South African nature heritage area.

- The Cape Provincial Administration (CPA) has been approached to declare the northern part of Robben Island a nature reserve;

- A project (Operation Sea Eagle) is underway in which the SA Navy, assisted by the National Monuments Council, is making a survey of shipwrecks in the territorial waters off Robben Island.

- Visits to Robben Island have been extended, with emphasis on cultural-historical, nature conservation and educational groups.

"A nature conservation plan for Robben Island has been developed in co-operation with the nature conservation section of the CPA. It is managed by a committee representative of the Department of Correctional Services and nature conservation interests," said department spokesman Major Wena Greyling.



partment spokesman Major Wena Greyling.

Resulting from a National Monuments Council investigation into the cultural-historic heritage of Robben Island, applications have been submitted to declare certain structures national monuments.

These steps were first announced by the Minister of Correctional Services, Mr Adrian Vlok in December last year.

Mr Vlok said the plan for the island included the following objectives:

- The National Parks Board was to establish its presence on Robben Island as soon as possible with a view to the eventual take-over of control.

"This will happen gradually as the Department of Correctional Service's interests are scaled down," Mr Vlok said.

- The programme directed at the flora and fauna, including the marine reserve in the waters around the island, will be intensified.

- Educational programmes to expose youth to the historical heritage of Robben Island will be promoted.

- A programme for the extension of the cultural-historical conservation of Robben Island will be further developed.

- A museum will be established on Robben Island in which its history will be portrayed and preserved.

- A tourism component will be established to make Robben Island accessible to the public.

The natural surroundings and items of cultural and historical interest would not be negatively affected, while Robben Island's harbour would offer greater accessibility and better utilisation to the seafaring community, Mr Vlok said.

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# New plea on pris

## Lack of progress, says rights body

The Argus Foreign Service

LONDON — The German-based International Society for Human Rights (ISHR) has called on Codesa to investigate the issue of political prisoners as a matter of urgency.

In an open letter, the society said it failed to understand the "lack of progress" being made by Codesa on the question of political prisoners — especially in the light of the fact that the Returned Exiles Co-ordinating Committee and the Ex-ANC Detainees Committee had applied to the management committee to be heard on the issue.

"We understand that the lack of progress of Work Group 1 (working on creating a climate for free political participation and a role for the international community) is delaying the Codesa process.

"We suggest that the appointment of an impartial independent judicial inquiry, which could report back to Codesa at a later stage, could be a useful course of action," the letter said.

It had been alleged that the ANC was still holding prisoners in Tanzania and Uganda and that up to 500 people had disappeared in exile under the ANC.

The society was also in possession of many signed testimonies alleging torture, imprisonment and killing in which senior ANC figures were alleged to have been involved, the letter said.

The letter said the society had appealed to the ANC to be allowed to visit such camps but the ANC had refused even to answer simple inquiries regarding the operative status of various sites.

The letter was sent to all Codesa participants with a request for comments.

## 'Free hand given to the Red Cross'

JOHANNESBURG — The African National Congress has said that it has given carte blanche to the International Committee of the Red Cross (ICRC) to visit and investigate former ANC detention camps.

Reacting to a call by the International Society for Human Rights to be allowed to visit such camps, ANC spokeswoman Gill Marcus said any individual or organisations making claims of torture or execution of ANC detainees should take up the issue with the ICRC, the only organisation the ANC was prepared to deal with in this regard.

Ms Marcus dismissed a call by the International Society for Human Rights to Codesa to hear testimony from former ANC detainees.

"That is not the right forum for the issue," she said, adding that in that case the government should also put its involvement in alleged atrocities on the table — Sapa

(253)

7/4/92

# oners

(253) ARG 7/4/92

# Probe plight of prisoners Codesa urged

Sowetan 7/4/92

THE German-based International Society for Human Rights has appealed to Codesa to investigate reports of political prisoners held by both the Government and the African National Congress

In a statement yesterday, the ISHR said it welcomed the work done by Codesa's Working Group 1, which has been given the task of "levelling the political playing field" in South Africa

However, the ISHR said it failed to understand why the question of political prisoners was initially dealt with as a bilateral issue between the Government and the ANC

"Noting that both the Returned Exiles Co-ordinating Committee and the Ex-ANC Detainees Committee have applied to Codesa's management committee to be heard, the ISHR questions why this has not been done"

The two committees are made up of former ANC prisoners. According to the ISHR, the lack of progress in Working Group 1 was delaying Codesa

It suggested that an impartial independent judicial inquiry be appointed, and report back to Codesa on the issue of political prisoners

"It has been alleged that the ANC is still holding prisoners in Tanzania and Uganda and that up to 500 people have disappeared in exile under the ANC"

The ISHR said it was in possession of "many" signed testimonies alleging torture, imprisonment, and killings, in which senior ANC figures had been involved

The ISHR has appealed to the ANC to be allowed to visit (prisoner) camps, but the ANC has even refused to answer simple inquiries" - Sapa



# Escaped prisoners still on the run

Crime Staff and  
East Rand Bureau

Most of the 22 awaiting-trial prisoners who escaped in two breakouts from cells in Brits and Katlehong on the East Rand on Sunday were still on the run today.

A Department of Correctional Services spokesman said 14 of the 15 men who sawed through the bars on their cells at the Brits Prison were still at large.

One of the escaped prisoners — a murder suspect — was rearrested later on Sunday

## Serious

Among the remaining 14 escapers were two murder, one rape and two robbery suspects.

In the second breakout, seven prisoners awaiting trial for serious crimes escaped from the Katlehong police cells after overpowering a policeman shortly before 4 am and snatching his service pistol.

A police spokesman said the men were being held in connection with charges which included murder, illegal possession of firearms, house-breaking and robbery.

The murder suspect later gave himself up to the police, but the other prisoners were still at large, the spokesman said



# 15 convicts escape from Brits prison

*Sowetan 8/4/92*  
TWENTY-TWO prisoners awaiting trial for serious crimes are still at large after escaping from the Brits Prison and Katlehong police cells at the weekend.

Police yesterday recaptured one prisoner, Abel Tsengo, who escaped from Brits Prison together with 14 others on Sunday morning

The prisoners sawed through the bars in front of the window of their cell before cutting a hole in the security fence

A spokesman for the Department of Correctional Services, Major Wena

*253*  
Greyling, said six of the 14 Brits prisoners were awaiting trial for "extremely serious" crimes like rape, murder and armed robbery

In a second jailbreak on Sunday, seven awaiting-trial prisoners escaped from the Katlehong police cells after overpowering a policeman

A police spokesman said the men were being held in connection with charges ranging from murder, illegal possession of firearms, housebreaking to robbery

A murder suspect later surrendered to the police, but the other six prisoners were still at large - *Sowetan Correspondent*

# Robben Island was no joke!

SOUTH deputy editor and former Robben Island prisoner **Rafiq Rohan** reports on a recent visit to the island prison with a group of media representatives.

**O**N APRIL 11, 1989 the then minister of law and order, Mr Adriaan Vlok, announced "A news editor of a Durban weekly was arrested for carrying out the terrorists' work of the devil"

Vlok, at a parade in Pretoria, said the journalist was a "trained terrorist" recruited by the ANC to carry out "terror deeds" in exchange "for inner circle information to advance the image of the perpetrators of violence and his own career"

Last weekend the "trained terrorist" and the former Law and Order Minister came face to face, ironically, at the notorious former political prison on Robben Island

The occasion was an overnight press junket organised for an important announcement to be made

For this journalist, recently released from Robben Island, the programme for the media was extremely insensitive On arrival at

**AULD LANG SYNE: Former Minister of Law and Order Mr Adriaan Vlok with the man he helped send to jail, SOUTH deputy editor Rafiq Rohan**

I went up to him and asked "Don't you remember me?" He muttered something about having to be somewhere else and guiltily scurried away, clearly embarrassed

From my "past dealings" with Vlok I expected to meet a severe

*South*  
*4/14-21/19/2*

issue, a "favour" to the media, struck me as a ploy by an astute politician with an eye on a future general election

The atmosphere in the dining hall was positively New South African Mr Barry Streek, chairperson of

**(253)**

ed and issued with the green prisoner uniform

This was all very familiar to me — except last time there was no joviality involved

Most of the prison warders dealing with the processing of the new

to authentic sakkie-sakkie musiek, with a few songs daringly interspersed with "vlock woorde", Vlok exchanged a few words on the "arrest" joke with me

"I understand and appreciate how difficult it must have been for



arrest and had to spend a night in prison. This was part of a joke, you see, to make us feel at home.

Meeting the man who assigned me to the agency of Satan was eerie. At the embarkation point where the ferry departs for the island, I waited for Vlok to arrive and wondered — with amusement — whether he would recognise me and what his reaction would be.

To my surprise, in the presence of over 30 journalists on the "Susan Kruger", Vlok made his way to me, stretched out his hand and said "Nice to meet you, Mr Rohan. I'm so glad you could come."

It was as simple as that. Two allowed foes meet on a cold, windy night aboard a boat and the past is buried with a handshake.

The New South Africa and reconciliation is not easy to deal with but it is a reality most hardliners eventually have to live with.

**T**HE FIRST time I went to Robben Island was under not-so-pleasant circumstances. I had been convicted of terrorism and sentenced to 27 years (15 effective) in prison.

A week after sentence was passed I was transported in the back of a police bakke from Westville Prison in Durban and taken straight to the Robben Island embarkation point.

I arrived after the harrowing trip, sick, tired and hungry, and was placed in a holding cell at the harbour. I remember asking a prison warden working at the harbour for something to eat. "This is not the Holiday Inn. You can wait until you get to the prison!" he snapped.

On Friday night that same prison warden was at the embarkation point to welcome journalists. When he saw me, clearly embarrassed that we now met on equal terms, he did not look me in the eye.

blood dripping from his hands. It was something of a come-down for my expectations to meet a man with a bubbly, sparkling personality who eagerly wanted to make peace and forget the past.

I was filled with trepidation as the ferry approached the island. It turned to fear as we docked. The Commissioner of the prison, Mr Willem Willemse, was at the harbour to welcome us.

At the request from some of the journalists we were permitted to visit Mr Nelson Mandela's cell which just happened to be next to the one I occupied in B-section — Mr Walter Sisulu's old cell.

**I**T WAS WITH something of a shock that I entered my old cell. The last time I was in the cell was when I was transferred to hospital mid-way through the 21-day hunger strike that won my release in May 1991. I stood at my former cell door with feelings fast approaching panic. I started to perspire profusely and realised I was close to tears and wanted to flee. I cannot say why I panicked or why I was sweating and tearful. I only knew that I wanted to get out.

On my way out a sneaky thought crossed my mind. Should I ask Vlok for permission to retrieve an illegal item I had within the precincts of B-section while a prisoner there last year? My better instincts told me to desist. It's very well-concealed so I'm certain it will be there in the real New South Africa and I'll get a chance then.

From the prison we were taken to the island guest house where Vlok delivered an address on the future of prison policy and the scrapping of Section 44 (1) (f) of the Correctional Services Act dealing with incorrect publishing of information on prisons and prisoners. The latter

ton, summed up the atmosphere by commenting to the audience that my presence, together with Vlok, was symbolic and encapsulated what was happening in the country at present.

"Things have certainly changed," he said, "when one of our colleagues, who was a prisoner on this island, is able to come to the island and report freely on the visit."

**T**HESE WORDS had a reassuring effect on me. It was like being told by my media colleagues that I was welcome back to the media fold.

The "fun 'n games" started after all the serious stuff ended. We were presented with warrants of commitment — an authentic document rubber-stamped by prison authorities — and told we were to be held overnight. Vlok himself was arrested, handcuffed (to loud applause) and led away. The rest of us followed as the warrants were issued individually.

We were transported to the main prison where we were to be processed.

The panic returned to me. Ms Christelle Terreblanche of "Vrye Weekblad" looked at me and asked if I was alright. I clearly wasn't. I remember saying to her the joke was being carried a bit too far. A serious, horrible experience for many at the height of apartheid was being trivialised for purposes of entertainment.

Much against my wishes, I decided not to be a sport and participate in the fun 'n games — we were told before it all started that it was not obligatory.

We entered the prison and were ordered two-by-two into a line. We had to sit on the floor in the passage outside the prison reception and wait our turn to be finger-print-

However, not one would acknowledge my presence and, like the warden at the harbour, none could look me in the eye. I found this behaviour perplexing.

We were then escorted to the "Robben Island Press Prison" — an authentic prison environment was recreated — where we were inspected by the officer in charge.

Outside, where a braai was underway and a group of prison warders were serenading the guests

being so sporting about it."

Earlier in the evening at the braai, to show all was forgiven for past sins and we should look to the future, Vlok put his arms around my shoulder with a group of other journalists and together sang "Auld Lang Syne".

When it got to "Should old acquaintance be forgot," the thought flashed through my uneasy mind "Yes, it is easy to forgive, but not so easy to forget."

**DRESSED UP AND NOWHERE TO GO: Vlok and journalists in prison garb**

## CURRENT AFFAIRS

### TERRORISM

#### White fangs

From the cell where he is serving a life sentence, mass murderer Barend Strydom, the Pretoria "Wit Wolf," is urging followers to fight the "enemies of the Boerevolk" with all available means. The message is contained in a letter, dated February 13, mailed from Pretoria Central Prison and published in the latest edition of rightwinger Robert van Tonder's *Boerestaats Nuusbrief*.

Subscribers received their copy with Strydom's call to action about 10 days before a limpet mine was detonated at the Rand Show at the weekend. In a statement to the SABC, the shadowy Wit Wolwe organisation claimed responsibility for the explosion which injured nine whites, two of them seriously.

"It is never too late," writes Strydom in urging rightwingers to become involved in the struggle of the *volk*. "The process is reversible. We can never accept this situation under which we are illegally suppressed and a communist ANC government is thrust upon us. Never but never! What you can do is much more than I can and am allowed to do from inside the prison. The enemy must be fought with all means available to us."

According to the Wit Wolwe, who apparently claimed responsibility after Saturday night's explosion, "black terror was a huge headache terror by whites will make it look like a picnic."

The statement called for an end to gambling with the *Boere* heritage, and concluded "Apartheid is dead. Long live apartheid." It was typed on a Wit Wolwe letterhead and listed a series of demands, including representation of whites by whites, a white homeland and the destruction of communism. The organisation undertook not

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to use violent methods as "far as possible" and said that members would give their lives for their country and their people. The message was typed over what appeared to be a sketch of a snarling wolf.

The Boerestaat Party's Robert Van Tonder tells the *FM* that he communicated with Strydom through "an intermediary" on Sunday and, according to information that had reached him, Strydom denies any knowledge of the attack or involvement by the Wit Wolwe. "To us this looks like an orchestrated attempt by the police to justify action against rightwingers," says Van Tonder.

Correctional Services Major Wena Greyling says that, according to their records, Strydom wrote a letter to "a Mr Du Toit" on February 13, the mailing and publication of which was not a contravention of the Prisons Act.

But Clause 44 of the Act states that it is an offence to publish a photograph of a prisoner 30 days after a court has found him guilty of an offence unless written permission is obtained from the Commissioner of Prisons. "Permission has not been granted to the publication concerned (*Boerestaat Nuusbrief*) to publish a photograph of prisoner Strydom," Greyling says.

Van Tonder admits that he did not ask for permission to print Strydom's picture. He says the letter was given to him by someone but he is not prepared to name his informant. He will not comment on whether he knows "a Mr Du Toit."

Van Tonder says he often visits Strydom and that he went to see him three weeks ago. Strydom still believes in the *volkstryd*, says Van Tonder. "This is understandable. As a youngster he experienced the horror deeds that were done to his own people and this had an effect on him."

The *Beeld* newspaper said on Tuesday in an editorial that those responsible for the

bomb "were being fed by insinuations from rightwing leaders — among them even people like Prof Carel Boshoff — that a violent option to the struggle for 'Afrikaner freedom' cannot be excluded."

Rand Show MD Anton Post has announced a R20 000 reward for information leading to the arrest and conviction of those responsible for the explosion.

*Eddie Botha*



# Warder pleads not guilty to murder (253)

ANDRÉ MARTIN, Staff Reporter - ARG 10/4/92

A WARDER charged with beating a prisoner to death with a baton has pleaded not guilty in the Wynberg Regional Court.

Sergeant Jan Etsebeth, 28, of Ottery is alleged to have murdered John Dilo, 32, a maximum security prisoner at Pollsmoor who was involved in a clash between the "26" and "28" gangs in April 1990.

Sergeant Nichol Cornelius testified yesterday that five members of the 28 gang were beaten with belts and socks filled with objects in a cell bathroom by the 26 gang.

About eight warders, including Sergeant Etsebeth, entered the cell. Sergeant Etsebeth had his baton drawn.

He said Sergeant Etsebeth ordered the 26 gang to stop hitting the others. They stood back and accused the 28 gang of stabbing one of their men.

Sergeant Etsebeth told the prisoners to throw their weapons down and started attacking them.

"I saw him hit someone. The 28s jumped up and were beaten by some warders with batons as they ran out of the cell," he said.

Some ran downstairs and one ran upstairs but was trapped by a locked gate leading to the roof. Sergeant Cornelius told the court that this prisoner could have been Dilo.

Sergeant Etsebeth and two other warders hit the prisoner who was lying on the floor.

Sergeant Etsebeth picked him up and told him he was pretending to be unconscious. I am not sure it was Dilo. He let the prisoner fall and his head hit the floor. He gave him a hard blow on the chest and kicked down six or eight steps.

"He then took the prisoner to the bottom and I do not know what happened to him after that."

Sergeant Etsebeth is out on warning. Mr P Putter is on the Bench. Mr M F Davids appears for the State and Mr P Bredehahn for Sergeant Etsebeth.

## Business urged to find jobs for ex-political prisoners

253 (initials)

South 11/4 - 16/4/92

**H**UNDREDS OF ex-political prisoners are struggling to find a niche in the cramped South African job market. As a result, the Association of Ex-Political Prisoners of South Africa (AEPP) has appealed to business to accommodate them.

Mr Norman Yengeni, the association's Western Cape director, said this was an opportunity for business to "regain its lost credibility both internally and internationally"

"We would like to see business engaging in more affirmative action to help solve the injustices and inequalities created by apartheid

"We would appreciate such intervention by the 'haves' to convince the 'have-nots' that we are so interdependent that neither side can exist without the other."

The AEPP is also involved in establishing self-employment schemes such as brickmaking and sewing

Yengeni said grants were helpful in the short term, but could cause insurmountable welfare problems. Projects that rose above the dependency syndrome should be created

Apart from seeing to welfare grants, the AEPP also informs members about bursaries and medical assistance, provides a



**Norman Yengeni**

field work service, visits members in prison and mental institutions and refers them to consultants to help them get jobs

The association was formed in February 1990 and has been financed by the SA Prisoners Trust, the World University Service and several private sector organisations and businesses

Can't find



WARDERS were allowed to use rubber truncheons and necessary force to stop gang fights in prison and to disarm inmates; a senior Pollsmoor Prison officer testified in the trial of a warder charged with murder in the Wynberg Regional Court yesterday.

(253)  
**Warders  
'allowed  
violence'  
trial told**

CT 11/4/92

Captain Richard Marcus was testifying in the trial of Sergeant Jan Etsebeth, 28, of Ottery, who has pleaded not guilty to murdering Pollsmoor maximum-security prisoner John Dilo, 32, in April 1990.

Mr Marcus said that every warder was aware of prison regulations which stated that in the event of a fight they were to go in immediately and use whatever violence was necessary to stop the friction.

Sgt Etsebeth is alleged to have assaulted Dilo, hit him when he was lying on the floor and kicked him down a flight of steps after entering a cell to stop a prison gang fight between the rival "26" and "28" gangs.

Captain Marcus said that inmates were interviewed and asked if they belonged to any gangs and, as far as space allowed, were accommodated apart from each other or in individual cells if they wished to remain independent.

Sgt Etsebeth was not held on bail and the trial was postponed to Monday.



# Anger over state's payout to owners of two prison outposts

51 Times 12/4/92

THE government has been accused of making a mockery of Parliament by overriding opposition from its most powerful watchdog to approving payments to owners of two prison farms.

The Joint Committee on Public Accounts, which scrutinises the government's expenditure, refused to authorise the payment in 1988 of R650 000 to two owners of prison labour outposts.

But last week, Parliament overrode this decision and passed a Bill validating the expenditure.

The committee, which is represented by all the parties, has a majority of NP members.

**Convinced**  
It repeatedly refused to authorise the payments in 1990 on the basis that the valuations on which the payments were to be made were suspect.

DP finance spokesman Ken Andrew said the joint committee rarely refused to approve unauthorised expenditure.

"It is only done in cases where it is absolutely convinced there is no justification," he said.

He added the decision two years ago to refuse the expenditure required the full support of NP committee members as well as representatives from other parties.

"It is therefore most unusual that the government would see fit to approve expenditure which its own members and the committee as a whole strongly recommended

By EDYTH BULBRING  
Political Reporter

should not be approved," he said.

Agriculture Minister Kraai van Niekerk, in introducing the Bill to get the amounts approved in Parliament last week, said when the government decided to abolish the prison outposts system in 1985, there had been uncertainty among owners over how they would be compensated.

The state had bought 19 of the 21 outposts, regardless of whether it needed the buildings, at a cost of nearly R20-million.

This was the price that had to be paid for the abolition of the outpost system, he said.

But the farm Leshe, near Leander, had already been sold for a sum of R150 000 before the Cabinet decided to abolish the system. A further sum of R370 000 was then paid by the state to the owners by way of a compensatory payment.

Establishment of prison facilities on the farm Bult-

fontein, near Hendrina, had cost R219 000. For these improvements, for which no depreciation was calculated, an ex gratia payment of R280 000 was made.

Mooi River DP MP Wessel Nel said there had to be something wrong when someone sold a property for R150 000 and was then given an additional R370 000 — more than twice the selling price — by the state as compensation to make up the alleged full value of the property.

## Mandate

"We in the DP cannot accept that such an error be deliberately covered up. At least the people who made the mistake should pay nominal penance for their fault," Mr Nel said.

NP MP Cris Fisser, who sat on the committee when it opposed the approval of the payments, said he did not see Parliament's actions as overruling the committee.

"Parliament has the mandate to authorise unauthorised expenditure if the committee does not wish to do so," he said.

# Jerry speaks from Death Row

By **MONWABISI NOMADOLO** *12/14/92*

**JERRY** Richardson spoke from his death cell yesterday and said he remained committed to Winnie Mandela.

In an exclusive interview with City Press the killer of Stompie Moe-ketsi Seipei described the uproar between Mandela and her co-accused Xoliswa Falati as a "boer plot" to discredit the

ANC. *(253)*

The 44-year-old father of two denied that there was link a between Dr Abu-baker Asvat's death and Mandela, whom he referred to as "mommy".

"Asvat's killers were sentenced to death and I'm with one of them on death row," he said.

He said he would not have killed Asvat or plotted his death, adding Asvat was to have visited Mandela on the weekend

of the week he died Richardson defended Mandela, despite the fact she had not visited him since he was sentenced to death.

"I'm in good spirits even though she never visited me," he said.

"In fact if she would have done that, talks would have been spreading and questions asked," he said, adding he had written many letters to

■ To page 2

## Jerry defends Winnie from jail

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■ From page 1

her which were unanswered. *12/14/92*

He further disclosed that on Friday police visited and questioned one of Asvat's killers, Cyril Mbatha, at Pretoria Central Prison.

Mbatha's co-accused, Thulani Dlamini, had his death sentence commuted to 25 years' imprisonment and has since been transferred to Leeuwkop Maximum Prison, Richardson said.

"Now they want to link me to Asvat's death," he added, admitting having been in Asvat's surgery the day he was shot by Mbatha.

"I even told the police and said in court that I went there for a consultation because I was ill," he said.

Richardson said while in prison - arrested for Stompie's death - he assaulted Mbatha on June 16, 1989, "because he killed the doctor".

Commenting on Katiza Cebekhulu who has threatened to "reveal the truth", Richardson said "he is welcome to do so".

Richardson said he was greatly saddened by the rumour that Nelson Mandela and his wife were "separating".

"It hurts me," he said. He told City Press he was not afraid of the gallows "I don't even pray, moreover I don't believe in God," he said.

The former coach of the notorious Mandela United Football Club said he was the coach of his Section C football club in prison.

He appealed for a sponsorship for his club to get soccer boots.

In a stunning revelation, he said he was "finished with his family" and maintained that he had never killed Stompie and owed his mother "no apology".

# Future of prison isle on today's agenda <sup>(253)</sup>

JOHN YELD <sup>ARG 13/4/92</sup>  
Environment Reporter

DEVELOPING Robben Island for tourism could create 12 000 jobs and reap up to R230 million a year, according to a report by the city council's Cape Town Environment Advisory Committee

The report is being considered by the council's executive committee today. It claims it is "absolutely essential" the city becomes involved in planning the future of the island at the earliest possible stage

The Minister of Correctional Services, Mr Adriaan Vlok, announced in December that the Cabinet had approved a managerial and development plan for the island, and that it would eventually be brought under the control of the National Parks Board

A Cabinet committee of Ministers of Correctional Services, Defence, Environment Affairs and Tourism would oversee the transition, and would be advised on policy by a development framework working group, headed by prisons' commissioner Lieutenant-General Willemse

The environment advisory committee, which visited Robben Island in February, decided the island's legal status and the possibility of incorporating it into the Cape Town Municipality should be investigated by the city's legal adviser.

Dr Anthony Hall-Martin, the National Parks Board's chief director for inland and coastal areas, said today the implications of the government's decision on the future of the island were being considered



# Island: Council wants a say

Municipal Reporter **253**

**THE** city council should take an active role in the redevelopment of Robben Island

This a recommendation by Exco, who suggested that up to eight senior councillors should represent the city at the Robben Island Development Framework Working Group and its sub-committees.

Yet a recommendation before Exco from the city's Environmental Advisory Committee —

that the city legal adviser be asked to investigate the legal status of the island with a view to its incorporation into the municipality — was turned down yesterday

ET 14/4/92  
The reason for this is that members of Exco thought it was standing council policy that the island should be incorporated into the municipality.

Greater urgency has been lent to the matter of council representation on the redevelopment

committee by the fact that the opening of the island to tourists is expected to result in an additional annual revenue boost of R230 million

According to a reference memorandum from the committee, the island development plan could also lead to the creation of up to 12 000 jobs.

The island falls within the Cape Town magisterial district, the committee said, but there was uncertainty as to whether it was part of the Cape Province

# Muslim convicts get halaal food

By Venilla Yoganathan

253

Muslim prisoners at the Johannesburg Prison, many of whom were forced to go hungry when prison authorities allegedly refused to serve them halaal food, will now be provided with such meals by the Islamic Missionary Society (IMS)

IMS president M S Laher yesterday said about 138 Muslim prisoners will now receive free halaal meals daily from the IMS until prison authorities are in a position to cater for Muslim prisoners.

The IMS decision follows

STAR 16/4/92  
prisoners' complaints to Muslim priest Ebrahim Mokhema, who offers regular spiritual advice to Muslim prisoners at the Johannesburg Prison

According to Mr Mokhema, some staunch Muslim prisoners who observed the Ramadaan (fasting) period last month, could not traditionally break their fasts after sunset because food served at the prison was not halaal

He said under normal conditions, prisoners broke tradition by consuming non-halaal food

"While prison regulations permit the families of prisoners

to bring them food, many of the Muslim prisoners' families live outside Johannesburg and are unable to make daily trips," he said.

Johannesburg Prison commanding officer Brigadier D Barnard would neither confirm nor deny whether Muslim prisoners were being served halaal food

He said he was unaware of the prisoners' problems as no complaints had been officially laid with the prison authorities, but he would address the matter immediately if written complaints were received



# Cement-grey days ... And now a handful of sea-shells

w/mant 16/4 - 23/4/92

*Robben Island conjures up an image of cold steel gates and suffering — centuries of it. But the day veteran anti-apartheid activist Mary Benson visited the island there was an atmosphere of a picnic party.*

By **DAVID BERESFORD**

Date: April 9 1992

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It was a strange journey, strange in its banality. The lady alongside us discovered Mary had gone to school with her, more than half a century ago. She said there were 24 of them on the boat — members of a local senior citizens association and an agricultural and ecological society. They were on a day's outing, all dressed up in their Sunday best. The warders' wives were to give them lunch. She'd had fun telling her friends she was going overseas. She repeated the line to make sure we had the joke "Overseas, you see — overseas to Robben Island."

It was tempting to ask whether she knew what had happened to her school friend in the interim. Mary Benson: secretary to the Treason Trial Fund, banned, house-arrested, personal friend and confidante to the likes of Nelson Mandela, author of an autobiography which ranks as one of the great eyewitness accounts of the anti-apartheid struggle. But the day was too peaceful to risk a disturbance among a party of the aged. The Cape sun was at its autumnal best, the swell was gentle, the seals lazily arching alongside us as the old Rhine pleasure-cruiser ploughed its way across the 11km of sea.

A tourist bus was waiting at the jetty for the senior citizens. Mary's visit, of course, had had to be cleared by Pretoria and the commander of the Island, Colonel Mike de Nysschen, was waiting for us in his khaki best, stars sparkling on his epaulettes. Mary said there was a twinkle in his eye as well, which added to the sense of unreality — the idea of Mary Benson seeing warmth in the eye of a South African prison commander! But that was after he presented her with a handful of sea-shells with old world courtesy. Times are a-changing ...

Earlier he had been stiffness incarnate as he conducted us across to the prison and we stood awkwardly waiting in front of the steel doors. Like everything else about the Island, the doors — and the prison — were far less dramatic than expectations had promised. They might have been a pair of garage doors in Johannesburg's fortress-suburbia and when they closed behind us there was no sense of the iron jaws of hopelessness clanging shut.

It took an exercise of imagination to conjure up the hopelessness with which Robben Island is synonymous. The group of convicts a British ship tried to dump there in 1617, who rather begged to be taken home and hanged.

The great Xhosa chief Makana and 30 of his warriors making their desperate bid for



Anti-apartheid activist Mary Benson

Photo ELLEN ELMENDORP

freedom in a stolen boat, only to be wrecked on a reef — the rebel leader clinging to a rock, roaring encouragement to the others struggling in the surf until he was swept to his death

Christiana Brown writing her despairing letter to the authorities in 1861, protesting at being dumped among the lunatics, lepers and law-breakers for the "sin" of paupery "Truly this island is a land of darkness and of the shadow of death." Or the travel writer Charlotte Cameron early this century: "The mild inmates were sitting chattering, some sing-songing, others mumbling like disturbed monkeys. It was awful to see these outcasts sitting with the devil inhabiting every brain." And then, of course, the men of Rivonia

The colonel confessed he didn't know much of the history of Robben Island, having taken up the post only four months ago. But Mary is almost the official historian and it was with familiarity, albeit born of a distance, that she took in the sights

In the exercise yard of the maximum security block — a concrete volley-ball court — she pointed to the corner where Nelson had buried the manuscript of his political autobiography in caches under a drainpipe. The high grey wall had been built to stop prisoners in the punishment block shouting across to the political leadership. Mandela had watched the construction work begin with horror, from his cell on the other side of the courtyard. Some of the manuscript was discovered. Keeping any form of writing was a punishable offence — as was singing and whistling — and his "privilege" of educational facilities was suspended. Most of the

manuscript survived, however, to be smuggled out and is now being prepared for publication

The maximum security cells themselves — 30 of them stretching down a narrow corridor — were tiny, but again curiously banal. Wooden doors fronting an iron gate, enclosing a space little more than two metres square in which were squeezed a bed, table and a locker bolted to the wall.

But Mary conjured up the hardship it had represented with the story of how, some 12 years after arriving in the block, the men had been left starving through the day, because the ovens had broken down in the prison kitchen. The food finally arrived in the evening and was laid out in the yard, the prisoners being allowed out to eat. But when they walked into the yard they were so bewitched by the sight of the stars that they left the food untouched, spending the precious minutes gazing up at a night-sky they had not seen for more than a decade.

"Cement-grey floors and walls/Cement-grey days/ locked in a grey gelid stream/of unmoving time," as a poet among the prisoners had it.

A gentle story. There are others far cruder, such as that of Johnson Malambo. A warder had buried him to his neck in sand and then proceeded to urinate in his mouth.

But that was beyond the reach of the imagination as De Nysschen ushered us out of the Alcatraz of southern Africa to complete his tour.

Ahead the senior citizens in their bus were trundling through the reserve which is the pride of the Island. Admiring the springboks and nesting penguins — The Guardian



# ANC guerilla on hunger strike

AN African National Congress guerilla, whose death sentence was commuted to life imprisonment two weeks ago, has embarked on a hunger strike and is getting weak, according to his lawyer

Mthetheleli Mncube, who appeared with Mzondeleli Nondula in the Messina Circuit Court in 1988 charged with 10 counts of murder, 24 of attempted murder and terrorism, began the strike last Sunday

Mncube is being held at the Pretoria Central Prison, where he is reported to have gone on the strike.

He is demanding to be freed

Nondula, whose death sentence was also commuted to life, is being held at a Port Elizabeth prison

By IKE MOTSAPI

Mncube's lawyer, Mr Peter Harris, yesterday told *Sowetan* his client had lost 8kg since he embarked on the strike

Harris said it was not yet known whether Nondula was also on a hunger strike

Colonel Dannie Immelman, public relations officer for Correctional Services, confirmed that Mncube was on hunger strike

Mncube and Nondula was sentenced to death by Mr Justice JPO de Villiers in 1988

During their trial, the two insisted that they should be treated as prisoners of war

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camps, "depending on permission by the respective governments" Pfanner confirms the ANC's invitation and says arrangements for the visits are being finalised

An IFP delegate to Codesa, Ed Benard, says reconciliation in SA is being delayed by disagreement over whether the allegations should be investigated by Codesa. He claims that "some of the ANC-SACP delegates to Codesa are the very men who perpetrated these crimes"

Benard charges that "this contentious matter is a serious impediment to the progress of Working Group I at Codesa" (which is considering the question of political prisoners). Benard accuses the ANC of wanting Codesa to consider only the question of ANC prisoners still held by the SA government

He also claims that former ANC detainee Patrick Hlongwane was sentenced to a further 15 years' hard labour by an ANC tribunal on February 18 1991 — months after ANC president Nelson Mandela announced that the organisation was no longer holding prisoners. Hlongwane, who, together with other prisoners, was released in August by the ANC, has since formed the Returned Exiles' Co-ordinating Committee

Marcus does not believe that Codesa should hear testimony from former ANC detainees, saying Codesa is "not the right forum for the issue". But she suggests that the matter should be put to Codesa for a decision

She stresses that a letter Codesa administrator Murphy Morobe sent to the returned exiles' committee had been written in his capacity as Codesa employee and not as an ANC member. In the letter Morobe suggests

## POLITICAL PRISONERS

**On hold**

(253) FM 17/4/92

Talks continue between the International Committee of the Red Cross and ANC over alleged torture of exiles and conditions in ANC detention camps outside SA. But the Red Cross will not act as an investigating body but merely accompany the ANC to detention camps "to see how it can help," says Tony Pfanner, who heads the Red Cross in SA

The Inkatha Freedom Party (IFP) last week called for a judicial inquiry into allegations of torture and killing in ANC detention camps. It is also alleged, by former exiles, that the ANC is still holding political prisoners in camps in Uganda and Tanzania

ANC spokesman Gill Marcus says the organisation has had discussions with the Red Cross and invited it to visit the detention

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that a letter — which had been addressed to DP leader Zach de Beer from the exiles' committee — should be placed before Codesa's management committee

Marcus says the internal commission which was appointed by Mandela to investigate alleged torture is carrying on with its work. Its findings will be made public. ■

**Soft sell** (253)

The prison on Robben Island will be phased out over the next five years. The buildings will probably become part of a cultural history museum and the island could become a national park. Correctional Services Minister Adriaan Vlok said at a press briefing on the island recently that it was unlikely the land would be used for a highly developed casino-type resort.

An interdepartmental committee is investigating the future of the island and will welcome private-sector suggestions and contributions from organisations such as the ANC.

Vlok also announced that the controversial Section 44 (f) of the Correctional Services Act will be scrapped during the current session of parliament. The measure effectively prohibits publication of information about prison conditions or the experiences of prisoners. Though application of the provision has been relaxed considerably in recent years it is still regarded as a severe curb on press freedom.

There are about 450 prisoners in Robben Island's maximum security prison. All "political" prisoners were either released or transferred to the mainland last year. A new prison with a capacity of about 1 500 is expected to be built at Kraaifontein north of Cape Town at a cost, at current prices, of about R120m. It will replace the capacity lost at Robben Island and help to reduce overcrowding in other prisons.

According to a briefing document released by Vlok, prisons were nearly 16% over capacity at the end of last year. Capacity is determined on a formula. There were 83 666 places in prisons at the end of last year but the number of prisoners was 93 909. At an estimated cost of R63 000 per additional place at the end of last year it would have cost R834m to provide the extra prisons. The cost has since been amended to more than R80 000 per place.

In June 1990 prisons were 30% overcrowded. The figure dropped to only 7% in June last year after implementation of the controversial early release policy and amnesty. By the end of the year it had risen again to just over 15%.

Provision has been made over the next 10 years for the creation of an additional 4 219 places by constructing prisons at Boksburg, Oudtshoorn, Kraaifontein and Umzinto. The cost will be about R330m at current prices.

To help reduce the prison population even further the department introduced a correctional supervision programme in Pretoria last year and extended it to other parts of the country. ■



By ZB MOLEFE

**W**RITER Mary Benson returns to Britain today with an indelible picture of Robben Island etched in her mind

For 72-year-old Benson, the highlight of her seven-week stay in her birthplace was the culmination of a spiritual journey to the island which started 15 years ago

Now she has trodden its polished floors, felt its cold steel bars and heard in its echoes and emptiness the famous political voices of the past.

Her obsession with the island began during the writing and broadcast of her well-received BBC play *Place of Martyrs* which featured, among others, top British actor Paul Scofield and well-known South African exile Alton Khumalo.

The play was a labour of love and sacrifice. The result of many laborious hours of research at the British Museum where she conducted a literary "visit" to the island, notorious in South African history as the "Devil's island" - a place for lepers, the insane, thieves, murderers and political prisoners.

Her verdict after finally setting foot on Robben Island last week was moving and brief: "(It's) terribly sad to think about those souls who have been imprisoned there."

It conjured within her some of the names which dominate SA's history of resistance - Makana, Langalibalele, Nelson Mandela, Robert Sobukwe, Walter Sisulu, Jeff Masemola, Toivo Ja Toivo, Johnson Mlambo, Zeph Mothopeng

Looking in on Mandela's cell struck an emotional chord, espe-

# Souls in stone re-emerge to haunt Benson

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cially since before leaving Johannesburg she spoke to Mandela "who made a drawing for me of the island"

That drawing showed where the ANC president had a secret garden and a hiding place for the memoirs he wrote in secret

She said: "Robert Sobukwe's cottage has been demolished, but the sculptures of the late Jeff Masemola remain. It was a moving experience looking at those sculptures."

All that remains of "historic" Robben Island is the leper cemetery and a small church built by the lepers

Said Benson "As we were moving around the island I kept on thinking of all the men who laboured under those terrible conditions while in the background the beautiful Cape Town's Table Mountain faced them."

Benson, who was last here in 1990 on a visa which stipulated she was not to "engage in professional activities", is worried about the state of her homeland now

During her "holiday" - this time no visa was necessary - she was disturbed at the lack of change in some quarters

"I saw no changes in places like KTC squatter camp near Cape Town, which I last saw two years ago"

She said the changes seem not to have affected the ordinary people that much

Maybe, she added, this is made worse by the drought, VAT and "no end to the violence"

"As for whites, maybe things are comfortable. These are the two worlds in SA."

However, she felt excited about the referendum results. "I feel there is definitely a mood of optimism among whites."

Another observation made after numerous house visits to her old friends - ANC deputy president Walter Sisulu and his family, prominent playwright Athol Fugard and his wife Sheila - was that the SABC "has improved in the two years since I was here"

Her concern for the new SA

is focused on "the lost generation", the black youth whose lives and education has been disrupted for 16 years

Among other things near and dear to Benson is her prayer that this new SA does not fall into the trap of censorship against its writers - "the whole thing is so destructive and de-meaning".

She should know. She has written, against tremendous odds and the pain of exile, a history of the ANC, a novel, a dramatised documentary on Mandela and biographies of Tshekedi Khama and 1960 Nobel Peace Prize-winner Chief Albert Luthuli

In addition she was placed under house arrest and banned in 1966 by the government before moving to London.

This was before Benson, a woman in her 20s from a comfortable and racially prejudiced middle class white background, was propelled along her "Damasus road" by Alan Paton's novel *Cry The Beloved Country*

## Inmate dies in prison brawl

GRAHAMSTOWN — A prison inmate was beaten to death here during a fight among the prisoners on Friday, the Department of Correctional Services revealed yesterday.

A department spokeswoman said Michael Kavana had been serving four years and four months for theft.

The spokeswoman said it appeared that three or four of the prison inmates had got involved in a fist-fight.

Sapa (253) CT 2/4/92

# Prison dept drops racial barriers (253)

Political Staff

ALL racial barriers in South Africa's prison service have now been removed, including the provision of housing for warders — one of the issues which lead to the formation of the Police and Prisons Civil Rights Union (Popcu) in 1989.

The Department of Correctional Services, whose annual report was tabled in Parliament yesterday, said that from a security point of view it was essential that sufficient staff were housed on the prison complex.

"Factors such as the Group Areas Act, which limited/prevented occupation by certain population groups in specific areas, were removed during the year under review and the department accordingly opened residential accommodation to all population groups."



## 9 201 given indemnity

ALTOGETHER 9 201 people had successfully applied for indemnity by April 14, Minister of Justice Mr Kobie Coetsee, has said **CT 20/4/92**

About 98% of the 9 754 applications for indemnity which had been received had been finalised, he said in reply to a written question by Mr Peter Soal (DP, Johannesburg, North)

He said 1 349 applications for release had been successful, and only 213 of the 6 621 applications for release still had to be finalised. A total of 5 059 applications for release had been unsuccessful or partially successful.

It was not possible to indicate the number of "exiles" who had applied for indemnity, as the applicants did not have to disclose their whereabouts, Mr Coetsee said. — Sapa

# Court official aided prisoner in escape 253

**ANDRÉ MARTIN**  
Staff Reporter

A DISMISSED Wynberg court building security official was sentenced to a year in jail for helping a prisoner to escape from the holding cells

Johannes Brien Odendaal, 30, of Southfield, also was sentenced for taking a bribe but was acquitted on a second charge of dealing in six dagga cigarettes in the cells. He had pleaded not guilty to all charges

Odendaal worked for two years as a Department of Justice security official at the entrance to the building where members of the public had to pass through security checks

The Wynberg Magistrate's Court heard that Odendaal asked for a key from a court orderly, unlocked the door of a cell beneath the court building and escorted Gerhard Levendal outside in exchange for money

Earlier Norman Caledon, who shared a cell with Leven-

dal, testified that Odendaal was given R1 000 by Levendal

Before sentencing, Detective Sergeant A Dillon of the Peninsula murder and robbery unit told the court that Levendal was a "dangerous criminal" and a member of the "Ugly American" gang

He said Levendal had committed crimes involving robbery and firearms after the escape

Sergeant Dillon added that Levendal moved in a circle of "corrupt friends" in Hanover Park and Mitchell's Plain and was a "very hard man to trace"

Magistrate Mrs A Smith told Odendaal that he had abused his position as a security official and the trust of his colleagues

Mrs Smith said that correctional supervision or community service as suggested by his attorney, Mrs J Kramer, were not appropriate for his crime.

Mr S Lea prosecuted



# SA's 'Prison' bars 'widened'

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**W**INDS of change are blowing through the draughty corridors of the country's prisons.

As one warder of 31 years' standing put it: "We don't beat up prisoners anymore. It did happen in isolated cases, but it's not necessary anymore."

Now head of the Medium C unit at the Westville complex, Major Zane Brits recalls the dark days when it was considered a security breach for the Press to write anything about South Africa's jails or the time when a warder boasted about how he broke a prisoner's arm with one swing of his baton.

That's over, and the image which the Department of Correctional Services has been trying to foster is one of openness and humanity.

If a prisoner becomes violent, such as one who swore that blood would flow before anybody took his fingerprints, he'll be "introduced" to a can of teargas, but it rarely gets to that.

"The emphasis is strongly on keeping prisoners as active as possible and motivating them to move up grades through good behaviour to an A category, then to become a monitor, win parole and hopefully eventually lead a normal life.

D category prisoners, for instance, are permitted one visit a month, but no TV. Inmates in the A category receive five visits a month, a 10-minute telephone call, TV and may work outside prison.

Improved treatment of prisoners here, however, in practical terms, means

■ Prisoners unhappy with a cell can ask to be moved.

■ They may have as much food as they want.

■ They have the right to complain if food is not hot.

## SPECIAL REPORT

Big changes are taking place behind the bleak walls of South Africa's prisons — not least of them being a new openness in dealings with the media. Weekend Argus Reporter **BRIAN KING** was allowed in for a close look at what is happening — and found a refreshing new candour in dealings with officials of the recently re-named Department of Correctional Services.

■ A morning and afternoon parade at which prisoners can get normal medication and, where applicable, prescription medicines from trained medical staff, a doctor also visits

■ Each cell is connected to a central control room through an intercom system.

■ At least twice a year each of the 570 prisoners in Medium C sits before the Institution Committee for observation to discuss matters such as sentence, rehabilitation and category upgrading. The committee sits each morning and interviews an average of 40 prisoners daily. Sitting in on one of these meetings I found the tone constructive.

■ Prisoners can make appointments to see social workers who counsel six to 10 prisoners daily.

■ Contact visits for category A prisoners means they can sit and have tea with their family, but no meals may be brought in — one bun, any chow that came in was packed with Man-drax and dagga!

■ Greater access to education for the outside world — limited specialised training such as welders, waiters, wine stewards.

■ Each communal cell holds 19, but could comfortably accommodate 38 if the beds were closed up. Medium C has a capacity for 624 (570 at present) but if prisoner trends continue (Cape prisons are 200 percent overcrowded) the West-

ville complex's 6 000 capacity may have to be increased to 9 000!

A cell, measuring 8 metres by 7 metres, holds 10 low beds on a concrete floor with two blankets, sheets and pillows on each bed, small wall lockers for each prisoner, plus hospital lockers. Leading off the cell is an ablution room comprising shower, two stainless steel sinks, urinal and seatless ceramic toilet.

Of course, Westville prisons have a good reputation.

"In other prisons, it's bad, there are violent Mafia types," one prisoner told me, although too scared to say much about the 26s and 28s gangsters at Medium B for fear of retribution.

Interviewed independently, a number of prisoners in Medium C agreed that a prisoner has a choice on rehabilitation. "Everything lands on the person himself, the way he wants to go," an intern told me.

Major Brits was surprisingly open about what went on in his prison. There had been five suicides in five years, assaults were down, but there was a lot of dagga smuggled in. The latter was confirmed by Medium C social worker Captain Sekela Dhlamini, who said the drugs problem was "going up and up".

I was permitted to talk freely to, experience being locked in a cell, taste prison food and attend meetings between departmental members and prisoners.

On the downside several photographs were prohibited and copy had to be submitted for factual verification.

Major Brits was candid about the prison not having enough cells to separate all the categories, but said authorities closed their eyes to



□ **BEHIND BARS:** Weekend Argus Reporter Brian King gets to grips with being behind bars in a single cell

## Inmates given more chances to win back a place in society

benefits which C categories received although not entitled to them because they shared with A category prisoners.

And racial conflicts, yes," replied Major Brits. "Racial differences, yes," replied Major Brits. "For example there are disagreements over radio programmes, but since integrating three years ago, no racial conflict.

"Our biggest problem, though, is to find employment for parolees.

"The crime rate has been soaring, not because of our system, but because of economics

Our parole system was in operation for many years before coming under criticism," he said. Regarding prison overcrowding, Major Brits said he hoped more community service sentences would help.

Major Brits said people often remarked, when he told them about prisoners being allowed to wear their own underwear and shoes, watching TV, and having carpets in their cell, that the prisoners had it easy.

"I joke with them that we're just making sure that if we get locked up in the new South Africa we'll eat a (43:57) T O.



# Boredom, fear and a terror of facing the outside world

**P**RISON is vastly different from what the movies crack it up to be.

For no film can portray the absolute boredom, fear, lack of self-esteem and bottomless depression that a stint behind bars involves.

A former inmate of Westville Prison this week gave a glimpse into the outlaw zone.

Durban sales representative Fred (not his real name) was convicted of fraud while in his early 20s.

It was the usual story, he "borrowed" on his commission, but didn't pay the company back. The result, two years in Westville Prison.

"There are two types of prisoners," he says. "Those who belong there, and those who deserved to be there. I deserved it, I had done wrong, but I never knew what I was getting

myself into"

Basically gregarious, he soon had to fight bare handed for his rights. On his first day all his possessions, mainly cigarettes and toilet goods, were stolen in front of him.

On another occasion when he told a fellow prisoner to "stop bitching", he had his chair kicked from under him and needed eight stitches inside his mouth from the resulting brawl. The guards, he said, watched with amusement. For him it was a slice of life at its worst, never to be repeated, never to be forgotten.

"During the first three months I just lay in my cell, about the size of a bathroom, sick with depression. Finally I realised I had to pull through and the only way I could do so was through sheer willpower.

"It was boring in the extreme. We were wo-

**GRAHAM SPENCE**

Weekend Argus Reporter

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ken at 6am for cell inspection. If your cell was dirty, you went a day without meals. Then there was breakfast, which was just oats that we later found out was horse feed. We were then sent to work, which mainly meant cleaning the place, polishing floors and windows. After that we were given an hour's exercise, usually volleyball, and then had lunch and dinner in one go: sump and some soya mince with about seven slices of bread piled on a plate to last us until the next morning. I lost 24kg in four months"

He said one of the biggest discrepancies of prison life was between the "good and bad" warders. Good warders become friends, while

had ones would "go mogy" and drench his cell with a fire hydrant just for fun. "If you complained, they said they thought you were going to start a fire in your cell."

He said another major problem was the number of "ordinary people" locked in the same block as rapists and murderers.

"Guys like me, who had done wrong, but hadn't hurt anyone, eventually stuck together. The scumbags were another crowd altogether. But we were scared of them. I mean, they lived by violence and prison was their home. To them, the more horrific the crime, the bigger the heroes they became. If they decided to kill you, they would have. Whereas with us, we were said to be inside just to dirty plates.

"My main concern was being raped, and I made it known that I would either kill or be

killled if someone attempted to hit on me. Fortunately Westville is very modern and there are no communal cells where this can happen. Although if hardliners heard of anyone being inside for rape or child abuse, those people would be raped on the spot during shower time. For them there was no escape as the warders tacitly encouraged that sort of retribution."

Ironically, his biggest adjustment of all was being released. "I just wanted to hide all the time. I thought everyone was staring at me.

"It took me two years to get my self-respect back.

"But I can tell you, prison only works for guys like me who have no intention of ever going back. For the hardened criminals, it is just a joke ... it is their chosen home."

# Bail us out plea to Codesa

Souk 25/4-30/4/92

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By Justin Pearce

CODESA has been approached to intervene on behalf of people who must pay hefty legal costs arising from action brought against the state for human rights abuses

The people and organisations affected are Dr Allan Boesak and the Mandela Birthday Committee, Mrs Rashida Parker, Ms Audrey Gunn, a group of 77 prison warders, and the Police and Prisons Civil Rights Union (Popcru), and SOUTH's deputy editor Mr Rafiq Rohan

They are being forced to pay the legal costs for their cases in spite of the lifting of repressive legislation, the indemnification of political prisoners, and a general recognition of the human rights principles on which the applications were based.

Cape Town lawyer Mr Essa Moosa presented the cases to Working Group I of Codesa, which deals with removing obstacles to negotiation. He did so after representations to the appropriate cabinet ministers proved unsuccessful.

## Inappropriate

Moosa pointed out that all the actions resulted from people challenging state abuses of basic human rights. The applicants were trying to uphold the same principles that most parties now want included in a future Bill of Rights. It was therefore inappropriate for the state to demand the payment of legal costs by the applicants.

• In 1989 the celebration planned at UWC by the Mandela Birthday Committee was banned by the Regional Commissioner of Police. The committee and member Dr Allan Boesak appealed against the ban, which was set aside in the Cape Supreme Court. The state appealed against this decision, and the Appellate Court reversed the Supreme Court ruling. Legal costs in the case amount to R24 718,58 for which Boesak and the committee are still liable. The Minister of Law and Order has refused to waive the costs.



**PAY UP! Ms Audrey Gunn received legal costs demand**

Photo Yunus Mohamed

• Printer Mr Allie Parker was detained under Emergency regulations in June 1987 and in January 1988, in connection with the printing of political pamphlets. On the first occasion the police also closed his business and ordered his staff to leave the premises. His wife Mrs Rashida Parker brought an application to the Cape Supreme Court to declare the detention and closure unlawful. Her application was successful, but was reversed in a decision by the Appellate Court and costs were awarded against Mrs Parker. After the second arrest, Mrs Parker again brought an application

to the Supreme Court, which declared Mr Parker's detention to be lawful and awarded costs against Mrs Parker.

• In 1985 Ms Audrey Gunn brought an urgent application to the Cape Supreme Court for the release of her daughter Ms Shirley Gunn, who was then being held under Section 29 of the Internal Security Act. The application was dismissed with costs. Shirley Gunn was subsequently released and charged with a minor offence for which she was acquitted. Representation has been made to the Minister of Law and Order to waive the costs. The mat-

ter is still under consideration. Audrey Gunn, who is liable for the costs, is living on a pension.

## Discrimination

• 77 prison warders from Pollsmoor brought an application to the Supreme Court to review the appointment of a presiding officer who was conducting a disciplinary enquiry involving the 77 applicants. The enquiry followed action by the Police and Prison Civil Rights Union (Popcru), of which the 77 are members, to protest against discrimination and injustices in the Department of Correctional Services. The applicants made their case on the grounds that the presiding officer was not legally competent to hold the enquiry. The case was dismissed with costs.

• Disciplinary procedures were pursued against these and other members of Popcru, a total of approximately 834 people, in connection with protest action against human rights abuses. The group comprises members of the SAP, who were all dismissed, and prison warders who were either dismissed or suspended.

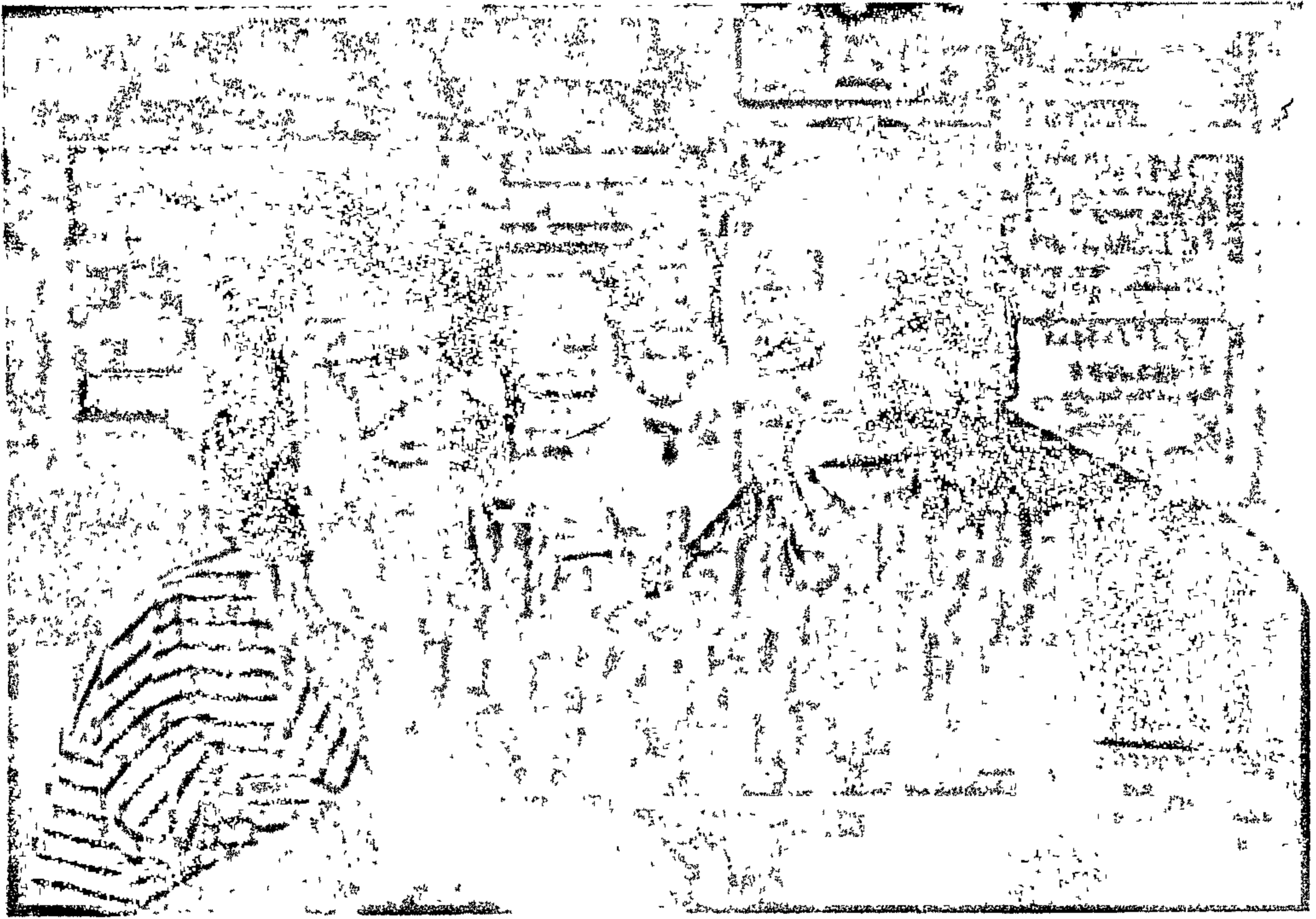
• In 1989 Mr Rafiq Rohan was arrested in connection with Umkhonto weSizwe operations. While in detention Rohan applied for a restraining order to prevent the investigating officer from harrasing and illegally interrogating him. The court issued an interim order but in 1989 the application was dismissed with costs.

Rohan was indemnified and released together with other political prisoners in May 1991, after which he received a letter from the State Attorney demanding payment of legal costs which he claims he is not in a position to pay.

Moosa's application for Rohan to the Minister of Law and Order was passed on to the South African Police, who said that the matter could not be dealt with until Moosa had spelt out the full details of his client's financial position.



# The sweet taste of freedom



**RATHER LATE THAN NEVER: A cake was laid on for Johnson Lubisi to celebrate his birthday — and being granted indemnity from prosecution. British anti-apartheid activist Amanda Robinson was among the wellwishers.**

Photo Yunus Mohamed

By Justin Pearce

JOHNSON Lubisi emerged from custody for the first time in 12 years on Wednesday — 11 months after his co-accused were released from prison

Lubisi was granted indemnity as a political prisoner on April 9. Currently under psychiatric care in Valkenberg Hospital, Lubisi was allowed to spend Wednesday — his fortieth birthday — outside the hospital

But his joy at walking free was tempered with regret that his release had been delayed so long

Lubisi's lawyer Mr Alan Dodson said the Department of Justice had refused to recognise Lubisi as a political prisoner while he was classified as mentally ill under the Mental Health Act. Consequently Lubisi was prevented from being released in terms of the Pretoria Minute

Dodson contended that such an

interpretation of the amnesty was incorrect. The Department seemed to have changed its mind abruptly, Dodson said, allowing for Lubisi's indemnity. The indemnity means he is now treated like any other mental patient, and is allowed to leave the hospital from time to time before being discharged

Lubisi will probably be transferred to another hospital closer to his family's home in Nelspruit

He was convicted in 1980 on

charges arising from Umkhonto we Sizwe activities

He spent three years on Death Row before his sentence was commuted to life imprisonment. He was then transferred to Robben Island prison. He was admitted to Valkenberg Hospital in 1990

The Western Cape Region of the ANC has described the delays in securing Lubisi's release as "incomprehensible and inhumane"

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## Day 19 for amnesty striker

UMKHONTO- we Sizwe soldier Nthetheleli Ncube, serving a life sentence for murder and terrorism, has refused food since April 7 - 19 days in an effort to secure his release under an amnesty for political offences, his lawyer said on Friday.

At least four prisoners were on hunger strike in Pretoria Central Prison this week, according to the lawyer and the Department of Correctional Services.

The Department claimed Ncube had stopped his strike.

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1949  
Right-wing  
call to bar  
prison dentist

JOHANNESBURG —  
Boerestaat Party leader  
Mr. Robert van Tonder  
yesterday appealed to  
the South African Medi-  
cal and Dental Council  
to immediately strike  
the name of a dentist  
from the roll for alleged-  
ly refusing to treat a  
right-wing prisoner.

Mr. Van Tonder said  
when he visited C. J. "Cor-  
rie" Lottering at Diepk-  
loof Prison yesterday,  
the prisoner told him he  
had developed a bad  
tooth abscess a few  
weeks ago. Lottering  
claimed the dentist had  
refused to examine him  
and had chased him  
from the consulting  
rooms. The dentist has  
not been identified.

A department of Cor-  
rectional Services  
spokesman said last  
night the matter had  
been brought to the at-  
tention of the Depart-  
ment of Health and the  
Transvaal Provincial  
Administration. — Sapa

## HOUSE OF DELEGATES

## QUESTIONS

†Indicates translated version

For oral reply

General Affairs

## Umzimto Prison

\*1 Mr M RAJAB asked the Minister of Correctional Services

- (1) Whether the Umzimto Prison has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed, if so, (i) when was it completed and (ii) what is the cost of the project,
- (2) whether this prison has been inaugurated, if not, why not, if so, when,
- (3) whether he will make a statement on the matter? D117E

## The MINISTER OF CORRECTIONAL SERVICES

- (1) No
- (a) Due to limited capital funds the erection of the prison at Umzimto has not yet commenced. However, civil engineering works has been completed
- (b) According to present planning the tender date is set for February 1993 and it is expected that the project will be completed by 1996, provided that sufficient funds are available

(i) and (ii) Fall away

(2) Falls away

(3) I do not envisage making a statement on the matter at this stage

Mr M RAJAB Mr Chairman, arising out of the hon the Minister's reply, would the hon the Minister tell us whether the number of inmates that will be accommodated at this particular institution is in line with what had been arranged previously, or whether this number has been reduced?

HOUSE OF DELEGATES

The MINISTER Mr Chairman, as far as I know—I do not know what was arranged previously—however the number of prisoners is 355, plus housing for married members of the prison staff as well as single quarters

Mr P NAIDOO Mr Chairman, further arising out of the hon the Minister's reply, is he aware that the existing prisons are bursting at the seams and lacking in facilities?

The MINISTER Mr Chairman, I am aware of this problem that we are experiencing country-wide. This is why I am pushing very hard for more money. As hon members all know, this is a big problem at this stage and we must do our best to deal with the situation as best we can. I am worried about this situation, however, and I want to assure the hon member that I am doing everything in my power to get the funds available as quickly as possible so that we can alleviate this very serious problem.

## Local authorities: rearranging of council membership

\*2 Mr M RAJAB asked the Minister of Local Government and National Housing

- (1) Whether, in view of certain remarks the Chairman of the Management Committee of the Durban City Council is alleged to have made recently, it is the intention of his Department to allow local authorities to rearrange council membership in such a way as to represent truly all citizens living within their area of jurisdiction, if not, why not, if so, what steps will be taken in this regard,
- (2) whether he will make a statement on the matter? D118E

## The DEPUTY MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

- (1) It is accepted that the remarks referred to by the hon member, concern the news report which appeared in the Daily News on 11 April 1992. Section 8 of the Interim Measures for Local Government Act, 1991, provides for six possibilities regarding negotiated settlements, of which sections 8(e) and (f) include the possibility that representatives of all citizens of a town or city can be represented in one council

(2) No, I am not prepared to make a statement

The LEADER OF THE OFFICIAL OPPOSITION Mr Chairman, arising out of the hon the Deputy Minister's reply, is he aware of the fact that the mayor of Durban made attempts to establish forums in terms of the legislation, and that extra-parliamentary forces do not want to work within the ambit of this particular legislation, because they are opposed to co-option? In the light of that, is the hon the Deputy Minister's department prepared to create informal forums so that such structures can be established?

The DEPUTY MINISTER Mr Chairman, I am standing in for the hon the Minister at the moment and I have not been informed on that point. Consequently I shall not be able to answer the question

## INTERPELLATION

The sign \* indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language

## Own Affairs

## Land/housing in Lenasia: irregularities

1 The LEADER OF THE OFFICIAL OPPOSITION to ask the Minister of Housing and Agriculture

- (1) Whether he will appoint an independent committee of inquiry to investigate allegations of irregularities relating to land and housing matters in Lenasia, if not, why not, if so, what are the details,

(2) whether he will make a statement on the matter? D134E INT

The MINISTER OF HOUSING AND AGRICULTURE Mr Chairman, the answer to the first part of the question is no and the answer to the second part is yes

As the administration already has a senior regional magistrate seconded to it at present, and because this person is currently investigating a series of alleged irregularities, both past and present, regarding land and housing matters throughout the administration's area of jurisdiction, including Lenasia, it is not considered

necessary at this stage to appoint any further committees of inquiry

Should hon members have information about any specific cases of alleged irregularity, they should submit it to the Director-General or to me for referral to this investigating officer. It must be stated clearly, however, that such submissions should be supported by substantial evidence of irregularities to enable the investigating officer to proceed with his investigation

The LEADER OF THE OFFICIAL OPPOSITION Mr Chairman, I was under the impression that the hon members of the Ministers' Council attach tremendous importance to values. We are not referring to an official of another department who was seconded to screen applications. That is the task of the magistrate, Mr Reed, and not of a committee of inquiry. As a magistrate, he investigates individual cases

As far as substantiated allegations are concerned, many questions have been tabled in this House by many hon members. What prompted me to put this question was the official answer given to a question in this House last week, which pointed a finger not at the administration, but at one or two hon members of the Ministers' Council. It is very clear that the hon the Minister does not want a departmental investigation. If a Minister took part in an act of corruption, would a departmental investigation reveal that? There is a need, because the House of Delegates is stinking as far as Lenasia is concerned

There is no doubt about the fact that the political arm is heavily involved in going against officials. I believe in one case an official had to intervene because a Minister was going against the Housing Development Board. They are manipulating the board. They are deciding. I believe one hon member of this House was called by a Minister who said they wanted to give somebody a plot and asked whether he had any objections. This type of evidence can only be produced at an independent committee of inquiry

I want to appeal to the hon the Minister, seeing that he has taken over, please to get hold of those files. I believe the handwriting of his predecessors should be made available before these files disappear, because when the James Commission of Inquiry was announced, some valuable files which I could have used disappeared from the departmental records

HOUSE OF DELEGATES

HOUSE OF DELEGATES



KENOSI MUDISANE looks in on the nightmare world of

# Marching

Sowetan 29/4/92

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LAST year's hunger strike by former Bophuthatswana soldiers imprisoned for their part in the abortive 1988 coup has claimed its first victim.

Mr Bushy Molefe (30), who was among the 36 who embarked on a hunger strike in a bid to be released last year died two weeks ago.

He had spent 67 days on hunger strike and died five months after his release.

The post-mortem results on Molefe are that he died of brain haemorrhage, hypertension and malnutrition.

Earlier medical comments made by Dr Nchape Mokoape of Azapo and Dr David Green, formerly with the National Medical and Dental Association while Molefe was still on hunger strike, were that he may have suffered permanent brain and kidney damage.

Dr Gomoemo Mokaie of Azapo yesterday said "Hunger strikes take a severe physical and mental toll on prisoners

"And from a medical point of view one is likely to have his kidneys affected if he stays without food for a lengthy period."

Mokaie added that kidneys were likely to be damaged by lack of food as their main function was to clear waste as well as maintain balance of minerals such as salts (electrolytes).

"If one can reach the stage advanced by those hunger strikers, damage might be irreversible."

"Lack of calcium could also be a factor which can be attributed to headaches and cramps."

"Above all, the former prisoners will need to have jobs so that they should be able to buy proper food while they recover."

Mokaie added

Sowetan also spoke to 20 other former prisoners who had also been on hunger strike for days ranging between 18 and 56.

They all complained of problems which included kidney problems, stomach aches and many other physical ailments.

the men who protest in perhaps the most painful way - men who wilfully starve themselves for their convictions.

# on an empty stomach

Sowetan 29/4/92

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The tragedy of long-distance hunger striker Bushy Molefe

**Name:** Bushy Molefe (30)

**Occupation:** Soldier in the Bophuthatswana Defence Force

**Date of arrest:** February 10 1988

**Offence:** Taking part in the abortive coup in the homeland

**Charges:** High Treason

**Sentence:** 8 years

**Number of days on hunger strike:** 67

**Date of release:** November 18 1991

**Date died:** 12 April 1992.

**Post Mortem results:** Bleeding in the brain, malnutrition and hypertension

**Medical opinion:** Bleeding in the brain could have been inflicted during the strike. Malnutrition was caused by the long stay without food. Anger, frustration and helplessness largely contribute to hypertension.

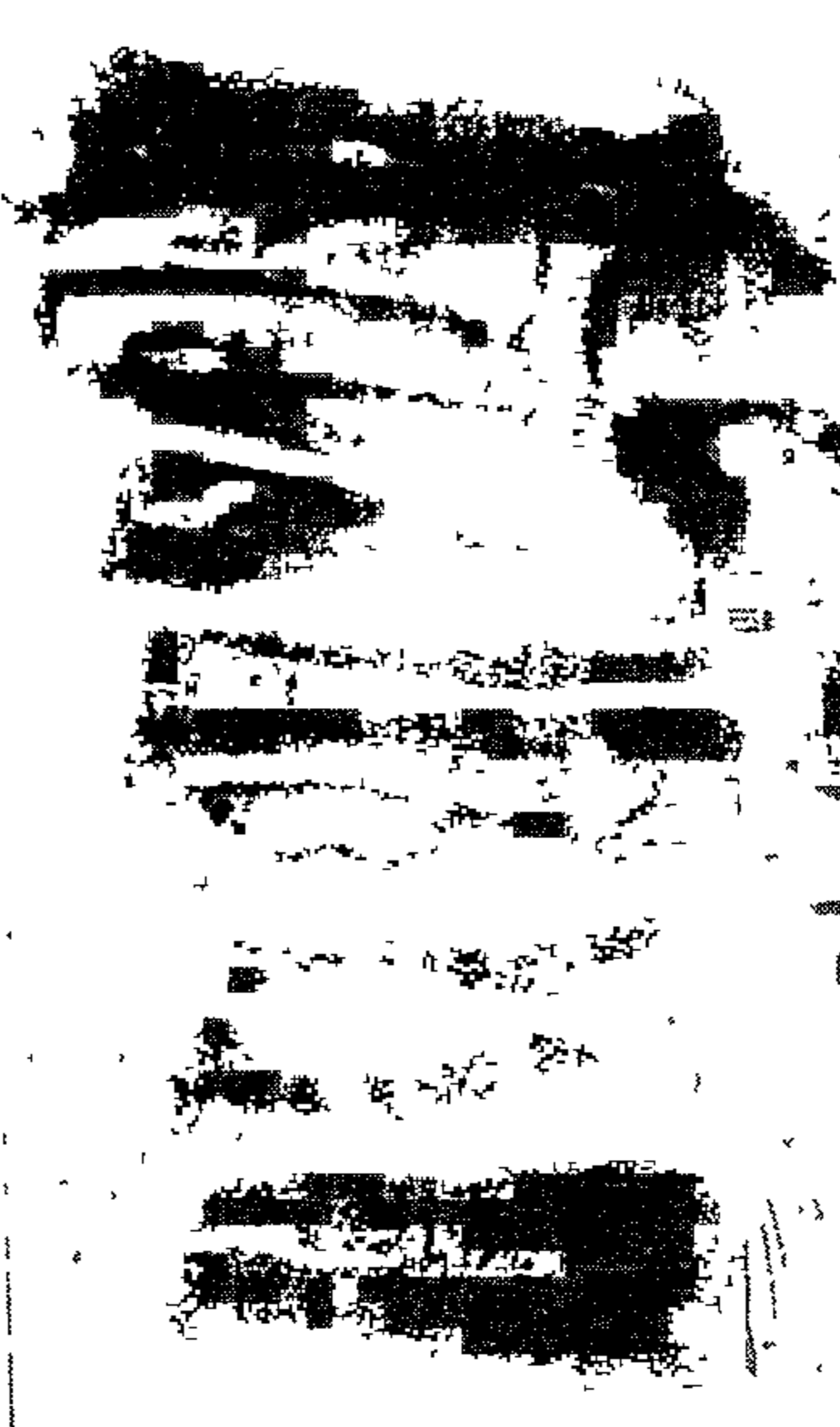
Bushy Molefe pictured on his 58th day without food at Bophelong Hospital.

## Those who starved for rights

Here is a list of the 20 former hunger strikers Sowetan spoke to at the weekend.

- Johannes Nhlapho (29) - 56 days on hunger strike - 12 years imprisonment
- David Mothale (27) - 18 days on hunger strike - 8 years imprisonment
- William Seoke (27) - 26 days on hunger strike - 8 years imprisonment
- Andrew Mogwaitha (27) - 15 days on hunger strike - 8 years imprisonment
- Bennet Shoerane (28) - 35 days on hunger strike - 6 years imprisonment
- Samuel Moutlanke (25) - 33 days on hunger strike - 8 years imprisonment
- Shadrack Masishi (27) - 38 days on hunger strike - 8 years imprisonment
- Joseph Masike (27) - 19 days on hunger strike - 8 years imprisonment
- Wallington Dazuka - 28 days on hunger strike - 5 years imprisonment
- Norman Dichabe (29) - 45 days on hunger strike - 7 years imprisonment
- Patrick Cebisi (23) - 29 days on hunger strike - 5 years imprisonment
- Harry Mathole (30) - 14 days on hunger strike - 8 years imprisonment
- Prince Sepato (28) - 48 days on hunger strike - 8 years imprisonment
- Monyadi China (29) - 58 days on hunger strike - 8 years imprisonment
- Manyaneng Thapelo (25) - 29 days on hunger strike - 4 years imprisonment
- Seokolo Thomas (24) - 43 days on hunger strike - 7 years imprisonment
- Gustaf Mogodir (27) - 29 days on hunger strike - 8 years imprisonment
- David Pise (30) - 52 days on hunger strike - 8 years imprisonment
- Elliott Mmomo (32) - 14 days on hunger strike - 8 years imprisonment
- Simon Modutlwa (32) - 14 days on hunger strike - 8 years imprisonment

A group picture of the former Bop soldiers who went on hunger strike after their arrest in the aborted coup of 1988.



Pic: MBUZENI ZULU



Only the average figures in respect of the 1990/91 financial year are reflected here because a number of toll roads only opened in the 1989/90 financial year. A full year's operating expenditure for these toll roads was therefore, only incurred in the 1990/91 financial year. The figures for the 1990/91 financial year therefore provide a more accurate average figure per toll road and also represent the most recent audited results in respect of toll roads.

The expenditure per toll road for the State, Tolcon and THDC is not directly comparable for the following reasons:

— Tolcon and THDC operate their toll roads on the basis of complete route with services such as SOS telephones and patrol vehicles. These services are not offered on State toll roads.

— In the case of the Huguenot Toll Tunnel, which is a State toll road, there are substantial tunnel operating costs present which are not applicable to other toll roads. If the Huguenot Tunnel is excluded, the average annual operating expenditure per toll road would be R1 970 836 for State toll roads.

— The traffic volumes on a toll road have an impact on the operating costs of a toll plaza.

— In general, the toll roads operated by the State are older than those operated by Tolcon and THDC and therefore require more maintenance in respect of equipment and buildings.

#### Persons released on parole

200 Mr D J DALLING asked the Minister of Correctional Services:

How many persons who were serving sentences in excess of three years were released on parole in 1985, 1986, 1987, 1988, 1989, 1990 and 1991, respectively?

B457E

The MINISTER OF CORRECTIONAL SERVICES

The number of prisoners who were serving sentences of imprisonment of longer than three years who were released on parole

HOUSE OF ASSEMBLY

during the following calendar years (1 January-31 December) are as follows:

1989 — 4 785  
1990 — 5 308  
1991 — 4 656

The statistics for 1985, 1986, 1987 and 1988 are unfortunately not available centrally in the format as requested. However, the following information may be of value to the hon member:

The number of prisoners who were serving sentences of imprisonment of two years and longer who were released on parole during the following statistical years (1 July-30 June) are as follows:

1984/85 — 6 766  
1985/86 — 7 746  
1986/87 — 7 601  
1987/88 — 8 900  
1988/89 — 8 262  
1989/90 — 9 168  
1990/91 — 11 777

The number of prisoners who were serving sentences of imprisonment of longer than three years who were released on parole during the following statistical years (1 July-30 June) are as follows:

1989/90 — 4 728  
1990/91 — 6 062

Correctional Services: amount spent on sport

203 Mr J H MOMBBERG asked the Minister of Correctional Services:

What total amount was spent on sport by his Department in the 1989-90, 1990-91 and 1991-92 financial years, respectively?

B460E

The MINISTER OF CORRECTIONAL SERVICES

1989-90 R442 057,00  
1990-91: R403 944,00  
1991-92: R465 400,00

The current financial year (1991-92) has not yet been closed and the amount for this year is not a final amount, but an estimated amount.

The aforementioned amounts which were spent on sport in the Department of Correctional Services, were utilized exclusively for sustenance, travel and transportation expendi-

ture for personnel who participated in Departmental Sports Championships. The Department presents championships to its personnel annually in various types of sport.

In order to operate sport in national interest, expenditure for sport is also financed by the Correctional Services' Sports Fund.

This fund is a private fund which is financially maintained by monthly contributions of its members. In addition to the above-mentioned amounts, the following amounts were also expended by the Sports Fund in the various financial years:

1989-90 R61 177,00  
1990-91 R60 633,00  
1991-92: R87 021,00

The operation of sport at club level is financed exclusively by sub-club funds (also private funds) which is administered by the various sub-club managements.

Organized sport forms an integral part of the total preparedness programme of the Department of Correctional Services and the following are some of its most important aims:

- To enhance the preparedness of members of the Department with specific reference to the physical fitness of persons forming part of the security contingent,
- to promote orderly co-operation and liaison between staff members, in an official as well as a social context,
- to contribute towards the general physical health of members of the Department of Correctional Services and indirectly to decreasing expenditure on medical costs,
- to increase the productivity of members, and
- to serve as an outlet for stress.

Black local authorities/townships: population figures

211 Mr P G SOAL asked the Minister of Local Government and National Housing:

What was the (a) adult (i) male and (ii) female and (b) child population of each of the Black local authorities and townships in the Republic as at the latest specified date for which figures are available?

B468E

The MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING:

In reply to an enquiry the Head of the Central Statistical Services replied that on the occasion of the census held on 7 March 1991, provision was made to record the number of inhabitants in the areas of jurisdiction of local authorities established in terms of the Act on Black Local Authorities, 1982. At this stage the information is being processed and will be available approximately by September 1992. It is, therefore, recommended that the required information be obtained directly from The Head Central Statistical Service, Private Bag X44, Pretoria 0001, Fax (012) 310-8500/1.

Blacks: old age/war veterans pensions

219 Mr P G SOAL asked the Minister of Local Government and National Housing:

(1) How many (a) old-age and (b) war veterans pensions paid to Black persons residing outside the self-governing territories were cancelled in each province in the 1991-92 financial year;

(2) how many of these cancellations took place during the period 1 October 1991 to 29 February 1992?

B498E

The MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

(1) Transvaal  
(a) 22 385  
(b) 120

Cape Province  
(a) 4 342  
(b) 23

Orange Free State  
(a) 2 834  
(b) 31

Natal  
(a) 4 602  
(b) 40

Information is supplied for the period 1 June 1991 to 31 March 1992.

HOUSE OF ASSEMBLY



# 'Beast in cop's clothing' gets 26 years off

**N**OTORIOUS kwaZulu Police (KZP) detective constable Khehlanu Shange — called a "beast" by the judge who sentenced him to 27 years' imprisonment for a series of murders — has been released after serving only nine months.

kwaMashu residents are living in fear that he will attack again.

The Department of Correctional Services was yesterday unable to explain why Shange was let off 26 years early. A representative asked *The Weekly Mail* to record no response from the department, "not even a no comment." When pushed, the department agreed to issue a statement, but had failed to do so by the time of going to press.

After the original conviction on May 29 1991, Mr Justice Gordon had refused Shange leave to appeal after describing him as a cold-blooded murderer. He had added in his judgment that Shange (22) "is an aggressive person who attacks his enemy first and he enjoys being popular as a killer and that people fear him".

He described Shange as a "beast in a policeman's clothes who was one of the main players in the reign of terror in kwaMashu".

*W/ Mail 30/4-7/5/92*

253

*A 'cold-blooded murderer' has been freed after serving only nine months in jail, causing fear among his victims' family. By ENOCH MTHEMBU*

Judge Gordon said he could have sentenced Shange to death but due to his age, he would sentence him to prison, and hoped he would regret his actions.

Residents in the area, where Shange and the Inkatha-aligned Amasinyora gang are based, say there is new tension between African National Congress supporters and the Amasinyora since Shange's return. There are fears of a new outbreak of violence after a long peaceful period, said Madala Gumede, an ANC leader in the area.

However, Inkatha Freedom Party official Thomas Shabalala said that, while some of the Amasinyora gang were members of IFP, "we don't allow them to kill people, even MK members. Violence won't start because of the release of Shange," he said. "They just hate him because he works for the kwaZulu force."

Shange was jailed after murdering Gumede family members — including a three-month-old child — in 1990 at kwaMashu. He twice led attacks on the Gumede home, at 1053E kwaMashu, situated 500m from the local police station.

In the first incident he killed Themba Gumede and his girlfriend, Nomaswazi Ntuli. He then struck again during the subsequent family vigil, three members of the Gumede family were killed, including both parents and a young sister. Themba's mother was shot dead while she was pleading for mercy.

Both attacks took place in February 1990, shortly after the release of ANC leader Nelson Mandela, during a violent response by the KZP to celebrations in the Natal townships.

A state witness, Albertina Khoza, said in court that the Gumede house had been targeted by the KZP as it was regarded as a harbour for ANC activists.

According to family lawyer Saloshna Moodley, the Gumedes were claiming R1 500 000 from Shange in his personal capacity because a kwaZulu official had claimed that he was not on duty at the time of the attacks.

When *The Weekly Mail* visited the Gumede family at K section, kwaMashu, this week, the family was packing their belongings for fear of another attack from Shange.

An old woman, who identified herself only as "Themba's grandmother", said "We can't afford to stay in this area while that man is free."

Following the case, Judge Gordon assigned senior prosecutor G Williams to send a report to the kwaZulu minister of police, Chief Mangosuthu Buthelezi, asking him to investigate.

● Whether kwaMashu station commander Captain Sikhakhane was qualified for his position

● The role of KZP in violence in the township

● Violation of law by the KZP

● The link between the Amasinyora gang and the KZP

Recently, Mr Justice Thirion attacked the Department of Correctional Services for releasing dangerous criminals. Judge Thirion was supported by Natal Attorney General Mike Imber SC. The release of Shange is viewed as a powerful underscoring of this accusation.



were arrested for committing further crimes. The Department is not aware of any further cases which allegedly could possibly have been involved in criminal actions.

Thus only 3% of the total of persons placed under correctional supervision up to 31 March 1992 reverted to crime and this testifies to the success of the system of correctional supervision.

On 1 April 1992 facets of correctional supervision as alternative sentence option were extended to the proclaimed magisterial districts and on 8 May 1992 and 1 June 1992 will be further extended to a considerable number of magisterial districts in different regions. It is envisaged that the system should be operative in all magisterial districts in the Republic of South Africa by the end of March 1993.

(b) 31 March 1992

Reply substituting reply to Question No 230 on 27 April 1992, put by Mr A Geber (col 832)

#### Certain organization, funds raised/financial statements

230 Mr A GERBER asked the Minister of National Health +

- (1) Whether a certain organization, the name of which has been furnished to the Minister's Department for the purpose of her reply, obtained a fund-raising number from her Department, if so, (a) for what purposes was this number allocated and (b) what is the name of the organization,
- (2) whether her Department is exercising any control to ensure that the funds raised are utilized for the above-mentioned purposes by the organization concerned, if not why not, if so, (a) to what extent and (b) with what result

(3) whether in view of certain allegations which are being made in the media in respect of this organization and particulars of which have been furnished to her Department she intends inquiring or causing such an inquiry to be made into the financial statements of the organization concerned, if not, why not,

- (4) whether she will make a statement on the matter? B539E

#### The MINISTER OF NATIONAL HEALTH

(1) Yes,

- (a) to establish a special fund for the making of awards to, or the funding of projects of one or more organizations which, in the Republic of South Africa, including those territories which previously formed part of the Republic of South Africa—

\* provide opportunities to people, preferably self-employed or unemployed, in the form of business advice and practical skills training; or

\* provide opportunities in the form of sports training and the provision of better sporting facilities to disadvantaged communities; or

\* finance further education in the arts and music among disadvantaged communities, and

which are authorized to collect contributions in terms of the Fund-raising Act, 1978 (Act No 107 of 1978), or organizations approved by the Director of Fund-raising, and

(b) the Ithuba Trust,

(2) yes,

- (a) the relevant organization must in terms of the provisions of the Fund-raising Act, 1978, submit annually audited financial statements. On basis of these statements it is determined whether the organization has disposed of the collected contributions in terms of its authorised objectives, and

(b) during the first year (1989/90) of its registration the organization has made a few donations to unregistered organizations, which was not in accordance with its objectives. This matter was rectified after it was discussed with the trustees of the organization. The auditors of the organization also pointed out certain management problems within the organization. These problems were

also rectified by trustees after actions were taken by the Director,

- (3) no, as indicated at (2)(a) the audited financial statements are checked annually. In terms of the Fund-raising Act, 1978, the Director may further inspect the affairs of any organization if requested thereto by a person and if he is satisfied on the ground of facts declared under oath by such person, that an inspection is necessary or desirable.

Although several allegations were made by the public and in the media against the said organization, no substance for such allegations could be found by the Director,

(4) no

#### Land bought: Development Trust and Land Act

232 Mr P G SOAL asked the Minister of Regional and Land Affairs

- (1) What was the total (a) area of land which had been bought in each province in terms of the Development Trust and Land Act No 18 of 1936, as at 31 December 1991 and (b) amount paid for this land,

(2) what area of land (a) was bought in each province in 1991, (b) was added to each self-governing territory and independent Black state in that year and (c) remained to be bought in each province as at 31 December 1991,

- (3) (a) what area of land was added to each such territory and independent Black state as compensation for the removal of Black spots, and (b) what was the total area of land held by the South African Development Trust as at the latest specified date for which figures are available?

B541E

#### The MINISTER OF REGIONAL AND LAND AFFAIRS

(1) (a) Transvaal 4 884 310 hectares  
Natal 580 579 hectares  
Orange Free State 202 407 hectares  
Cape 1 551 205 hectares  
TOTAL 7 218 501 hectares

(b) R1 367 134 934

(2) (a) Transvaal 7 852 hectares  
Natal 1 240 hectares  
Orange Free State 2 419 hectares  
Cape 3 824 hectares  
TOTAL 15 335 hectares

(b) KwaZulu Nil  
Lebowa Nil  
Gazankulu Nil  
KaNgwane 4 946 hectares  
KwaNdebele Nil  
Qwaqwa Nil  
Transkei Nil  
Bophuthatwana 32 424 hectares  
Venda Nil  
Ciskei Nil

TOTAL 37 370 hectares

- (c) In view of the abolition of the SA Development Trust and the consequent repeal of the provincial land quota by the Abolition of Racially Based Land Measures Act 1991 (Act 108/1991), no land has been acquired within the meaning of the 1936 quota. The areas of land mentioned hereunder must, however, still be acquired in terms of parliamentary and cabinet decisions

Transvaal 5 104 hectares  
Natal 5 844 hectares  
Orange Free State Nil  
Cape 5 675 hectares  
TOTAL 16 623 hectares

- (3) (a) The required information is not readily available  
(b) As at 1 April 1992 None

#### Persons under 18 years prison sentences

237 Mr P H P GASTROW asked the Minister of Correctional Services

- (a) How many persons under the age of 18 years were serving prison sentences on (i) 30 June and (ii) 31 December 1991 and (b) in which prisons were these persons serving sentences? 253 B550E

The MINISTER OF CORRECTIONAL SERVICES

- (a) (i) 302  
(ii) 413

(b) Allandale  
 Barberton  
 Barberton Maximum  
 Bethlehem  
 Bloemfontein  
 Boshof  
 Brandvlei Medium  
 Brits  
 Bulwer  
 Burgersdorp  
 Caledon  
 Cradock  
 Dordrecht  
 Durban Medium B  
 Dwaarsrivier  
 East London Medium A  
 Ermelo  
 Eshowe  
 Estcourt  
 Frankfort  
 George Female  
 Goedemoed Medium A  
 Grahamstown  
 Groenpunt Medium  
 Groenpunt Maximum  
 Havequa  
 Helderstroom Medium  
 Helderstroom Maximum  
 Johannesburg Female  
 Johannesburg Medium A  
 Johannesburg Medium B  
 Kimberley Male  
 King William's Town  
 Klerksdorp  
 Kroonstad Medium A  
 Krugersdorp  
 Kuruman  
 Ladysmith (Cape)  
 Leeuwkop Medium B  
 Losperfontein  
 Malmesbury  
 Matatiele  
 Middelburg (TVI)  
 Middelburg (Cape)  
 Modderbee  
 Nelspruit  
 New Hanover  
 Nigel  
 Nylstroom  
 Odendaalsrus  
 Patensie  
 Pietermaritzburg Medium A  
 Piet Retief  
 Pollsmoor Female  
 Pollsmoor Maximum

253  
 Pollsmoor Medium A  
 Pollsmoor Medium B  
 Pomeroy  
 Port Elizabeth Male  
 Port Shepstone  
 Potchefstroom  
 Pretoria Female  
 Robertson  
 Sasolburg  
 Sevontein  
 Somerset East  
 Staart van Paardeberg  
 St Albans Maximum  
 St Albans Medium A  
 St Albans Medium B  
 Standerton Medium B  
 Stanger  
 Stutterheim  
 Tzaneen  
 Upington  
 Van Rhynsdorp  
 Verulam  
 Voortrekkerhoogte  
 Walvis Bay  
 Waterval Medium A  
 Waterval Medium B  
 Witbank

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 when required for this purpose and sentenced juvenile prisoners are transferred to these prisons on a regional basis for detention, treatment and training.

In regions which do not yet have separate prisons for sentenced juvenile prisoners or where centralised detention has not yet been implemented, they are accommodated in prisons in separate sections or cells as far as possible, and depending on their needs, the available programmes are also offered to them if feasible.

Furthermore, it can be mentioned that the centralised detention of sentenced juveniles in certain regions is a direct consequence of the successes obtained with the youth centres at Leeuwkop (since 1986) and Pollsmoor (since 1987).

Generally the intention with these programmes is to equip the juvenile with the

life skills which could contribute to his successful reintegration into the community after release

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

— Meaningful utilization of time which is aimed at positive orientation after release

— Maintenance of present social structures to counteract institutionalization and in 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 centralized detention of sentenced juvenile prisoners will be considered at certain centres which are deemed suitable for this purpose



**HOUSE OF ASSEMBLY**

each month since the inception of the system of correctional supervision,

**QUESTIONS**

†Indicates translated version

For written reply

General Affairs

(2) **253**

(a) how many of these persons (i) have been rearrested and (ii) are being sought in connection with possible further criminal offences and (b) in respect of what date is this information furnished?

**Number of persons sentenced to correctional supervision**

**The MINISTER OF CORRECTIONAL SERVICES**

**B456E**

199 Mr D J DALLING asked the Minister of Correctional Services

(1) Since the implementation of the pilot project in the Pretoria and Wonderboom Magisterial districts on 15 August 1991, the following number of people have been placed under correctional supervision

(1) How many persons have been sentenced to a form of correctional supervision for

MONTH	Sentenced to correctional supervision in terms of section 276(1)(h) of the Criminal Procedure Act, 1977	Imprisonment converted to correctional supervision in terms of section 276(1)(i) of the Criminal Procedure Act, 1977	Imprisonment converted to correctional supervision in terms of section 276A(3) of the Criminal Procedure Act, 1977	Total
August 1991	42	0		42
September 1991	53	2		55
October 1991	74	3		77
November 1991	59	3		62
December 1991	38	3		41
January 1992	51	3		54
February 1992	69	4		73
March 1992	56	1	4	61
<b>TOTAL</b>	<b>442</b>	<b>19</b>	<b>4</b>	<b>465</b>

Due to the success obtained during the pilot project, correctional supervision as community based sentence option was implemented in the Cape Peninsula and in the Magisterial districts of Brits, Bronkhorstspuit, Cullinan, Soshanguve and Warmbaths with effect from 20 March 1992, where nine (9) persons have

since been sentenced to correctional supervision in terms of the stipulations of section 276(1)(h) of the Criminal Procedure Act, 1977 (Act 51 of 1977)

(2) (a)(i) and (ii)

Fourteen (14) of the four hundred and sixty five (465) correctional probationers



were arrested for committing further crimes. The Department is not aware of any further cases which allegedly could possibly have been involved in criminal actions.

(253)

Thus only 3% of the total of persons placed under correctional supervision up to 31 March 1992 reverted to crime and this testifies to the success of the system of correctional supervision.

On 1 April 1992 facets of correctional supervision as alternative sentence option were extended to the proclaimed magisterial districts and on 8 May 1992 and 1 June 1992 will be further extended to a considerable number of magisterial districts in different regions. It is envisaged that the system should be operative in all magisterial districts in the Republic of South Africa by the end of March 1993.

(b) 31 March 1992

Reply substituting reply to Question No 230 on 27 April 1992, put by Mr A Gerber (col 832)

**Certain organization: funds raised/financial statements**

230 Mr A GERBER asked the Minister of National Health +

(1) Whether a certain organization, the name of which has been furnished to the Minister's Department for the purpose of her reply, obtained a fund-raising number from her Department, if so, (a) for what purposes was this number allocated and (b) what is the name of the organization,

(2) whether her Department is exercising any control to ensure that the funds raised are utilized for the above-mentioned purposes by the organization concerned, if not, why not, if so, (a) to what extent and (b) with what result,

(3) whether in view of certain allegations which are being made in the media in respect of this organization and particulars of which have been furnished to her Department, she intends inquiring or causing such an inquiry to be made into the financial statements of the organization concerned, if not, why not,

(4) whether she will make a statement on the matter? B539E

HOUSE OF ASSEMBLY

also rectified by trustees after actions were taken by the Director,

(3) no, as indicated at (2)(a) the audited financial statements are checked annually. In terms of the Fund-raising Act, 1978, the Director may further inspect the affairs of any organization if requested thereto by a person and if he is satisfied on the ground of facts declared under oath by such person, that an inspection is necessary or desirable.

Although several allegations were made by the public and in the media against the said organization, no substance for such allegations could be found by the Director,

(4) no

**Land bought: Development Trust and Land Act**

232 Mr P G SOAL asked the Minister of Regional and Land Affairs

(1) What was the total (a) area of land which had been bought in each province in terms of the Development Trust and Land Act, No 18 of 1936, as at 31 December 1991 and (b) amount paid for this land,

(2) what area of land (a) was bought in each province in 1991, (b) was added to each self-governing territory and independent Black state in that year and (c) remained to be bought in each province as at 31 December 1991,

(3) (a) what area of land was added to each such territory and independent Black state as compensation for the removal of Black spots, and (b) what was the total area of land held by the South African Development Trust, as at the latest specified date for which figures are available? B541E

**The MINISTER OF REGIONAL AND LAND AFFAIRS**

(1) (a) Transvaal 4 884 310 hectares  
Natal 580 579 hectares  
Orange Free State 202 407 hectares  
Cape 1 551 205 hectares  
TOTAL 7 218 501 hectares

(b) R1 367 134 934

(2) (a) Transvaal 7 852 hectares  
Natal 1 240 hectares  
Orange Free State 2 419 hectares  
Cape 3 824 hectares  
TOTAL 15 335 hectares

(b) KwaZulu Nil  
Lebowa Nil  
Gazankulu Nil  
KaNgwane 4 946 hectares  
KwaNdebele Nil  
Qwaqwa Nil  
Transkei Nil  
Bophuthatswana 32 424 hectares  
Venda Nil  
Ciskei Nil

TOTAL 37 370 hectares

(c) In view of the abolition of the SA Development Trust and the consequent repeal of the provincial land quota by the Abolition of Racially Based Land Measures Act, 1991 (Act 108/1991), no land has been acquired within the meaning of the 1936 quota. The areas of land mentioned hereunder must, however, still be acquired in terms of parliamentary and cabinet decisions

Transvaal 5 104 hectares  
Natal 5 844 hectares  
Orange Free State Nil  
Cape 5 675 hectares  
TOTAL 16 623 hectares

(3) (a) The required information is not readily available

(b) As at 1 April 1992 None

**Persons under 18 years: prison sentences**

237 Mr P H P GASTROW asked the Minister of Correctional Services

(a) How many persons under the age of 18 years were serving prison sentences on (i) 30 June and (ii) 31 December 1991 and (b) in which prisons were these persons serving sentences? B550E

The MINISTER OF CORRECTIONAL SERVICES

(a) (i) 302

(ii) 413

Cowl  
HOUSE OF ASSEMBLY

# Disbelief at release of 'killer cop'

STAR 41992.

Political Correspondent

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CAPE TOWN — People living in KwaMashu "cannot believe" that killer KwaZulu policeman Khethani Shange had been released from prison after serving just nine months of a 27-year sentence for murder, Peter Gastrow, the Democratic Party MP for Durban Central, said today.

Mr Gastrow has put questions in Parliament to Adriaan Vlok, Minister of Correctional Services, about Shange's release

Shange was convicted by Mr Justice Gordon in May last year for his part in a series of murders of suspected African National Congress sympathisers in KwaMashu. Shange was a detective-constable in the KwaZulu police at the time.

Mr Justice Gordon described him as a "beast in a policeman's clothes" who was one of the main players in the reign of terror in KwaMashu.

Mr Justice Gordon said Shange was an aggressive person who attacked his enemies first

and enjoyed being popular as a killer and having people fear him.

Mr Gastrow asked Mr Vlok on whose authority Shange was released, if any conditions were placed on him, and if this early release was official policy.

Mr Vlok has promised to reply on Wednesday.

Mr Gastrow said "We are keenly awaiting an explanation from the Minister. It defies all logic to see someone like this released. I just cannot imagine what explanation the Minister can come up with."



# It's safer in jail, say fasting women

22/5 - 28/5/92  
By LENA SLACHMUIJLDER

AT THE age of 78, Lydia Cindi is a first offender. "I'm fighting for my people!" she shouted through the thick glass of the prison visiting corridor. "And I'm not scared!"

Next to her sat 25-year-old Buyi Ngqulunga, three months pregnant but equally determined. "Some women are getting sick, but we want the police out of Imbali," she said.

Cindi and Ngqulunga joined 35 other mothers, wives and daughters — aged 16 to 78 — from Imbali on a hunger strike to demand the removal of all security forces from Imbali township, outside Pietermaritzburg. When they decided to refuse all solid foods last Friday, the women were already engaged in defiance by refusing to pay bail granted to them on charges of trespassing arising from two separate protests this month.

"It's better to stay in prison. In the townships we get shot. We are very safe in prison — they have good security there," said African National Congress Women's League member Emily Ntuli.

On Tuesday afternoon, the women were all carted to court — several weeks ahead of their scheduled court date — and all charges were withdrawn. After more than four days of refusing food, and leaving a collective total of 77 children in Imbali mother-less, the women enjoyed a hearty afternoon meal at the ANC office in Pietermaritzburg.

The withdrawal of charges against the women arose from a meeting on Tuesday between the ANC, the Pietermaritzburg Chamber of Commerce and Industries and the South African Police. In addition to a "non-aggression" pact agreed upon between the ANC and the SAP, the police committed themselves to recommend that 32 Battalion be removed from Imbali in order to ascertain a peace settlement.

"We are still holding on to our demands for the removal of all security forces," said ANC regional executive committee member Sifiso Nkabinde. But he said no mass action to demand the security forces' withdrawal would be organised for the time, to give the SAP a chance to uphold their promise.

Women's League members were arrested for trespassing for five sit-ins, pickets and demonstrations in Pietermaritzburg and Durban. In three cases — including the two of the hunger strikers and one from a protest outside the British and American consulates in Durban — all charges have been withdrawn. The two remaining cases will be heard on June 1 and July 24.

Imbali township was declared an unrest area this month following a four-day stayaway organised in early May by the ANC Midlands branch in support of the withdrawal of the SADF, SAP and kwaZulu Police from Imbali township. Residents complained of daily harassment and assaults by members of the security forces, members of 32 Battalion were consistently implicated.

On May 9, *Natal Witness* assistant editor Khaba Mkhize and freelance photographer Themba Mngabi were allegedly assaulted by members of 32 Battalion while photographing their members dumping rubble on the yards of Imbali residents.

Simon Ngcobo, a resident, alleged he was forced by the SAP the next day to eat dagga, and suffered a perforated eardrum from the assaults.

The IFP has lashed out at the ANC's call for the withdrawal of the security forces, calling it a coverup for their intention to wipe out the IFP in Imbali.



# Vlok will tell why 'beast' was freed

*Sowetan 4/5/92*  
**CORRECTIONAL Services Minister Mr Adriaan Vlok will on Wednesday give a full explanation on why a policeman serving a 27-year jail sentence was released after only nine months.**

A spokesman for the Department of Correctional Services at the weekend responded to reports on the early release of KwaZulu policeman Khethani Shange, who was jailed for a series of brutal murders and described by the trial judge as a beast.

The department described Shange as a "political prisoner" and said "Shange, like many other political prisoners, was released in terms of

Section 63 of the Act on Correctional Services".

"It can furthermore be mentioned that a question in this regard has been put on Parliament order papers. The Minister of Correctional Services will deal with this matter on Wednesday in Parliament when a full reply will be available."

Meanwhile, Lawyers for Human Rights have attacked Shange's early release and said it would refer the matter to State President FW de Klerk.

LHR said the release could only have occurred with the direct intervention of De Klerk, using the powers of the Correctional Services Act or the Constitution, or, by his Minister without his authorisation

*(253) (252)*  
LHR said the release shamed the Government and highlighted the need for an interim government to as early as possible. Shange's release was just a small part of a pattern of preferential treatment for convicted policemen, it said.

The matter was all the more extraordinary given the Government's continued refusal to release the remaining political prisoners.

LHR said it would refer the matter to De Klerk, the Chief Justice, the Goldstone Commission, the Peace Secretariat, Codesa and Vlok with a view to the redetention of Shange and to re-evaluate the fitness of Vlok for the position he holds. - SA Press Association

(c) R 23 236 959,  
 (d) R 61 118 328,  
 \*(e) R 5 133 393,  
 (f) R147 702 437,  
 (g) R 16 604 843,  
 (h) R 1 786 424

\* A total amount of R4 915 455 is allocated by CED for (e) and (h) as well as for other equipment and is included in (e)

## HOUSE OF DELEGATES

## Hunger strikers

## QUESTIONS

Indicates translated version

For written reply

General Affairs

## SAP: bursaries/applicable training

20 Mr M RAJAB asked the Minister of Law and Order

(a) What amount was budgeted in the 1990-1991 financial year for bursaries and applicable training for members of the South African Police Force and (b) how much of this amount was utilized for these purposes in the said financial year?

B83E

## The MINISTER OF LAW AND ORDER

(a) R31 715 325,12  
 (b) R31 715 325,12

## SAP: members with applicable degrees

21 Mr M RAJAB asked the Minister of Law and Order

How many (a) commissioned and (b) non-commissioned officers with applicable degrees were serving in the South African Police Force as at the latest specified date for which figures are available?

D84E

## The MINISTER OF LAW AND ORDER

(a) 561  
 (b) 154  
 1 April 1992

25 Mr M RAJAB asked the Minister of Law and Order

(1) Whether any detainees went on hunger strikes in 1990, if so, (a) how many, (b) in what police station cells, (c) in terms of what statutory provisions were the hunger strikers being detained and (d) what action was taken as a result,

(2) whether any detainees had to be hospitalized or received medical treatment as a result of being on hunger strikes, if so, (a) how many and (b) what was the outcome of the treatment?

D110E

## The MINISTER OF LAW AND ORDER

(1) (a) Yes, 25 detainees  
 (b) Louis le Grange (1),  
 Howick (2),  
 Richmond (Natal) (1),  
 Durban North (3),  
 John Vorster Square (13),  
 Gravelott (3),  
 Haenertsburg (1),  
 Tzaneen (1)

(c) 19 detainees in terms of section 29(1) of Act 74 of 1982—Internal Security Act and 6 in terms of the Security Emergency regulations of 1989

(d) With the exception of the three detainees at Durban North who were transferred to the Grootvlei Prison and 3 persons who were hospitalized, all the other hunger-strikers started eating again after requests by senior police officers

(2) (a) and (b)

Yes, the two (2) hunger-strikers at Howick and the one (1) at Richmond, received medical treatment for 5 days in a hospital. They recovered fully and returned back to the police cells

# Gag on the Press lifted in new Bill

Political Staff

248 253

A GAG on the Press which limited what people knew about South Africa's prisons is to be dropped in terms of the Correctional Services Amendment Bill published in Parliament

Section 44 (1) (f) of the Correctional Services Act of 1959 is to go. This section said that any person who published false information about prisoners or prisons would be sentenced to a fine of R8 000 or two years in jail, or both

ARC 5/5/92  
A memorandum on the Bill said few prosecutions had been instituted

under Section 44(1)(f), and since the establishment of a Press Code, which was drawn up by newspaper editors and with which journalists associated themselves, "problems in this regard are being met effectively".

The memorandum said Section 27B of the Police Act of 1958 which contained a similar provision "is also being repealed".

Correctional Services officers have said that when Section 44 (1)(f) is removed from the statute book, newspapers will be able to interview former prisoners about their experiences in jail.



industry in the Southern Cape region? Were these not two of the primary reasons?

The MINISTER I want to ask the hon member to please table that question

**Credit limit with Spoornet Limited exceeded**

\*2 Mr W U NEL asked the Minister for Public Enterprises

(1) Whether it is his intention to initiate an investigation into the circumstances under which Spoornet Limited allegedly allowed a certain company, the name of which has been furnished to the Minister's Department for the purpose of his reply, to exceed its credit limit with Spoornet Limited, if not, why not, if so, (a) what steps will be taken in this regard, (b) what is the name of the company concerned and (c) by how much did this company exceed its credit limit,

(2) whether he will make a statement on the matter?

B558E

†The MINISTER FOR PUBLIC ENTERPRISES

The Managing Director of TRANSNET LIMITED replied as follows to the hon member's question

(1) Yes

(a) An independent investigation by outside experts has been commissioned

(b) Mimesa Energy (Pty) Ltd

(c) R28 million which includes interest

(2) No, the Managing Director of TRANSNET LIMITED has already issued a news release

**Houses offered for sale to SAP members**

\*3 Mr W U NEL asked the Minister of Law and Order †

(1) Whether the South African Police intends offering houses of the Department of Public Works that are occupied by Police personnel at present, for sale to such personnel, if not, why not, if so, (a) when is it envisaged to make the houses available and (b) what criteria will be applied,

(2) whether he will make a statement on the matter?

B559E

**The MINISTER OF LAW AND ORDER**

(1) (a) and (b)

As the South African Police is merely a consumer department and the right of ownership of accommodation falls under the auspices of the Department of Public Works, only the Department of Public Works, in co-operation with and on conditions determined by the Department of Finance, can decide whether the houses can be sold and which criteria and conditions will apply.

(2) Yes

At present there is no arrangement in terms of which official houses can be offered for sale

Mr R M BURROWS Mr Chairman, arising out of the reply of the hon the Minister, can he give an indication as to whether he would support the sale of the houses?

The MINISTER Mr Chairman, no, I cannot give such an indication, for the simple reason that it is not only members of the SA Police who are occupying State houses, but also other employees of the State. If we make such a decision, we have to take all the implications of such a step into consideration. Therefore I cannot tell the hon member whether I can support it [Interjections]

Mr W U NEL Mr Chairman, is the hon the Minister implying that he is not prepared to make such a recommendation?

The MINISTER Mr Chairman, I never said that I said—I want to repeat that—that it will have to be a policy decision not only in respect of the SA Police, but in respect of all State employees who are occupying State houses

**Certain person still in prison**

\*4 Mr P H P GASTROW asked the Minister of Correctional Services

(1) Whether a certain person, whose name and other particulars have been furnished to the Minister's Department for the purpose of his reply, is still in prison, if not, (a) (i) when and (ii) subject to what

conditions was he released from prison and (b) who authorized his release,

(2) whether this person's release is in line with his Department's policy regarding the release of convicted prisoners,

(3) whether he will disclose the identity and sentence particulars of the person concerned, if not, why not; if so, what are they?

B561E  
†The MINISTER OF CORRECTIONAL SERVICES.

(Reply laid upon Table with leave of House)

(1) No

(a) (i) He was released conditionally, that is, on parole, on 14 February 1992. The Commissioner of Correctional Services may suspend his parole at any time should he be satisfied that the parolee has, before the expiration of the period of release on parole, failed to observe one or more of the conditions of his release. A warrant for his arrest is then issued whereupon he shall be subject to be detained in prison until lawfully discharged or released therefrom and if at large, he shall be deemed to be unlawfully at large

(ii) The following conditions were laid down and are applicable to the person mentioned by the hon member, namely that he

— would be on parole from 14 February 1992 to 28 May 2003

— would be under the control of the Head of the Durban Medium B Prison for the duration of his parole

— would be required to report to the South African Police Kwa Mashu in person not later than 21 February 1992

would be required to report for duty to his employer as arranged in conjunction with the Head of the Durban Medium B Prison

— may not change to another employer and/or work address without explicit prior approval by the Head of the Durban Medium B Prison

— must reside at the residential address as agreed upon for the duration of his parole

— may not change his residential address without explicit prior approval by the Head of the Durban Medium B Prison

— would be required to report to NICRO

— must give his wholehearted co-operation to NICRO

— may not commit any offence or render himself guilty of any form of misconduct whatsoever for the duration of his parole period

— would be required to report in person on 21 February 1992 to the Head of the Durban Medium B Prison and thereafter on a monthly basis on predetermined dates

— is not allowed to leave the Magisterial District of Umlazi or immediate surrounding area without permission of the Head of the Durban Medium B Prison

— concede to visits or telephonic contact at least twice a week by members of the Department of Correctional Services to his



residence or to his employee, which visits were to commence within one week after his release

(b) His release on parole in terms of section 63(2) of the Correctional Services Act, 1959 (Act 8 of 1959) as soon as possible after 29 May 1992 was authorised by the Minister of Justice and of Correctional Services on 4 July 1991. A bona fide administrative error however resulted in him being released on 14 February 1992, in other words three months and fifteen days prior to the authorised date

As the hon member is aware, special release arrangements for prisoners were made during 1991 in a time frame when exceptional circumstances prevailed and which called for extraordinary steps to be taken. I also refer to my reply in this regard during an Extended Public Committee on 5 May 1992 and for the hon member's convenience a copy thereof is attached hereto. It should be mentioned that the person named by the hon member was not considered to be a "political" prisoner

(2) The release policy of the Department as well as the special release arrangements during 1991 were clearly set out in press releases and specifically also here in Parliament during the discussion of a draft resolution by a private member on 31 March 1992. In this regard I wish to refer the hon member to columns 3306-3312 of the HANSARD of 31 March 1992

(3) Yes, Khetani Richard Shange

He was sentenced as follows

Date of sentence 29 May 1991

Offences  
 Count 1 Murder  
 Count 2 Attempted murder  
 Count 3 Attempted murder  
 Count 4 Attempted murder

Sentence  
 Count 1 Twenty (20) years imprisonment

Count 2 Seven (7) years imprisonment

(253)

Count 3 Five (5) years imprisonment

Count 4 Seven (7) years imprisonment

The Court ordered that the sentences on counts 2 and 3 should run concurrently with the sentence on count 1

Emanating from his parole conditions, Mr Shange also undertook towards the Head of the Durban Medium B Prison as follows

"I Khetani Richard Shange, the undersigned, hereby confirm that I acknowledge the undermentioned conditions/instructions

— that should I cause, worsen or attempt to cause or worsen the unrest situation,

— that should I threaten or attempt to threaten, allow to feel threatened the family of my victims or those associated to crimes, or

— should I not abide by my parole conditions;

my parole will be cancelled and I will be referred back to prison to complete my sentence "

In the spirit of section 67 of the Correctional Services Act, 1959 (Act 8 of 1959) a person under parole is still liable to punishment in respect of the conviction upon which he was sentenced, and the strict conditions relevant in this and other instances stands proof of this

Mr Shange is closely monitored by the Department and up until this point he has strictly adhered to his conditions of parole and there is no evidence available which points to any technical or other violation of his parole conditions. Should any person or authority have any evidence to the contrary the Department will be glad to receive it

See also Minister's reply to debate in *Extended Public Committee, Hansard debates, on 5 May 1992*

†The MINISTER Mr Chairman, in view of the length of the reply—it comprises five typed pages—I ask the permission of the House to Table it

Mr P H P GASTROW Mr Chairman, may I ask the hon the Minister a question? In response to facts which the hon the Minister supplied yesterday—I assume they are in the answer—if the person who is by now known as Shange was sentenced to 27 years imprisonment on 29 May 1991, is it the Department's policy to consider his remission one and a half months later, when he has 26 years and ten and a half months to go? Is that the Department's normal approach to murderers who have been sentenced to jail? (253)

The MINISTER Mr Chairman, as I explained yesterday, and this is contained in my reply today again, this was a decision that was taken on 4 July 1991 to release him on 29 May 1992. He was, however, owing to a bona fide administrative error, released on 14 February this year. This decision was taken under special circumstances, and as far as I am concerned this was unfortunately implemented three months and 15 days too early. This was nevertheless the decision that was implemented

Mr P H P GASTROW Mr Chairman, the fact remains that on 14 July 1991 the hon the Minister's Department considered it

The CHAIRMAN OF THE HOUSE Order! I cannot allow the hon member to enter into an argument with the hon the Minister. The hon member must confine himself to questions

Mr P H P GASTROW Mr Chairman, the question is the following. On what basis does the Department, 1½ months after sentencing him to 27 years, even consider his release? [Interjections]

The MINISTER Mr Chairman, this decision was taken by the Minister of Correctional Services in terms of section 63(2) of the Act

Mr P H P GASTROW Mr Chairman, arising out of the hon the Minister's reply, on what basis did the hon the Minister release him, and what were the reasons for [Interjections]

The CHAIRMAN OF THE HOUSE Order! The hon member may put his question, but there are too many other hon members who are taking part in the question

Mr P H P GASTROW Mr Chairman, the question is, firstly, on what basis and for what reasons did the hon the Minister consider his release and, secondly, does this type of action

not grossly undermine the standing and credibility of our Supreme Court judges?

The MINISTER Mr Chairman, the reasons for the release of this prisoner were discussed here in this House. They were given by my predecessor on previous occasions. I have associated myself with the release of this prisoner and other prisoners in the same circumstances. There was a special situation in the country at that stage. We have explained it *ad nauseam*, and I cannot take it any further at this stage

Mr J VAN ECK Mr Chairman, further arising from the hon the Minister's reply, given the fact that a KwaZulu policeman, who was described by the judge in his trial as "a beast", has been declared a political prisoner and has been pardoned, does this mean that other policemen, such as sergeant Brian Mitchell in the Trust Feed case, and other policemen guilty of similar offences, will now also be granted parole as political prisoners, and does he believe that this will lead to peace, or further conflict? [Interjections]

†The MINISTER Mr Chairman, yesterday I explained that special circumstance applied last year. Not only the policemen and members of Inkatha were released under those special circumstances, but also members of the ANC. We can now rip up old sores and get angry because the people were released, but it was done in the best interests of the country. We already benefit from that. All that we therefore have to control, are the consequences of the release of these people and it is being done meticulously and effectively [Interjections]

†Mr P C CRONJÉ Mr Chairman, further arising out of the hon the Minister's reply, for the sake of clarity on what is going on in his thoughts, I want to talk about people who were involved in incidents in which other people were killed or in which they gave instructions to that effect [Interjections]

†Mr J H HOON What is your question? [Interjections]

†The CHAIRMAN OF THE HOUSE Order! The hon member may put his question

†Mr P C CRONJÉ I want to ask the hon the Minister whether he wants to link together the following people in his mind: Jopie Fourie and



Daisy de Melker, Douglas Bailer and Jack the Ripper and Winston Churchill and Rudolf Hess [Interjections] 253

†The MINISTER Mr Chairman, with respect, I think the joke which the hon member tried to make about a very serious matter, does not belong here at all [Interjections] I did not try to link together these people with other prisoners who were regarded as political prisoners. These people committed crimes. In terms of the provisions of the Corrective Services Act the Minister of Correctional Services is, however, empowered to take action. He exercised his powers with the necessary responsibility.

There were also political prisoners who qualified in terms of rules which were laid down and which were agreed upon with the ANC. Those people were released [Interjections]

*Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament*

#### Release of person from Zambian prison

\*5 Mr L FUCHS asked the Minister of Foreign Affairs

- (1) Whether he has taken any steps to secure the release from a Zambian prison of a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, to give evidence in a criminal case involving Mrs Winnie Mandela, if not, why not, if so, what are the relevant particulars,
- (2) what is the name of the person in question,
- (3) whether he will make a statement on the matter?

B569E

#### The MINISTER OF FOREIGN AFFAIRS

- (1) No not for the purpose mentioned by the hon member in his question. As in the case of any South African citizen who is detained in a foreign country my Department has made enquiries into the well-being of the person.
- (2) Mr Katze Cebekhulu
- (3) No, not at the present time

HOUSE OF ASSEMBLY

proved. It has however not been possible to verify to date whether all applications lodged within the relevant period were finalized timeously. It is quite likely that applications submitted during the two or three days prior to 17 March 1992 were not finalized timeously. Presently only accurate statistics of approvals are readily available. If the hon member, however, insists on statistics of the number of applications submitted during the period in question, a survey will have to be made at all the offices of the Department. I can merely add that no applications that complied with requirements were turned down.

#### Constitutional future of Doornkop

\*8 Adv J J S PRINSLOO asked the Minister of Local Government and National Housing †

- (1) Whether the Government intends taking any steps in respect of the constitutional future of Doornkop, in the district of Roodepoort, if not, why not, if so, (a) what steps and (b) when,
- (2) whether he will make a statement on the matter?

The MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

- (1) (a) and (b)

Yes. The Cabinet has already granted permission for the purchase of Doornkop agricultural holdings No 239 IQ. A decision on the constitutional future and use of the land will be determined in due course.

- (2) No

#### South African Rail Commuter Corporation personnel transfers

\*9 Adv J J S PRINSLOO asked the Minister of Transport †

- (1) Whether a former chairman and managing director of the South African Rail Commuter Corporation Limited were recently transferred from these posts, if not, what are the relevant details, if so, why,
- (2) whether he will make a statement on the matter?

B574E

#### The MINISTER OF TRANSPORT

- (1) Yes. It was done in the light of investigations into events surrounding investments done with the Cape Investment Bank which has since been liquidated and important changes in the field of urban transport. I suffice with the media statement issued on 7 April 1992, my contribution to the interpellation which took place in the House of Assembly on 29 April in which case this matter was debated, and the discussion on the Transport vote on the same date.
- (2) No

Black schools amount needed to replace textbooks

\*10 Mr J CHIOLÉ asked the Minister of Education and Training †

- (1) What total amount is needed to replace textbooks that were not returned in Black schools at the end of 1991 and 1990 respectively,
- (2) whether there are any Black schools where in 1991 fewer than 25% of the textbooks that had to be returned were in fact returned, if so, (a) which schools and (b) what steps are envisaged in this regard?

B575E

#### The MINISTER OF EDUCATION AND TRAINING

- (1) The information is not available.

The Department supplied textbooks and prescribed books to the value of R60 140 094,00 and R66 731 270,00 for the school years 1991 and 1992 respectively. The books were supplied to provide for the increase in the number of pupils and the replacement of worn-out and lost books.

- (2) No, (a) and (b) fall away.

HOUSE OF ASSEMBLY



# Early release blamed on computer error

STAR 6/5/92

**APE TOWN** — A former KwaZulu police constable convicted of murder and sentenced to 27 years' jail had been released after serving nine months of his sentence as a result of an "administrative computer error", Minister of Correctional Services Adriaan Vlok told Parliament.

Replying yesterday to a debate on the Correctional Services budget, he said the release of Ketane Shange on February 14, about three months before his scheduled release on parole on May 29, was a very serious issue for which he was "very sorry".

Shange was sentenced on May 29 last year on one charge of murder and three charges of attempted murder in con-

nection with an attack in 1990.

Mr Vlok said Shange was a member of the Inkatha Freedom Party. He promised to give more details of his release today.

Shange was released on February 14 this year under strict parole conditions that he had personally lengthened and made stricter.

Mr Vlok accused Lawyers for Human Rights of double standards and "shocking" hypocrisy for trying to make a fuss about Shange because he was a former policeman, yet saying nothing about the simultaneous release of four ANC members who had been convicted of more serious crimes and whose sentences were heavier. — Ow Correspondent, Sapa

# Computer freed killer 'in error'

Political Staff

(253)

A COMPUTER error led to the early release of a notorious murderer, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

Mr Vlok was replying to criticism over the release after nine months of a former KwaZulu police detective sentenced to 27 years in prison for murder.

Mr Vlok also gave what was last night interpreted in some circles as a veiled hint that Magoo's Bar bomber Robert McBride, serving a life sentence for the 1986 beachfront blast, may be released.

Mr Vlok, speaking in the Correctional Services Budget vote, also revealed that former KwaZulu policeman Khethani Shange had been released on parole three months earlier than scheduled due to a "bona fide computer error".

Shange, freed on February 14 this year, had been convicted of murder and three counts of attempted murder and was described by his trial judge as a "beast".

Mr Vlok said he would respond in full on the reasons for freeing Shange today but revealed that it had been done in terms of Section 63(2) of the Correctional Services Act, which provides for release in exceptional circumstances.

The decision had been taken by previous Correctional Services Minister Mr Kobie Coetsee on July 4 last year.

He hit out at Lawyers for Human Rights (LHR) criticism of the release, suggesting that the reason LHR objected to it was that Shange was an Inkatha Freedom Party member and a former policeman.

CT 6/5/92



## 25 detainees went on hunger strike in 1990

Political Staff (253)

DURING 1990, 25 political detainees, 13 of them at John Vorster Square in Johannesburg, went on hunger strike, Minister of Law and Order Mr Hernus Kriel said yesterday.

CT 6/5/92

"With the exception of three detainees at Durban North who were transferred and three persons who were hospitalised, all the other hunger-strikers started eating again after requests by senior police officers," he said in reply to a question tabled in Parliament by Mr Mahmoud Rajab (DP Springfield)

## Warders aided prison escape

MEMBERS of the correc-  
tive services were in-  
volved in the escape last  
year of 75 prisoners from  
Diepkloof prison

Replying to the debate  
on his budget vote, Min-  
ister of Corrective Ser-  
vices, Mr Adriaan Vlok  
said two prisoners had  
since been arrested

● Prisoners were brib-  
ing their way out of Jo-  
hannesburg's Diepkloof  
prison for a flat fee of  
R600, Mr Tony Leon (DP  
Houghton) claimed yes-  
terday. Sapa (253)

CT 6/5/92 (253)



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spree and the efforts by the  
police to track down the rap-  
ist were only made public by  
the police yesterday.  
Monday night's victim  
discharged from hospital

# R600 buys freedom, says Leon

CAPE TOWN — Prisoners were bribing their way out of Johannesburg's Diepkloof prison for a flat fee of R600, Tony Leon (DP Houghton) claimed in Parliament yesterday.

Speaking in the debate on the Correctional Services vote, he said 81 awaiting-trial prisoners had escaped from Diepkloof — known to inmates as Sun City — in 1991 and none had been re-arrested.

"There is talk in the community that prisoners can bribe their way out for a fee of R600," said Mr. Leon.

The 81 escapers represented two-thirds of the awaiting-trial prisoners who escaped last year and there was a rate of recapture of between 80 and 100 percent elsewhere in the country.

Replying, Minister of Correctional Services Adriaan Vlok said Correctional Services Department members were involved in the escape last year of 75 prisoners from Diepkloof prison and two had been arrested.

Mr Vlok said administrative discrepancies and the misuse of certain procedures had led to the escapes.

Police investigations were continuing and two prison warders had appeared in court.

Allegations that awaiting-trial prisoners could buy their way to freedom, were viewed in a serious light and the results of an investigation into this would be made known when complete.

Although only 14 percent of the prison population were first offenders, the recidivism rate — those relapsing into crime — between 20 and 25 percent but no studies had been done — Sapa

## TELSTAR

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**Some prisoners  
to be allowed  
out at weekends**

Political Staff

STAR 6/5/92  
(253)

CAPE TOWN — Certain prisoners in South Africa's jails will be allowed out at weekends.

Provision for this was made in terms of the Correctional Services Amendment Bill tabled in Parliament yesterday.

Speaking in Parliament, Minister of Correctional Services Adriaan Vlok also announced the repeal of a clause in the Prisons Act which prohibits the publication of false information regarding the experiences of a prisoner or of the administration of a prison.

A similar section of the Police Act had been scrapped.

Mr Vlok said he would like to see more visits to prisons by the media, MPs and other community leaders

The media would have more access to prisoners in future and would, under certain circumstances, be able to interview them

Reasons listed in the amendment Bill for granting weekend leave to prisoners included participation in therapeutic programmes, consolidation of families and preparation for release

near the  
police have not estab-  
lished who owns the  
dogs and the animals  
have not been put down  
A woman was killed by  
pit bull-terriers in the  
same area last year —  
Sapa

### Prisoners get weekends off

Political Staff 253

SOME prisoners can now spend an occasional weekend at home, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

Introducing the debate on his budget, Mr Vlok said the privilege would apply to selected, low-risk prisoners.

He said the scheme held advantages for both the prisoner and the community.

He said the principle was not new, and had been applied successfully in several other countries. CT 6/5/92

"There will be no mercy for abusers of the system," he added.

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# Open prisons plan goes to Parliament <sup>(253)</sup>

By ISMAIL LAGARDIEN  
Political Correspondent

THE Government yesterday tabled a Bill in Parliament which will literally open prisons to public scrutiny and which could see prisoners leave their cells to spend weekends with their families.

The Correctional Services Amendment Bill explains that prisoners will be permitted to leave their cells for weekends or on occasional leave "under escort or otherwise" to assist in their possible integration into development and therapeutic programmes, compassionate reasons and preparation for release.

The Bill has built-in action in cases where the privilege is abused

*Soweto 6/5/92*

The Bill goes still further and repeals a clause which prohibits "the publication of false information" regarding the experiences of a prisoner or the administration of a prison.

This means that the gags under which the Press had been operating in the country for many years have been dropped and the public will now have access to what happens inside South Africa's prisons.

Section 44 (1) (f) of the Correctional Services Act of 1959 will be dropped. This is the section which provides for the prosecution and sentence (R8 000 or two years imprisonment) of any person who publishes what the department deems to be false information about prisoners or prisons.

This section was used to keep the Press, and therefore the public, away from conditions of prisoners in the country's jails and was introduced to ensure that the Government was not embarrassed by reports published on these issues.

Now that the section would be removed from the Statute Book - Parliament still has to pass the Bill - journalists would be able to interview and newspapers to publish - former prisoners about their experiences in jail.

**Killer cop's  
release a  
computer  
mistake**

**in**

**freed**

**error**

253

Sowetan 6/5/92

By ISMAIL LAGARDIEN  
Political Correspondent

**A COMPUTER error had prematurely put a notorious policeman convicted of murder and described by a judge as a beast, back on the streets.**

"The fact that he was released on February 14 instead of on May 29 was because of a bona fide administrative computer error which unfortunately recorded the release date incorrectly  
"I regret the error and the necessary steps will be taken to prevent such an error happening again," Vlok said.

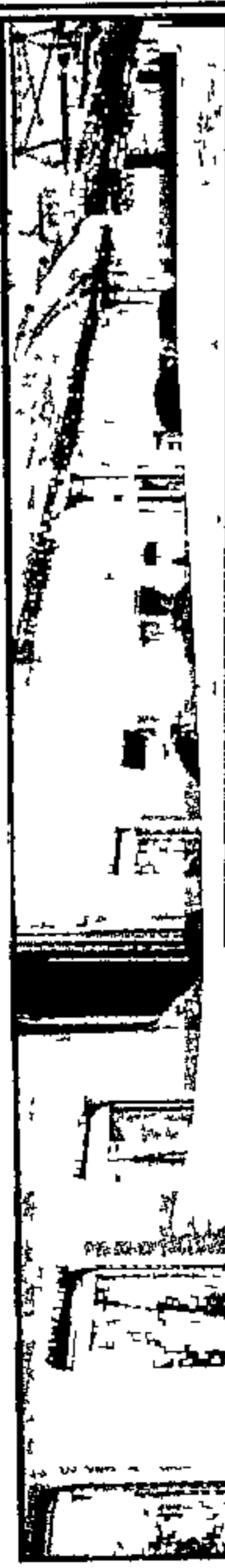
Shange was released from prison on February 14 this year, nine months after being jailed for 27 years by Natal judge Mr Justice Gordon.

Shange was found guilty of a series of murders

To page 2

Minister of Correctional Services Mr Adriaan Vlok told Parliament yesterday that former KwaZulu policeman Khetsham Shange was released three months earlier because of an administrative computer error.

Speaking during his Correctional Services Budget debate, Vlok said Shange was released after a decision had been taken by the then Minister of Correctional Service Mr Kobie Coetsee on July 4 last year and in terms of existing legislation



**Computer blamed**

Sowetan 6/5/92

From page 1

including that of a family and a three-month old child at KwaMashu, Durban, in 1990

In attacks on the Gumedede home in KwaMashu, he first killed Themba Gumedede and his girlfriend Nomaswazi Ntuiti and in subsequent attacks three other family members

The court heard at the time that Themba's mother was killed as she pleaded for mercy

Shange has been released into the community in which he sowed death and destruction and this has caused an outcry in the country

At the time of his trial Justice Gordon refused Shange leave to appeal after describing him as "a cold-blooded killer"

The judge also said Shange was "a beast in policeman's clothes (and) who was one of the main players in the reign of terror in KwaMashu"

Witnesses had testified that Shange's reign of terror was part of a campaign by the KwaZulu police after the release from prison of ANC president Mr Nelson Mandela in 1990

Vlok also said that Shange's early release was being used by Lawyers for Human Rights as a weapon against him personally

SPOT CHECK: F comm

961 *Hunsford* THURSDAY, 7 MAY 1992 *Hunsford* 962

HOUSE OF ASSEMBLY

Persons under 18 years in police cells

236 Mr P H P GASTROW asked the Minister of Law and Order

*253*

How many persons under the age of 18 years were awaiting trial in police cells as at 31 December 1991? B549E

The MINISTER OF LAW AND ORDER

595 persons

QUESTIONS

†Indicates translated version

For written reply

General Affairs



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# Row deepens over release of killer cop

STAR 715792

Political Staff

253

Convicted murderer Khetham Richard Shange had to sign an undertaking not to threaten family members of his victims before the former KwaZulu Police detective and Inkatha member was released from jail 26 years early, Correctional Services Minister Adriaan Vlok told Parliament yesterday.

The row over the early release of the killer detective — described by a judge as a “beast in policeman’s clothing” — deepened yesterday.

In Parliament, Mr Vlok faced another day of tough questions on the issue, and in Pretoria, Lawyers for Human Rights (LHR) rejected Mr Vlok’s “feeble explanations” as inadequate, confused and an insult to the public’s intelligence.

LHR national director

Brian Currin told a press conference his organisation had requested lawyers to determine whether Shange could be reincarcerated if he had been unlawfully released, reports Sapa.

Shange was jailed in May 29 last year for 27 years for his part in murderous attacks on the ANC-sympathising Gumede family in Kwa-Mashu.

Mr Vlok told Parliament on Tuesday he was “very sorry” about Shange’s early release, which had been the result of an “administrative computer error”.

Responding to questions tabled in Parliament yesterday by Democratic Party MP Peter Gastrow, Mr Vlok said Shange was released on February 14 and was on parole until May 28 2003.

Mr Vlok released a copy of the parole conditions Shange had signed when he

left prison, in which he undertook not to cause or worsen unrest, nor threaten “the family of my victims”. If he were guilty of this, he would have to complete his sentence.

Mr Vlok said that so far Shange had adhered strictly to his parole conditions, and there was no evidence of any technical or other violation.

Shange was under the control of the head of the Durban Medium B Prison while on parole, and had to report to him monthly. Correctional Services staff would visit him or telephone him at least twice a week.

Shange could not change employers or his place of residence without prior approval of the prison head, and could not leave the magisterial district of Umlazi or the “immediate surrounding

● To Page 2

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# Row deepens over release of killer cop

STAR 715792

● From Page 1

area” without permission.

Mr Vlok conceded that Shange was not a political prisoner.

But Mr Currin said Mr Vlok had earlier said Shange had been released “like other political prisoners” in terms of section 63 of the Act on correctional services.

Mr Currin said that to his knowledge section 63 had nothing to do with the procedures established as a result of the Grootes Schuur and Pretoria Minutes for the release of political prisoners.

He said Mr Vlok had indicated that the scheduled release date of Shange had been decided on by the then Minister of Correctional Services, Kobie Coetsee, a mere 36 days after Mr Justice Gordon had told Shange there was “little hope for your reformation. You are, in my view, a beast in policeman’s clothing” and that Shange would be “removed from society for a considerable period of time”.

Mr Currin said if Mr Vlok’s information was true, this demonstrated, at the very least, Mr Coetsee’s utter contempt for the judge’s directive.

253

# Vlok 'insults public'

ST-7 | 5/92

(253)

PRETORIA — The "feeble explanations" given by Minister of Correctional Services Mr. Adriaan Vlok for the release of former Kwazulu police constable Kheta Shange were inadequate, confused, and insulted the intelligence of the public, Lawyers for Human Rights (LHR) said yesterday.

LHR national director Mr. Brian Currin said here that Mr. Vlok had said that Shange had, "like other political prisoners", been released in terms of Section 63 of the Act on correctional services.

The decision to release Shange after he had served seven months of a 27-

## Reasons for release of Shange attacked

year sentence was a result of special circumstances under which many members of the ANC had also been freed, Mr. Vlok said yesterday.

Replying to a question by Mr. Peter Gastrow (DP Durban Central), he said that as a result of the special circumstances Shange was to have been released in May this year, but had been freed in February owing to a bona fide

administrative error.

But, Mr. Currin said, to his knowledge, Section 63 had nothing whatsoever to do with the procedures established as a result of the Groote Schuur and Pretoria Minutes to effect the release of political prisoners.

Mr. Currin said Mr. Vlok had indicated that the scheduled release date of Shange had been decided upon by

Justice Minister Mr. Kobie Coetsee a mere 36 days after Mr. Justice Gordon had told Shange there was "little hope for your reformation. You are, in my view, a beast in policeman's clothing," and that Shange would be "removed from society for a considerable period of time."

Mr. Currin said if Mr. Vlok's information was true, this demonstrated, at the very least, Mr. Coetsee's utter contempt for the judge's directive.

LHR had requested lawyers to determine whether Shange could be re-incarcerated if he had been unlawfully released.

People at Kwamashu lived in fear of their lives since Shange's release

## Lawyers act on early release

B10 21  
815742 STEPHANE BOTHMA

LAWYERS for Human Rights (LHR) was working on a court application relating to the early release of murderer Khetani Shange, the organisation said yesterday

The possible court action followed investigations into the legal position regarding the re-arrest of prisoners released on parole, LHR director Brian Curren said

Shange was released after serving nine months of a 27-year sentence for killing three members of an ANC supporting family in KwaMashu

Legal sources said yesterday it was the right of any citizen to apply to a court to review the early release of a prisoner

The row about the release of Shange deepened after Correctional Services Minister Adriaan Vlok admitted that Shange was not a political prisoner

Vlok said in Parliament the release after nine months, and not a year, had been the result of an "administrative computer error"

Shange also had to sign an undertaking not to threaten family members of his victims before he was released



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Vol. 323

PRETORIA, 8 MEI  
MAY 1992

No. 13986

## PROKLAMASIE

*van die*  
**Staatspresident**  
*van die Republiek van Suid-Afrika*

No. R. 40, 1992

WYSIGINGSWET OP AANGELEENTHEDE RAKENDE KORREKTIEWE DIENSTE EN TOESIG, 1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **8 Mei 1992** as die datum waarop artikel 41 (a) van genoemde Wet, in soverre dit paragraaf (i) by artikel 276 (1) van die Strafproseswet, 1977 (Wet No 51 van 1977), voeg, in werking tree ten opsigte van die gebiede van die landdrostdistrikte Alberton, Barkly-Wes, Benoni, Boksburg, Boshof, Bothaville, Brakpan, Calitzdorp, Chatsworth, Durban, George, Germiston, Hankey, Heidelberg (T), Herbert, Humansdorp, Inanda, Jacobsdal, Kempton Park, Kimberley, Kirkwood, Klerksdorp, Knysna, Ladismith (K), Lydenburg, Mosselbaai, Nelspruit, Nigel, Oberholzer, Oudtshoorn, Pelgrimsrus, Pinetown, Port Elizabeth, Potchefstroom, Springs, Uitenhage, Uniondale, Ventersdorp, Viljoenskroon, Warrenton en Witrivier

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Sewende dag van Mei Eenduisend Negehonderd Twee-en-negentig

**F. W. DE KLERK,**  
Staatspresident

Op las van die Staatspresident-in-Kabinet

**H. J. COETSEE,**  
Minister van die Kabinet

320—A

## PROCLAMATION

*by the*  
**State President**  
*of the Republic of South Africa*

No. R. 40, 1992

CORRECTIONAL SERVICES AND SUPERVISION MATTERS AMENDMENT ACT, 1991 (ACT No 122 OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix **8 May 1992** as the date on which section 41 (a) of the said Act, in so far as it adds paragraph (i) to section 276 (1) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), shall come into operation in respect of the areas of the Magisterial Districts of Alberton, Barkly West, Benoni, Boksburg, Boshof, Bothaville, Brakpan, Calitzdorp, Chatsworth, Durban, George, Germiston, Hankey, Heidelberg (T), Herbert, Humansdorp, Inanda, Jacobsdal, Kempton Park, Kimberley, Kirkwood, Klerksdorp, Knysna, Ladismith (C), Lydenburg, Mossel Bay, Nelspruit, Nigel, Oberholzer, Oudtshoorn, Pilgrim's Rest, Pinetown, Port Elizabeth, Potchefstroom, Springs, Uitenhage, Uniondale, Ventersdorp, Viljoenskroon, Warrenton and White River.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Seventh day of May, One thousand Nine hundred and Ninety-two

**F. W. DE KLERK,**  
State President

By Order of the State President-in-Cabinet

**H. J. COETSEE,**  
Minister of the Cabinet

13986—1

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Vol 323

PRETORIA, 8 MEI  
MAY 1992

No. 13985

## PROKLAMASIE

*van die  
Staatspresident  
van die Republiek van Suid-Afrika*

No. 43, 1992

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG  
(WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **8 Mei 1992** as die datum waarop artikels 5, 14 en 16 van genoemde Wet in werking tree ten opsigte van die gebiede van alle gevangnisse wat binne die landdrosdistrikte van Alberton, Barkly-Wes, Benoni, Boksburg, Boshof, Bothaville, Brakpan, Calitzdorp, Chatsworth, Durban, George, Germiston, Hankey, Heidelberg (T), Herbert, Humansdorp, Inanda, Jacobsdal, Kempton Park, Kimberley, Kirkwood, Klerksdorp, Knysna, Ladismith (K), Lydenburg, Mosselbaai, Nelspruit, Nigel, Oberholzer, Oudtshoorn, Pelgrimsrus, Pinetown, Port Elizabeth, Potchefstroom, Springs, Uitenhage, Uniondale, Ventersdorp, Viljoenskroon, Warrenton en Wit-rivier val

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Sewende dag van Mei Eenduisend Nege-honderd Twee-en-negentig

**F. W. DE KLERK,**  
Staatspresident

Op las van die Staatspresident-in-Kabinet

**A. J. VLOK,**  
Minister van die Kabinet

319—A

## PROCLAMATION

*by the  
State President  
of the Republic of South Africa*

No. 43, 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT (ACT No 122 OF  
1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix **8 May 1992** as the date on which sections 5, 14 and 16 of the said Act shall come into operation in respect of all Prisons which fall within the Magisterial Districts of Alberton, Barkly West, Benoni, Boksburg, Boshof, Bothaville, Brakpan, Calitzdorp, Chatsworth, Durban, George, Germiston, Hankey, Heidelberg (T), Herbert, Humansdorp, Inanda, Jacobsdal, Kempton Park, Kimberley, Kirkwood, Klerksdorp, Knysna, Ladismith (C), Lydenburg, Mossel Bay, Nelspruit, Nigel, Oberholzer, Oudtshoorn, Pilgrim's Rest, Pinetown, Port Elizabeth, Potchefstroom, Springs, Uitenhage, Uniondale, Ventersdorp, Viljoenskroon, Warrenton and White River

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Seventh day of May, One thousand Nine hundred and Ninety-two

**F. W. DE KLERK,**  
State President

By Order of the State President-in-Cabinet

**A. J. VLOK,**  
Minister of the Cabinet

13985—1



**GOEWERMENSKENNISGEWING****DEPARTEMENT VAN KORREKTIEWE  
DIENSTE****No. 1346****8 Mei 1992**

WYSIGINGWET OP AANGELEENTHEDE RAKENDE KORREKTIEWE DIENSTE EN TOESIG (WET No 122 VAN 1991)

Ek, Adriaan Johannes Vlok, Minister van Korrektiewe Dienste, bepaal hierby ingevolge artikel 49 van die Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), dat die werksaamhede van die inrigtingskomitees en die vrylatingsraad, ingestel kragtens die Wet op Gevangenis, 1959 (Wet No 8 van 1959), voordat laasgenoemde Wet deur genoemde Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991, gewysig is, ten opsigte van die gebiede van alle gevangenis wat binne die landdrosdistrikte van Alberton, Barkly-Wes, Benoni, Boksburg, Boshof, Bothaville, Brakpan, Calitzdorp, Chatsworth, Durban, George, Germiston, Hankey, Heidelberg (T), Herbert, Humansdorp, Inanda, Jacobsdal, Kempton Park, Kimberley, Kirkwood, Klerksdorp, Knysna, Ladismith (K), Lydenburg, Mosselbaai, Nelspruit, Nigel, Oberholzer, Oudtshoorn, Pelgrimsrus, Pinetown, Port Elizabeth, Potchefstroom, Springs, Uitenhage, Uniondale, Ventersdorp, Viljoenskroon, Warrenton en Witrivier met ingang van 8 Mei 1992 beëindig word, uitgesonderd die werksaamheid van die Vrylatingsraad beoog in artikel 64 (1) (b) van die Wet op Korrektiewe Dienste, 1959 (Wet No 8 van 1959)

**A. J. VLOK,**

Minister van Korrektiewe Dienste.

**GOVERNMENT NOTICE****DEPARTMENT OF CORRECTIONAL  
SERVICES****No. 1346****8 May 1992**

CORRECTIONAL SERVICES AND SUPERVISION MATTERS AMENDMENT ACT (ACT No 122 OF 1991)

I, Adriaan Johannes Vlok, Minister of Correctional Services, hereby determine in terms of section 49 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), that the function of the institutional committees and the release board, established under the Prisons Act, 1959 (Act No 8 of 1959), before the latter Act was amended by the said Correctional Services and Supervision Matters Amendment Act, 1991, shall, in respect of the areas of all Prisons which fall within the Magisterial Districts of Alberton, Barkly West, Benoni, Boksburg, Boshof, Bothaville, Brakpan, Calitzdorp, Chatsworth, Durban, George, Germiston, Hankey, Heidelberg (T), Herbert, Humansdorp, Inanda, Jacobsdal, Kempton Park, Kimberley, Kirkwood, Klerksdorp, Knysna, Ladismith (C), Lydenburg, Mossel Bay, Nelspruit, Nigel, Oberholzer, Oudtshoorn, Pilgrim's Rest, Pinetown, Port Elizabeth, Potchefstroom, Springs, Uitenhage, Uniondale, Ventersdorp, Viljoenskroon, Warrenton and White River terminate as from 8 May 1992, excluding the function of the release board contemplated in section 64 (1) (b) of the Correctional Services Act, 1959 (Act No 8 of 1959)

**A. J. VLOK,**

Minister of Correctional Services

**INHOUD**

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Birthdays celebration . . . thousands of Jews gathered at the Standard Bank Arena for the 44th anniversary of the establishment of the state of Israel.

# 'Did powers that be read my Shange judgment?'

By Guy Jepson

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The then-acting Supreme Court judge who sentenced killer policeman Khethani Richard Shange to 27 years in jail spoke yesterday of his despair at the murderer's release after only nine months

In May last year Mr Acting Justice David Gordon convicted Shange — a KwaZulu Police detective constable — for his part in murdering members of the ANC-sympathising Gumede family in KwaMashu in February 1990

Judge Gordon sentenced Shange, whom he described as a "beast in a policeman's

clothes who was one of the main players in the reign of terror in KwaMashu", to 27 years in jail and refused him leave to appeal

Shange was released by the Department of Correctional Services on February 14 this year.

He is on parole until May 28 2003

Speaking to The Star yesterday, advocate Gordon, SC, stressed that he no longer practised as a judge and therefore could not speak on behalf of the judiciary.

He said it was a "a terrible ordeal" for a judge to deprive a man of his liberty

and to determine what punishment fitted the crime

"My personal reaction is that one performs one's duty in the interests of society

"My feeling (on learning of Shange's release) was . . . was my effort to be just worthwhile when all the agonising over the decision and how to sentence the chap was just disregarded by the prison authorities?

"I would just like to know how the people who suffered because of this guy's actions feel," advocate Gordon said

The advocate added added: "I am wondering whether the powers that be read my judgment"

STAR 8/5/92

## Mandela to move

*Sowetan 8/5/92*  
ANC president Mr Nelson Mandela is moving to the plush northern suburbs of Johannesburg, the organisation's publicity department said yesterday

ANC spokesman Mr Saki Macozoma said for security reasons he was not willing to disclose the address or suburb of Mandela's new home

He said Mandela had been subjected to threats to his life in the past.

"It is our fervent hope that in consideration of that reality and his need for privacy the media will exercise restraint and not give undue publicity to his address," Macozoma said

## Vlok's explanations inadequate - LHR

*Sowetan 8/5/92*  
THE "feeble explanations" by Minister of Corrective Services Mr Adriaan Vlok for the premature release of killer Khethani Shange were "inadequate, confused and insulted the intelligence of the public", Lawyers for Human Rights have said

LHR national director Mr Brian Currin said in Pretoria Vlok had said former KwaZulu policeman Shange had, "like other political prisoners", been released in terms of Section 63 of the Act on Correctional Services

Shange served only nine months of a 27-year jail sentence for a series of murders, including that of a family and a three-month-old child in KwaMashu, Durban, 1990

But, Currin said as far as he was aware Section 63 had nothing to do with the procedures established as a result of the Groote Schuur and Pretoria Minutes to

release political prisoners

He said Vlok had indicated that the scheduled release date of Shange had been decided upon by Justice Minister Kobie Coetsee a mere 36 days after Mr Justice Gordon had told Shange there was "little hope for your reformation. You are, in my view, a beast in policeman's clothing" and that Shange would be "removed from society for a considerable period of time"

If Vlok's information was true, this demonstrated, at the very least, Coetsee's contempt for the judge's directive, Currin said

LHR had requested lawyers to determine whether Shange could be re-incarcerated if he had been unlawfully released

People at KwaMashu lived in fear of their lives since Shange's release and some had left the area, Currin said

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**MORE AND MORE MURDERING POLICEMAN ARE BEING FREED EARLY**

# Shange asked for political release

w/ Mail 8/5-14/5/92

(253)

**D**ESPITE official silence on the question, *The Weekly Mail* was able to establish this week that Khethani Shange, who was sentenced to 27 years for murder and three counts of attempted murder, did in fact apply for consideration for release as a political prisoner.

Thirty-six days after the former kwaZulu policeman was sentenced, Minister Kobie Coetsee — then minister of justice as well as of correctional services — ordered his release on parole. Shange served a mere nine months of his sentence.

The Department of Correctional Services' initial response to outrage over Shange's release was that he had been freed, "like many other political prisoners", in terms of section 63 of the Correctional Services Act.

Minister of Correctional Services Adriaan Vlok contradicted this assertion this week. In any event, it made little sense. Section 63 governs releases on parole, while political prisoner releases are dealt with under another section of the Act.

*The Weekly Mail* established this week that a card made out in the name of Katherine Richard Shange, ID number 690421 5359 081, file number 13243/91P, lies in the Office for Indemnity and Release in Pretoria.

Major Dave Smith, liaison officer of the Department of Correctional Services, confirmed yesterday that this "Katherine" was in fact Khethani

*While officials compound the confusion surrounding the early release of Khethani Shange, The Weekly Mail has uncovered an application for his release as a political prisoner. By GAYE DAVIS*

Shange

When sentencing Shange on May 29 last year, Acting Judge David Gordon found Shange was "one of the main players in the reign of terror" in kwaMashu at the time and that he showed "no contrition or sorrow". He believed there was "little hope" of Shange's rehabilitation.

This week, Vlok did not explain why Shange was deemed worthy of parole — usually granted only after a prisoner has served one-third of his sentence and after a Prisons Board has examined his case.

Vlok also contradicted the earlier department statement which inferred that Shange was considered a "political prisoner".

Apologising for the "bona fide administrative computer error" which had Shange freed three months earlier than his ministerially sanctioned release date, Vlok said the decision was taken at a time when "special arrangements for prisoners were being made" and "exceptional circumstances prevailed".



**Just a computer error ... Correctional Services Minister Adriaan Vlok**

He did not elaborate on the "exceptional circumstances", but said African National Congress members "guilty of more serious crimes" were released at the same time, citing four examples — including those of three men dubbed the Delmas Three.

But Lawyers for Human Rights' director Brian Currin said the Delmas Three were released months before

Shange, in terms of a special deal brokered between the government and the ANC to enable the release of ANC members the government was not prepared to recognise as political prisoners.

"To apply the same procedure to people who committed offences after February 1990 would be cynical in the extreme. The objective (of the deal)

was to free people jailed because they were fighting apartheid," Currin said.

In addition, the Delmas Three could be calculated to have served at least one-third of their sentences — while Shange had served less than three per cent of his.

Shange is not the only killer policeman to have been freed with undue haste by the government.

In July last year, the same month that Coetsee decided to release Shange on parole, four policemen convicted of murder were released from jail after serving only short parts of their sentences. They were

● Jack le Grange and Robert van der Merwe, twice sentenced to death for the murder of two businessmen, whose sentences had been commuted to 25 and 15 years' imprisonment respectively.

● Warrant Officer Leon de Villiers and Constable David Goosen, members of an eastern Cape riot police unit, whose death sentences for "panel beating" and "taking out" an 18-year-old Cradock youth had also been commuted to lengthy jail terms.

At the time — when the government was under considerable pressure to speed up the release of political prisoners — both the Ministry of Justice and the Department of Correctional Services denied that former policemen were being favoured for release.

However, this claimed even-handedness has not extended to South African Commercial Catering and Allied Workers' Union member Willie Ntombela, for example. Ntombela, a first-time offender, was sentenced to 25 years' imprisonment for murder after a clash during industrial unrest at a dairy company.

Gordon, the Natal advocate who sentenced Shange while he was on the Bench as an acting judge, said this week "One of the most awful duties of any judge is to determine the punishment to fit the crime, and I personally agonised over this fellow. Twenty-seven years is a lifetime."

"One feels a little dismayed that after doing one's duty to the best of one's ability, there is an administrative decision which dilutes one's efforts."

Gordon stressed that he was speaking on his own behalf and not that of the judiciary.



# And another killer cop goes free

BY ENOCH MTHEMBU

ANOTHER killer policeman has been released after serving only 17 months of his 18-year sentence for two counts of murder. SAP Constable Thulani Phillip Choeni was released early this year after receiving a stiff sentence for shooting down two people and attempting to murder a third, because they had accidentally bumped his car earlier in the day.

The 30-year-old Choeni was employed by the SAP car theft unit at Empangeni in 1989. On February 5 1989 Choeni was driving in an unmarked (private) SAP vehicle when he collided with a car driven by

Thulani Zwane. Zwane's friends Arthur Morolong and Sibusiso Madondo were in the car at the time. All three fled the scene of the collision immediately.

Six hours later, Choeni tracked down the three to their flat in Esikhawini.

Zwane — who survived the attack — told the Mthunzini Supreme Court in Zululand that he was sleeping in a bedroom when he heard the first shots from an adjacent room. Zwane jumped out the window. Choeni found Morolong and Madondo in the other room and shot them in the eye at point-blank range. Choeni told the court that he used all

the bullets in his gun as well as putting in a new magazine and kept shooting at Morolong and Madondo as they lay bleeding on their beds.

"I was doing that because I was angry when these people bumped my car," said Choeni in court. "When I approached them they said why should I worry because this is a government car. They didn't want to tell me who was driving when they bumped my car."

Nhlanhla Kubheka — who was in the main bedroom during the shooting — said he heard Choeni shouting: "I will kill all of you and get through with the case."

Choeni claimed that he was under the influence of liquor after drinking two pints of beer.

Mr Justice NS Page, in passing sentence, said that the only factor that saved Choeni from the gallows was that "his emotions were so bizarre" that they disturbed him from having good judgment of what he was doing. For this reason only did he conclude that the extreme penalty was inappropriate.

Judge Page convicted Choeni on two counts of murder and one of attempted murder. On 17 August 1990, he was handed three sentences to run concurrently, totalling 18 years.

g/s - 14/5/92

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# Minister signed release

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CT 9/5/92

By DANIEL SIMON

THE Department of Correctional Services yesterday confirmed that a sixth killer policeman had been released from prison after serving only 17 months of his 18-year sentence for two murders.

A Correctional Service spokeswoman said former SAP Constable Thulam Philip Choeni, 30, was released on August 17 last year after his parole was approved by the Minister of Justice, Mr Kobie Coetzee, on July 4.

Constable Choeni was sentenced to 18 years imprisonment after he shot and killed two men and attempted to shoot a third when their car bumped into his unmarked police car in 1989.

## Drug traffickers

This week the Minister of Correctional Services, Mr Adriaan Vlok, confirmed that another policeman, former KwaZulu Police constable Khetane Richard Shange, was released from prison after seven months of his 27-year sentence.

Four other policemen, who were initially sentenced to death for murdering suspects, have been released after serving short periods of their prison sentences.

These are former warrant officer Leon de Villiers and former constable David Goosen, who murdered a suspect, Mr Lungise Stuurman.

Former captain Jack le Grange of the East Rand Murder and Robbery Unit and former sergeant Robert van der Merwe of the Brixton Murder and Robbery Unit murdered two suspected drug traffickers. They all spent just over three years in prison for the crimes.



# ANC party to agreement, says Vlok

**MARTIN CHALLENOR**

CAPE TOWN — The ANC had agreed to the procedure under which 66 prisoners — including killer KwaZulu policeman Khethani Richard Shange, who served only nine months of a 27-year sentence — were released from jail early, Correctional Services Minister Adriaan Vlok said last night.

It is understood that 41 of this group of prisoners were members of the security forces, 13 were from the ANC, 10 from the Inkatha Freedom Party and two, older than 70, were released on grounds of age.

Vlok has all week defended the decision of his predecessor as Minister of Correctional Services, Kobie Coetsee, to release Shange, an IFP member.

Shange was jailed in May last year for murder. In July, Coetsee decided to free him, and he was released on parole from prison in February this year.

## Remission

Vlok last night released sections of an agreement between the Government and the ANC on the release of political prisoners, as provided for by the Grooté Schuur and Pretoria minutes.

It said in part "Whereas a large number of prisoners do not qualify for release according to the categories and the guidelines, cognisance is taken of the fact that the Government is working on proposals for special and substantial remission of sentence, which may include parole in certain cases"

Vlok said last night "Apart from this agreement, the Department of Justice at that time also received numerous requests and well-motivated representations by various organisations

"Approval was also granted for the placing under parole supervision of a further 66 prisoners, who at that stage had only completed a relatively short portion of their sentences

"The 66 consisted of members of the ANC, IFP as well as members of the security forces," he said

Vlok slammed Lawyers for Human Rights for criticising the parole of Shange while "keeping conveniently quiet about other similar and even more serious cases"

LONELY WAIT... This woman is all alone as she waits for a train at Herero station, boweto, during this week's train boycott to protest against the train killings which the government seems powerless to stop. ■ PLOI TLADI KHUWILE

# Shange release deal approved by ANC - Vlok

BY DESMOND BLOW

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THE ANC has accused the government of double dealing over their agreement to release political prisoners, saying they put murderers back on the street under the pretext that their crimes were politically motivated.

Killer policemen Khehani Shange and Thulani Choeni are two whom the government claims are politically impartial.

But on Friday night, Correctional Services Minister Adrian Vlok claimed the ANC agreed to the procedure which led to Shange's release.

ANC spokeswoman Gill Marcus has accused Vlok of being less than frank in his statement

saying only categories that did not fall into the government's interpretation of a political prisoner were discussed.

She said the two parties had not discussed who they wanted to release.

The government had decided unilaterally to release Shange and Choeni and had not discussed them with the ANC.

Many ANC supporters who were far more politically motivated were still in prison, Marcus said.

"In the eastern Cape alone there are about 40 or 50 prisoners who were sentenced for public violence who are still in prison," she said.

Vlok said on Friday that his department had approved the release of 66 prisoners - of which 41 were security force members, 13 were from the ANC, 10 from Inkatha Freedom Party, and two were older than 70.

A spokesman for Vlok, Lt AJ Slabbert, said yesterday that the ANC had pressed for the release of certain prisoners who did not fall under the original definition of a political prisoner and they were among those released.

Shange - who came "within a hair's breadth of the death sentence because of a callous murder" according to the judge, who sentenced him to 27 years - was

released after only nine months. Choeni - who was sentenced to 18 years for the murder of two people and the attempted murder of a third because they accidentally bumped his car - served only 17 months.

Earlier this week Lawyers for Human Rights criticised Shange's release.

LHR's Brian Curtin expressed shock that a killer like Shange - whom Judge Gordon had said when sentencing him: "I personally believe there is little hope for your reformation" - had his parole approved by the then Justice and Correctional Services Minister Kobie Coetsee.



# Prison integration takes another step

STimes (Cape metro)  
10/5/92

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THE gradual racial integration of South Africa's prison population will take a further step this week when the first batch of white prisoners are to be transferred to Brandvlei Prison

It will be the first time white convicts will be accommodated in the notoriously bleak prison at Worcester

According to Brandvlei commanding officer Brigadier Piet Freysen, 60 prisoners — including 34 white men — will be transferred from Pollsmoor Prison in Cape Town to Brandvlei this week. All the prisoners carry a maximum security rating as prisoners most likely to attempt escape

At the same time another Pollsmoor batch of 10 white male prisoners will be transferred to Robben Island, another prison which previously catered exclusively for black prisoners

"We are going to take in most of the maximum security prisoners from Pollsmoor as our building is suitable. All the tough cases in the Western Cape come to Brandvlei," Brig Freysen said

Asked if he foresaw potential trouble between hardened white and black prisoners mixing for the first time, he said "We'll monitor the situation, but we don't expect problems"

The integration of the country's prison population was promulgated in the Government Gazette in July 1990, but the countrywide implementation of the amendment has been intentionally gradual

The Minister of Correctional Services, Mr Adrian Vlok, announced the amendment in Parliament. "Section 23 of the Prisons Act, 1959 (Act No 8 of 1959) has been amended in such a way that the separation of prisoners is no longer ordered on grounds of race

## Welfare

"In order to implement the amendment responsibly, with the minimum negative effect on the individual or group, the joint detention of the various racial groups of prisoners is gradually being phased in countrywide, subject to the maintenance of standards and criteria of treatment, training, rehabilitation and the welfare of the individual or group as well as general discipline, good order and safety," said Mr Vlok

Said Department of Correctional Services spokesman Brigadier Erika van Zyl, "We can't just mix them up. People in prison don't have the freedom of choice people on the outside have as to where they want to live or who they want to associate with"

"It's not going to help putting someone in a cell with a prisoner he's not going to get along with. Prisoners are given a choice"

"All prisoners eat, work and play together, but have a choice when it comes to sharing a cell with prisoners of other races"

Some whites prefer not to share sleeping accommodation with other races. Others ask to be with people of other classifications. The opposite could also apply. People of colour could ask to be accommodated with whites," said Brig Van Zyl

"It would be easy to just mix them all up for the sake of showing everyone that we are integrated. But our main responsibility is a restful prison population and we can't do anything that will put this at risk"

Pollsmoor Prison has a population of 3 700 men and women — 460 are white. It is an admissions prison, meaning that most prisoners are awaiting trial or being held before transfer to other prisons in the Western Cape

The maximum section has in the past been exclusively "coloured", while white male prisoners were incarcerated in the Medium B section. Medium section prison blocks have less strict security measures than the maximum sections

But since the amendment to the Act, Pollsmoor's Medium B section has been integrated to the extent that a third of the inmates are now black

"Only a few communal cells are racially separate. The majority of the cells are integrated," said Major Hermanus Roelofse, commanding officer of Medium B section. "As from tomorrow all admissions to Pollsmoor will be accommodated in the maximum section regardless of colour

**Special Report**  
**By KURT SWART**



**Picture: Ambrose Peters**

"In prison there are always arguments and problems between individuals, but no problems have been reported so far on the grounds of race," he said

In the women's section at Pollsmoor, 23 out of 300 convicts are white

Said section head Major Fea Oberholster "The women work, eat and exercise

together but they have free choice as to where they want to sleep in a single cell or a communal cell with members of their own race or with other colours

"Some of our white women prisoners have decided to share cells with black women

"In one communal cell we have two white women, two

coloured women and two African women."

According to department statistics, South Africa has a prison population of about 100 000, of whom 4 000 are white. About 5 000 prisoners are female, both black and white

The daily average population (sentenced and unsentenced) is white men 4 344, white women 194, black (African) men 68 842, black women 2 510, Asian men 638, Asian women 30, coloured men 24 475, coloured women 742

Said a department spokesman "It is obvious that as a result of the difference in numbers between black and white prisoners, certain prisons will accommodate largely prisoners of one population group

"Taking this in perspective, it must be mentioned that presently only 38 per cent of prisoners are exclusively non white"

**PRISON BABES** The women's section of Pollsmoor Prison is home to 19 babies

Some were born in prison after their mothers were jailed — or admitted to prison while still dependent on women jailed for offences

This week a Sunday Times news team toured some of the Western Cape's maximum and medium security prisons, following the lifting of restrictions on the reporting of conditions in prisons

After years of blanket secrecy on life behind prison walls, the Government tabled a bill in Parliament on Tuesday lifting the press restrictions

A memorandum to the Correctional Services Amendment Bill stated that since the establishment of a press code, problems which the clause was aimed at resolving had been effectively dealt with

However, there was widespread public criticism that the clause banning reporting had more sinister motives and that the clampdown on the free flow of information encouraged human rights abuses in the treatment of prisoners and political detainees

On Wednesday, the day after the restrictions were lifted, the Sunday Times toured some of the Cape's better known prisons and was given virtual free rein by the Department of Correctional Services to interview any prison official or convict and to take photographs of installations and people without restriction

A feature series on the prison visits will be published in the Cape Metro in the following weeks



### Sixth killer policeman freed after months

CAPE TOWN — The Department of Correctional Services confirmed yesterday that a sixth killer policeman had been released from prison after serving only 17 months of his 18-year sentence on two counts of murder *Monday 11/5/92*

A Correctional Services spokesman said former SAP constable Thulam Philip Choeni, 30, was released on August 17 last year after his parole was approved by Justice Minister Kobie Coetzee.

Choeni was sentenced to 18 years imprisonment after he shot dead two men and

Own Correspondent

attempted to shoot a third man after they bumped into his unmarked police car with their car near Empangeni on February 5, 1989. The three fled but were tracked down to a flat in Esikhawini, and two were shot six hours later.

Former constable Khetane Richard Shange, described as a beast by the trial judge, and four other policeman who were initially sentenced to death for murdering suspects, have also been released

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**SOUTH AFRICA - THE GATEWAY**  
**TRADE AND INVESTMENT OPPORTUNITIES IN**  
**SOUTHERN AFRICA**



# Killer policeman only one of thousands freed

The Argus Correspondent

(253)

ARG 11/5/92

JOHANNESBURG. — Thousands of dangerous criminals were released by government decree at the time Kwazulu policeman Khethani Richard Shange was freed in February after serving only nine months of a 27-year sentence for murder

According to a spokesman for Lawyers for Human Rights, 8 000 criminals — “murderers, rapists and those convicted for assault and culpable homicide — were freed in three weeks in July last year

Correctional Services Minister Mr Adriaan Vlok said at the weekend Shange, an IFP member, was part of a group of 66

“political” prisoners whose early releases from jail had been agreed to by the ANC.

It is believed that 41 of the freed prisoners were members of the security forces, 13 of the ANC and 10 of Inkatha.

Other convicted murderers released prematurely included former policemen Jack la Grange and Robert van der Merwe, who murdered two alleged drug dealers on the Reef in 1987 and received double death sentences

Their sentences were commuted to 25 years and 15 years respectively by State President P W Botha in November, 1988. They were released in July last year in

terms of President De Klerk's offer of remission for first offenders.

Eastern Cape riot policemen Constable David Goosen and Warrant Officer Leon de Villiers were both sentenced to death for assaulting and killing an 18-year-old Cradock man. Their sentences were commuted to lengthy jail terms, and they were also freed in July

Maureen Smith, who spent a year on Death Row after being convicted of hiring two men to kill her husband, had her sentence commuted to 20 years in jail. She served nine years and was also freed in terms of the July 1991 amnesty

# DP to have darker face, De Beer tells recruits

The Argus Correspondent

JOHANNESBURG — Democratic Party leader Dr Zac de Beer says that from now on the party will have a much darker face

He was speaking at the official launch of an intensive recruiting campaign.

“It is with the brown and black people of South Africa that the DP must seek its fu-

ture,” said Dr De Beer at the launch at his home in Saxonwold, Johannesburg yesterday.

The DP has started a recruitment campaign in black areas. At the weekend teams visited Pimville, Diepkloof and Protea in Soweto, and were very well received, according to Mr Rhett Kahn, DP Free State organiser

There are about 1 000 DP

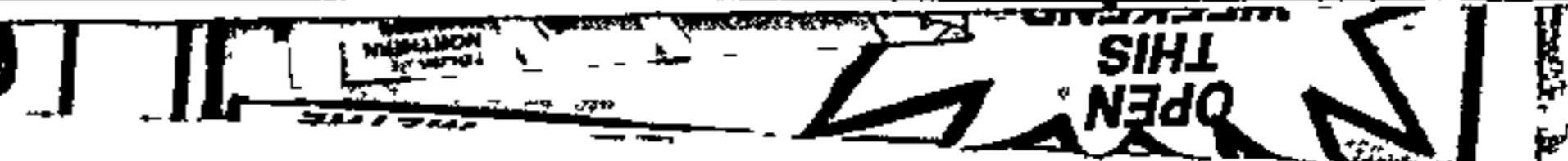
ARG 11/5/92 members in Soweto, said one of the recruiting officers.

At the meeting Dr De Beer said the party had a clear mission to safeguard human rights and would not to be sidelined by the National Party or the ANC.

He referred to disclosures of government corruption, saying that the DP had a clean record after 40 years in politics.

“Why give yourselves to a party that has only recently given up detention without trial and Bantu education?” he asked the 100 or so mostly black guests at his house

The DP was against the ANC's policy of a managed economy, where government intervened in business planning. This kind of system had collapsed all over the world, Dr De Beer said



# Allegations of bribery at Diepkloof Prison probed

POLICE were still investigating allegations that a large number of prisoners bribed their way out of Diepkloof Prison last year, SAP spokesman Capt Eugene Opperman confirmed at the weekend

A Correctional Services Department spokesman said on Friday that the investigation had so far disclosed that "management and control measures at the prison were not up to standard"

Last year awaiting-trial prisoners were found to have disappeared from Diepkloof Prison and subsequent reports said some of them might have been freed after bribing guards

There have also been allegations that administration at the prison was so poor that records of who was in jail and for what reason were not adequately kept

It was claimed that the maladministration lead to prisoners held on charges for crimes such as murder being expelled from the country along with illegal immigrants

One of the escapees was Office

GAVIN DU VENAGE

Nkomo Nkruma, charged with raping and murdering Financial Mail journalist Pat Kenney in 1989. The Correctional Services Department announced a high-level investigation into claims that warders were involved.

Last week DP MP Tony Leon said in Parliament that 81 prisoners had escaped from Diepkloof and it was known that R600 could buy one freedom from the jail.

The Correctional Services Department spokesman said reports of more than 100 prisoners escaping were inaccurate, as 30 of these had been removed as deportation cases. A total of 75 awaiting-trial prisoners had escaped, she said.

The department had already taken action to "set the administration right", and where individual members had acted incorrectly "appropriate disciplinary action is being taken", she said.

She refused to say what measures had been taken against staff.

Investigation into the escapees

B (Pan) 11/5/92

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## HOUSE OF DELEGATES

(ii) burglary/housebreaking and (b) how many of the 1 509 prisoners who were released on parole in that year and were being sought in connection with criminal offences, were being sought in connection with (i) murder, (ii) rape and (iii) burglary/housebreaking?

## QUESTIONS

†Indicates translated version

For written reply

General Affairs

253

D142E

## The MINISTER OF LAW AND ORDER

(a) and (b)

Prisoners on parole re-arrested/sought

31 Mr M RAJAB asked the Minister of Law and Order

With reference to his reply to Question No 17 of 18 March 1992, (a) how many of the 4 099 prisoners who were released on parole in 1991 and were subsequently re-arrested, were re-arrested on charges of (i) murder, (ii) rape and

In cases of parole, only the numbers are recorded by the South African Police for statistical purposes, without reference to specific cases. Particulars regarding individual cases can only be determined if the names and other particulars are available. The information required can therefore not be furnished

## HOUSE OF ASSEMBLY

(iii) No construction was undertaken during the specified period

(b) R69 038 866 was collected in toll money

(c) R1 227 491 was forfeited through toll concessions to members of the public

(2) Yes

(a) Toll Road Concessionaires (Pty) Ltd

(b) (i) R4 881 284 was paid to this company during the specified period for operating the toll plazas

(ii) R5 280 751 was paid towards road maintenance

(iii) No monies were paid in this regard

SAP: number of generals

248 Lt-Gen R H D ROGERS asked the Minister of Law and Order

(a) How many generals, by rank, are there in the South African Police and (b) in respect of what date is this information furnished?

B581E

The MINISTER OF LAW AND ORDER

(a) General	1
Lieutenant-general	13
Major-general	41
Total	55

(b) 1 May 1992

Black officers in SAP

249 Lt-Gen R H D ROGERS asked the Minister of Law and Order

(a) How many Black officers above the rank of lieutenant-colonel are there in the South African Police and (b) in respect of what date is this information furnished?

B582E

The MINISTER OF LAW AND ORDER

(a) Brigadier	1
Colonel	3
Lieutenant-Colonel	16
Total	20

(b) 2 May 1992

## QUESTIONS

†Indicates translated version

For written reply

General Affairs

## Heidelberg/Pietermaritzburg toll road

226 Mr W U NEL asked the Minister of Transport

(1) In respect of the N3 toll road between Heidelberg (Transvaal) and Pietermaritzburg for the latest specified 12-month period for which information is available, (a) what was the total cost of (i) operating the toll plazas, (ii) maintaining the stretch of road in question and (iii) further construction work on this section of road, (b) what total amount was collected in toll money and (c) what is the estimated monetary value of toll money forfeited through toll concessions to members of the public,

(2) whether, with reference to the above toll road and 12-month period, his Department paid over any money to a certain company, the name of which has been furnished to the Minister's Department for the purpose of his reply, if so, (a) what is the name of this company and (b) how much was paid over in respect of (i) operating the toll plazas, (ii) maintaining the stretch of road in question and (iii) further construction work on this section of road?

The MINISTER OF TRANSPORT

(1) All information furnished is applicable for the period 1 March 1991 to 29 February 1992

(a) (i) The total cost of operation was R4 881 284

(ii) R5 280 751 was paid towards road maintenance

## ANC denies role in release of policemen

BID 145792  
GOVERNMENT is using political prisoners as hostages in the negotiation process, says the ANC national working committee

On the early release of convicted police murderers, the committee said "The ANC places on record that (Correctional Services) Minister Adriaan Volk's claim that the ANC entered into an agreement with the government to parole these convicted (police) murderers is a brazen lie"

It was referring to the early release of convicted policeman Khetham Shange and Volk's subsequent statement that government and the ANC had agreed to a procedure for the release of prisoners

"The inexplicable early release and parole of a number of police officers found guilty of similar murders reinforces our suspicions of a conspiracy to destabilise, if

possibly destroy, the ANC by the murder of its key activists and organisers"

"In spite of agreements negotiated over many months, the NP government refuses to release a number of ANC members and other political prisoners whose offences indisputably fall within the agreed definition of a political offence. If the truth be told, the government is using these political prisoners as hostages"

The committee said the Pickard Commission report brought to light the systematic theft of public funds while allegations of government involvement in violence against its political opponents bore the hallmarks of a corrupt regime

253  
PATRICK BULGER



174  
ALLS  
WELL  
THAT  
ENDS  
WELL  
JULY 23 1992  
D. W. P. R. 92

The Government is again in trouble over secrecy, writes Martin Challenor

# More scandals await light of day

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STAR 14/5/92

**E**ARLY in 1990, Khethani Richard Shange twice led attacks on the Gumede home 500 m from the local police station. Five people were murdered.

Mr Acting Justice Gordon convicted Shange of murder and three charges of attempted murder, jailing him for 27 years.

At the time, the Government was involved in intricate dealings with the ANC on the release of political prisoners. President de Klerk was anxious to complete the release because it was the last remaining precondition Washington had imposed before President Bush would lift sanctions.

It was also one of the demands the ANC said had to be met before they would enter into negotiations.

Included in the agreement between the ANC and the Government on the release of prisoners was a paragraph that said:

"Whereas a large number of prisoners do not qualify for release according to the categories and the guidelines, cognisance is taken of the fact that the Government is

working on proposals for special and substantial remission of sentence which may include parole in certain cases." This is where the secrecy comes in.

The Government used this provision to release 41 security force members in jail, 13 ANC members, 10 IFP members and two old-age prisoners. There was, at the time, not a mention in the newspapers of the release of the 41 security force members — if there was, there is nothing in the newspaper libraries in Johannesburg, Durban and Cape Town to record the event.

Kobie Coetsee signed the papers on July 4 last year to release Shange and the other security force members, but in keeping with the Government's golden rule of 'say nothing and hope nobody finds out', made no attempt to explain the fairness aspect.

"Murder is murder. But if ANC murderers go free in the name of seeking a new South Africa, then the doctrine of fairness implies that people on the Government's side who killed deserved equal

treatment. But what is hatched and enacted in secrecy becomes something devious

Last week, Correctional Services Minister Adriaan Vlok, at the height of the row over Shange, said what Mr Coetsee should have said: "It was realised and accepted that there were still some prisoners in detention who became involved in criminality during the period of political violence, and turmoil, and who also had to be dealt with in one or another way."

There was ample opportunity in July last year for the Government to explain its deeds, as much press coverage was given to prisoner releases.

There were reports at the time about two former Brixton Murder and Robbery Squad killers Jack la Grange and Robert van der Merwe going free. Questions asked in Parliament in February revealed that policemen Leon de Villiers and David Goosen, sentenced to death for the murder of a suspect on the banks of the Fish River near Cradock, also were released. Mr Vlok himself added the

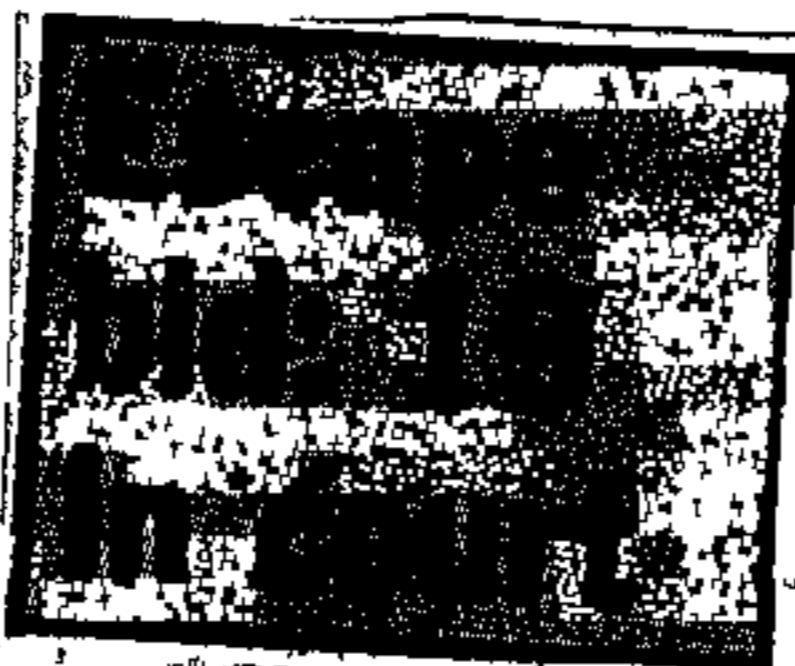
names Viviers and Prinsloo to the list of freed security force members

It was only when the DP started asking questions about Shange that the release of the 66 prisoners became known. Still, Mr Vlok has steadfastly resisted demands for a breakdown of the 66.

So far, eight of the 41 freed security force members are known. This leaves 33 scandals for the Government to live through, unless it gives the full disclosure that the DP is demanding. Taxpayers will plough R51 million this year into the South African Communication Services. It has the express aim "to promote effective communication between the Government and the population."

But things continue to go wrong. Mr Vlok said on May 7, this year that 1 248 political prisoners were released unconditionally. However, Mr Coetsee said previously on April 16 that 1 349 political prisoners had been released. They cannot both be right. □





By MARTIN <sup>AP/15</sup>  
NTSOELENGOE <sup>17/5/92</sup>

AN ATTEMPT to escape from the Krugersdorp Prison, allegedly by 19 members of the Royal Airforce gang 14, left one warder dead and three others seriously injured.

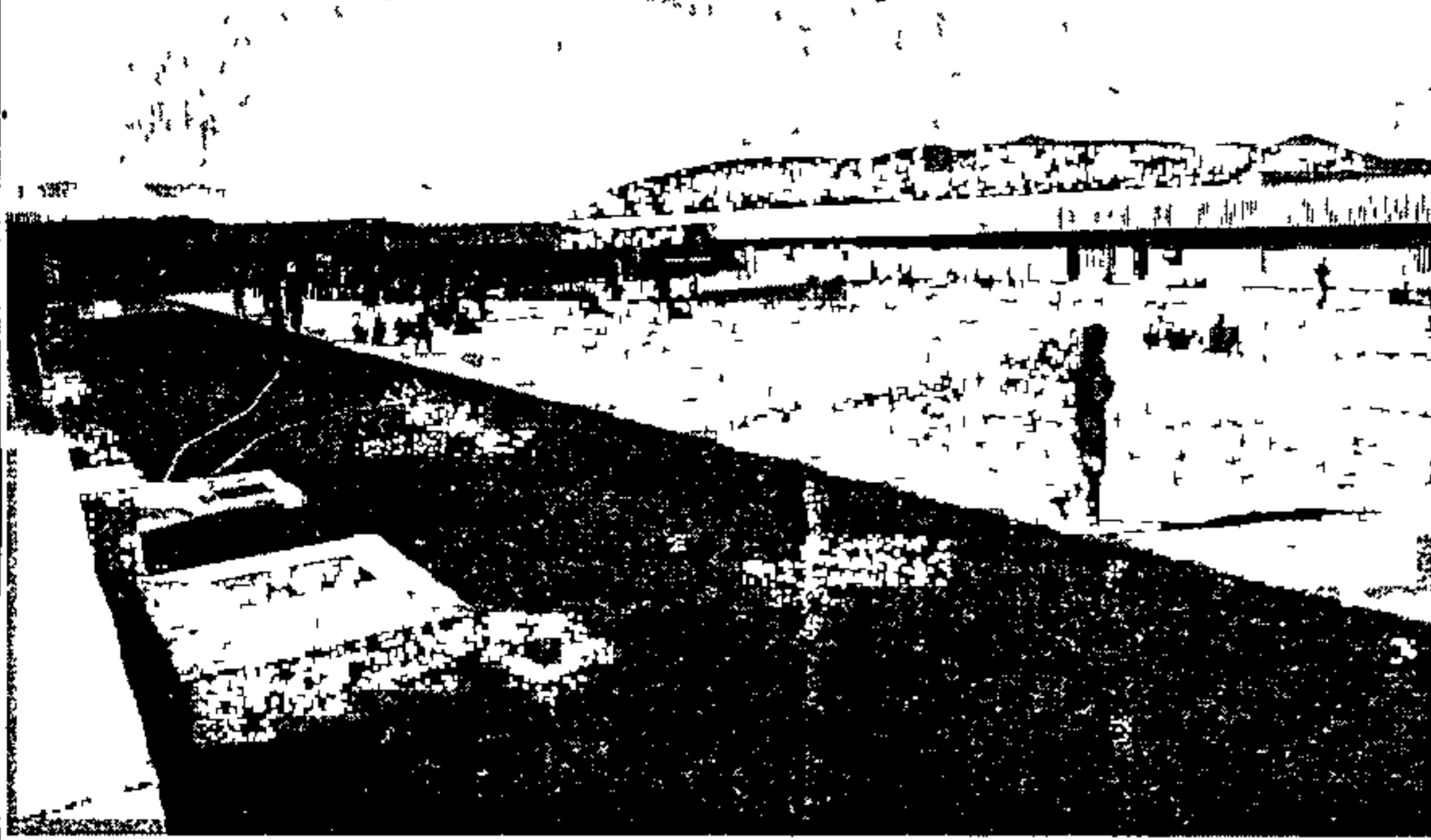
The 19 all pleaded not guilty in the Roodepoort Circuit Court to a count of murder, one of attempting to escape from prison, attempted murder and two of assault.

253

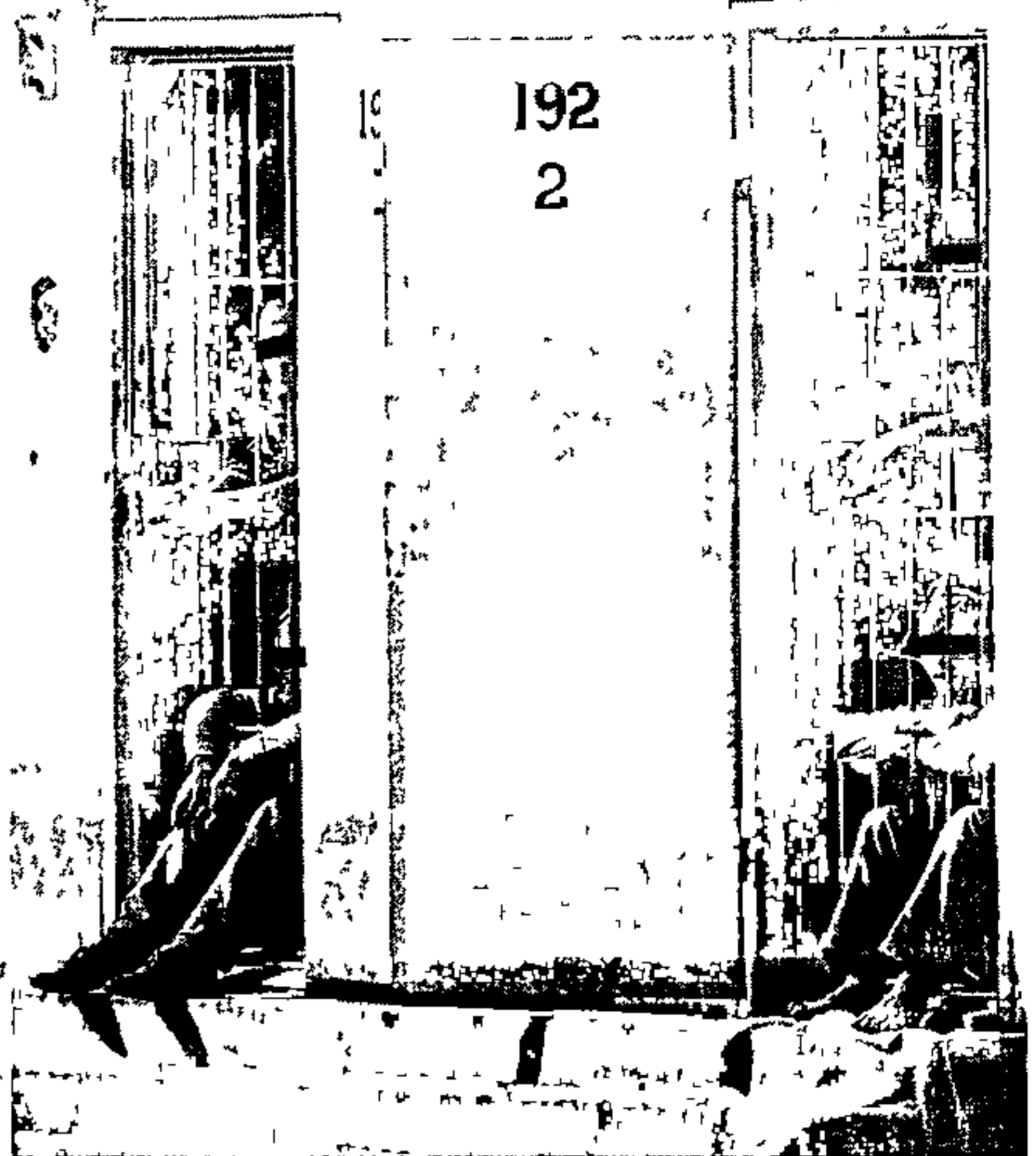
On March 25 the men allegedly lured Sgt. Ledwaba Joseph Ngwasheng of Winterveld into their cell. Ngwasheng was throttled to death with his own belt and robbed of the prison keys.

The gang attacked three other sergeants, robbing one of them of the prison safe keys.

A State witness who is serving 10 years for theft, Salim Magta, said he knew all 19 accused as members of the RAF 14. The hearing continues.



**LEISURE TIME** prisoners in the medium section enjoy a midafternoon break. The atmosphere is markedly more relaxed here than in the forbidding maximum section



**MAXIMUM SECURITY** overcrowding is evident at Brandvlei's maximum section. These are some of the harder criminals in the Worcester prison

# For horses and the hardened

**BRANDVLEI Prison** is set on a sprawling estate of 6 600 hectares set among the picturesque mountains near Worcester

It is a prison farm producing 361 000 litres of milk, 490 tons of vegetables, 41 tons of fruit and 71 tons of slaughtered sheep per annum

It also home to 2 229 of the most hardened criminals in the Western Cape and has a recent history as bleak as the imposing face bricked walls of its maximum security section

Prison commanding officer Brigadier Piet Freysen, a stern looking man with a short military haircut and a curt abrupt manner, is a horse lover

## Distance

There are 18 horses on the prison grounds and six foals. Brig Freysen's personal pet is a pure white horse which he's named Boesman. "We use warders on horseback because of the distances we have to travel on such large grounds," he said.

When the Sunday Times visited the prison last week, one of the first sights to greet us were warders on horseback, supervising work gangs of prisoners toiling in the farm fields.

There is a long gravel road to travel after passing



**WELCOME TO BRANDVLEI** not all of the prison inmates were hostile. Some found the media attention pleasing



**CURIOUS** prisoners were surprised to find themselves in front of a camera. Their faces portray different reactions, from pleased to hostile

through the gates before the first buildings comes into sight. To the left of the road lies a large inland lake, from which the prison takes its name. To the right the topography is mountainous. We passed another prison work gang, hand ploughing a field under the watchful eyes of a warder armed with an R1 rifle, before arriving at the administrative offices.

Brig Freysen's office has walls decorated with several framed photographs and paintings all featuring horses and riders.

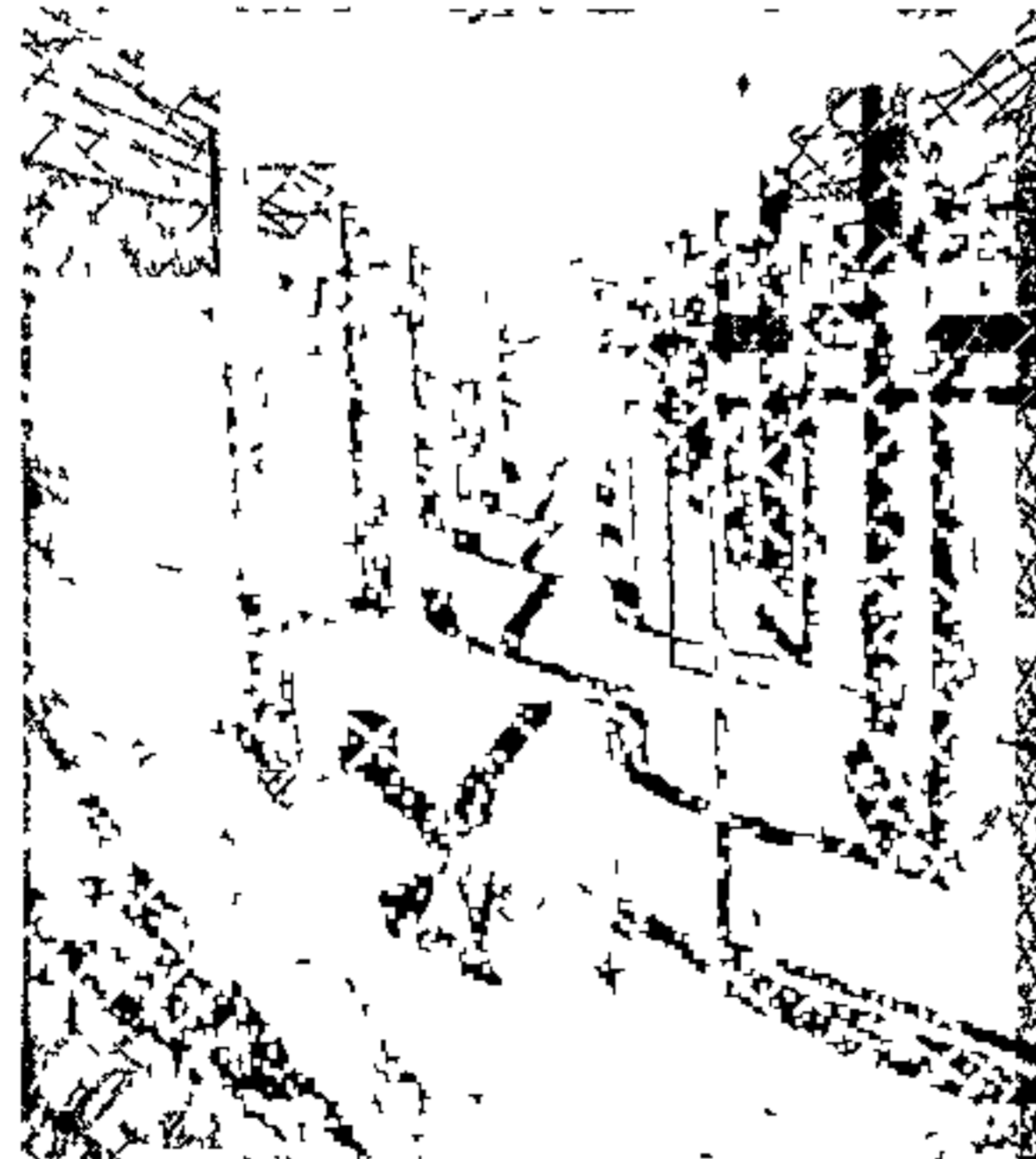
"I came here two years ago from Groenpunt Prison, Vereeniging. I intend to retire here with my horses," he said, before taking the Sunday Times on a tour of the maximum security section.

## Tough

In comparison with other prisons we visited in the Western Cape, the mood in this section of the prison and that of the convicts was sullen, hostile, even frightening.

They stared at us and the warders with a silence as grim as the surroundings, and it was a relief when we finally left this section, for the more relaxed atmosphere of the medium prison building.

"They are mostly from Cape Town, from Polls Moor," said Major J H Stander, the maximum prison head. "All the tough cases in the Western Cape come to Brandvlei." The prison is one of the



**HARD LABOUR** Brandvlei's notorious "klipkamps" where convicts toiled in the sun breaking down rocks into pebbles with hammers. The practice has been deemed "uncivilised" and has been phased out, according to prison authorities

few to have a section for certified psychopaths, and since 1984 has had seven deaths a year, mostly because of gang-related conflict.

"It's gone quiet now, thank heavens," said Maj Stander. "The notorious 'klipkamps' at Brandvlei have been phased out, according to Department of Corre-

tional Services spokesman Brigadier Erika van Zyl. The infamous "kamps", row on row of cramped wire enclosures, were used to hold dangerous criminals during the day when they were put to work under the hot Worcester sun, using small hammers to break large rocks down to piles of pebbles.



**CELL MATES** two of Brandvlei's finest give the camera a withering stare

"It was phased out last year," said Brig Van Zyl. "It was not a punishment, just a means of keeping the prisoners busy. But we realised it wasn't a civilised method, and now prisoners chop wood instead." "Prisoners don't mind strict discipline. It makes them feel secure. With 100 000 we have the second

highest prison population in the world, but the instances of riots are zero in comparison to many other countries. We have the strictest discipline because we believe in it," said Brig Van Zyl.

To us, the warders appeared at least as tough as the men they were guarding, but Brig Van Zyl said this was not the case.

"You cannot put together aggressive warders and aggressive prisoners. You will have sparks. You need understanding warders."

"You need men, not boys," said Major Stander.

Looking at the warders, however, one could easily imagine they had been chosen for their ability to keep in place the hardcases incarcerated at Brandvlei.

It hardly seemed surprising that Brandvlei was the scene of violent riots in August last year during which several prisoners were hospitalised.

According to warders belonging to the Police and Prison Civil Rights Union (Popcru), Brandvlei prisoners had refused to take part in work programmes and had drenched prison commander Brig Freysen with water when he tried to address them. The ringleaders of the revolt were placed in single cells, and had retaliated by setting their bedding on fire.

Warders had then allegedly gone from cell to cell as assaulting prisoners, ignoring commands from Brig Freysen to stop the assaults. Prisoners were then allegedly made to run a gauntlet down a 60 metre corridor while warders in lines on the either side laid into them with batons.

## Remove

The events at Brandvlei were part of countryside prison unrest in August last year when thousands of convicts refused to take part in work programmes in protest against the amnesty announced by State President F W de Klerk which they claimed gave white prisoners preference for early release and against other forms of alleged racial discrimination in prisons.

Department spokesman Major David Smith confirmed at the time that charges of assault against warders were being investigated.

Major Smith said prisoners had set their bedding alight, had refused to evacuate their cells when requested, and "in their own interests and for their protection necessary force was used by warders to remove them from their cells."

In the process some prisoners had sustained minor injuries for which they had received treatment in the prison hospital, he said.

**INDOOR MARKET**

**SHOWGROUNDS  
EVENTS  
SUNDAY**

**BARGAINS**

**AVAILABLE,  
GET OUT FROM  
COLD**

**462 2858**



# Enterprising prison farm angers lowveld business

By Clyde Johnson  
Lowveld Bureau

Barberton hoteliers, restaurateurs and businessmen are at loggerheads with the local prison farm.

They allege the farm, part of a maximum security prison, is providing cheap holiday accommodation and meals and undercutting liquor prices.

Mother's Day lunches two weeks ago were allegedly being offered at prices that businesses could never match and a "sakkie dance", where alcohol was allegedly served, was advertised

At the prison, correctional services include

farming, a piggery and farming-related activities.

It also has six self-contained guest cottages. The rate is R27,50 a night for a six-bed chalet for members and R52 a night for the public.

Margaret Holmes, who runs five self-catering bungalows, says this is unfair competition

"The prison authorities have no labour costs, pay no rates and taxes, and get subsidised liquor. No wonder they can offer such cheap accommodation," she said

Other allegations levelled at the prison farm are that it caters for events at prices nobody

else can afford.

It is also said to be running a farm butchery, thus depriving local butchers of business.

Responding, Brigadier Andre Terblanche, head of Barberton's correctional services farm, said: "Like all private-sector clubs, ours, too, is strictly for members only."

Regarding the Mother's Day luncheon, he said it was strictly for members. He denied that the event had been advertised for the public.

He agreed that the chalets were open to the public but added it was only during the off-season.

STAR 18/5/92

253



# 'Many political still detained'

By Jo-Anne Collinge

STAR 1915192

The Human Rights Commission (HRC) asserts that the number of political prisoners still behind bars is "very substantial" and has offered to submit to the Department of Correctional Services a list of those it believes are still held.

The political prisoner debate was rekindled at Codesa 2 by representatives of ANC-aligned organisations who accused the Government of failing to implement agreements to release political prisoners.

The HRC said it had on record the names of 400 prisoners "judged to be political on the basis of trial reports and who, to our knowledge, are still being held" Of these, 169 had been designated as candidates for release in a joint audit exercise by the HRC and the Department of Correctional Services.

"Unfortunately the audit process was unilaterally and summarily suspended by the DCS last year when still incomplete, and efforts by us to resume the exercise have been rejected," the HRC stated.

The organisation again offered to resume the joint process, conceding that some of the 400 prisoners on its list had al-

most certainly been released without the HRC's knowledge.

"Nevertheless, the number remaining is very substantial and in stark contrast to the Government's outrageous claim that all political prisoners have long been released."

In response to the HRC tally, Lieutenant Bert Slabbert of the Ministry of Correctional Services reiterated "All political prisoners who had committed political offences before October 8 1990 and who qualified for release in terms of the South African guidelines for defining political offences have been released."

The HRC stated that a comment made by Justice Minister Kobie Coetsee at the end of April "confirms our long-held view that the mass criminal-prisoner releases (of mid-1991) were intended to blur the distinction between criminal and political prisoners and to sweep the political prisoner issue under the carpet"

Mr Coetsee stated that the mass amnesties had caused him "much pain" but that they had been carried out for the good of South Africa, being a necessary precondition for the lifting of the US Comprehensive Anti-Apartheid Act. The Act required specifically that all security prisoners should have been released before US punitive measures could be lifted.

# Majority of unions open to all races

Political Staff  
More than two thirds of SA's registered trade unions and all but four of the 50 unregistered trade unions were open to all races, Manpower Minister Piet Marais said yesterday.

Replying to questions tabled in Parliament by Arrie Paulus (CP Carletonville), Marais said 127 registered trade unions were racially mixed. A further 37 registered unions had white members only, 10 coloured members only, one Asian members only and 17 black members only. Two of the unregistered unions were for whites only and two for blacks only, while 46 were racially mixed.

This meant that there were 173 racially mixed trade unions and 59 racially segregated unions.

Marais said 613 strikes occurred between November 1 1990 and October 31 last year, involving 175 683 workers and a loss of 1 236 381 man days.

It was impossible to say how many workers of each race group took part in these strikes.

"The required information is not available because it is not a legal requirement that such information should be provided to the Department of Manpower on a racial basis," Marais said.

# Indemnity board still hearing applications

TIM COHEN

APPLICANTS for indemnity from non-prisoners would still be considered by the indemnity board, the Justice Department confirmed yesterday. This could result in people involved in officially sanctioned assassinations of anti-apartheid activists escaping prosecution.

The decision was discussed in bilateral talks between the ANC and government shortly before the indemnity Act was extended last week to May 17 next year.

President F W de Klerk announced last July that applications for the release of prisoners in terms of the Groote Schuur and Pretoria minutes would cease that month. However, a Justice Department spokesman said yesterday this ruling applied only to prisoners. Others could still apply to the indemnity board.

Hearings of, and applicants to, the indemnity board are confidential. However, a board spokesman said yesterday there had been applications from all sections of society.

The ANC, which has stated that it does not intend pressing for a Nuremberg-style war crimes tribunal, is concerned that its members will have to "confess" their "crimes", before indemnity is considered. It is understood that ANC applicants have to apply for indemnity only for acts perpetrated to further ANC policy.

The same might apply to members of the security forces, although government has yet to admit that its members were involved in sanctioned covert actions.

A source said security force members feared that they might be held accountable for acts committed in terms of what they considered legitimate activities at the time.

The ANC is apparently sensitive to the threat to stability these members' concerns could pose. If investigation into the deaths of Matthew Goniwe and three others in 1985 finds members of the security forces responsible, they may escape liability by applying for indemnity.

# 400 political prisoners still held, says HRC

STEPHANE BOTHMA

More than a year after the agreed deadline for the release of all political prisoners, about 400 prisoners judged to be political on the basis of trial reports are still in jail, says the Human Rights Commission.

But a Correctional Services Department spokesman, reacting to the HRC claim, said "All prisoners who committed political offences before October 8 1990, and who qualified for release in terms of the SA guidelines for detaining political offences, have been released".

The HRC said in a statement yesterday that last year's mass release or parole of criminal prisoners — three-quarters of the convicted prisoner population — was intended to blur the distinction between criminal and political prisoners and to sweep the political prisoner issue under the carpet.

Criminal prisoner amnesties last year resulted in the release of more than 60 000 prisoners.

A statement by Justice Minister Kobie Coetsee in Parliament last month that the large-scale amnesties had been necessary to meet American conditions for the lifting of Comprehensive Anti-Apartheid Act sanctions, was confirmation of the link between criminal prisoner amnesties and the political prisoner issue, the HRC said.

The HRC had the names of 400 prisoners, judged during trial as political, who, to the knowledge of the commission, were still being held.

Of these, 169 were jointly audited by the HRC and the Department of Correctional Services as being candidates for release under the Pretoria agreement.

"Unfortunately the audit process was unilaterally and summarily suspended by the department last year, when still incomplete, and all efforts by us to resume the exercise have been rejected," the HRC stated.

# Non-prisoners can apply for indemnity

Own Correspondent

(253)

JOHANNESBURG — Applications by non-prisoners for indemnity would still be considered by the indemnity board, the Justice Department confirmed yesterday

This could result in people involved in officially sanctioned assassinations of anti-apartheid activists escaping prosecution

The decision was discussed in bilateral talks between the ANC and the government shortly before the Indemnity Act was extended last week to May 17 next year

CT 19/5/92



# Mass prisoner releases 'plot to confuse'

JOHANNESBURG — Mass prisoner releases by the government are intended to blur the distinction between criminal and political prisoners, and to sweep the political prisoner issue under the carpet, the Human Rights Commission (HRC) charged yesterday.

"More than a year after the agreed deadline for the release of all political prisoners, the issue is still very much alive, with calls (having) being made at Codesa II for the release of some hundreds still being held, and with attention being drawn to the serious consequences of the mass release or parole of criminal prisoners, which many believe was a

smokescreen raised to try and dispose of the political prisoners issue."

The HRC still has on its records the names of 400 prisoners judged to be political on the basis of trial reports, and who, according to HRC information, are still being held.

Of these, 169 were jointly "audited" by the HRC and the Department of Correctional Services (DCS) as being candidates for release under the Pretoria Minute.

"Unfortunately the audit process was unilaterally and summarily suspended by DCS last year when still incomplete and all efforts

by us to resume the exercise have been rejected."

The HRC accepted some of the 400 on their list would have been released — "perhaps under the mass amnesties as 'criminals' — without the HRC having been informed, and that some at the end of the day would not qualify as political in terms of the agreed criteria."

"Nevertheless, the number remaining is substantial and in stark contrast to the government's outrageous claim that all political prisoners have long been released."

The HRC said it was willing to submit its list to the DCS and resume discussions anytime.

The group claimed confirmation of the linkage between the criminal prisoners amnesties — in which over 60 000 prisoners were released — and the political prisoners issue was revealed in a statement by Justice Minister Mr. Kobie Coetsee.

"He was reported as having said that the large-scale amnesties had caused him 'much pain' and had brought about great tension in the legal community. However, they had been done for the good of South Africa." — Sapa

(253)

CT 19/5/92

(2) Yes

Since being commissioned both vessels are used regularly to transport passengers as well as small quantities of cargo such as bread, milk, vegetables etc

**Ferry-boat Wolraad Woltemade/Dias**

\*16 Mr R V CARLISLE asked the Minister of Correctional Services

Whether the ferry-boat *Wolraad Woltemade* had its name changed to *Dias*, if so, (a) why, (b) when and (c) for what purposes is it being used?

B641E

**THE MINISTER OF CORRECTIONAL SERVICES**

(a), (b) and (c)

The ferry-boat *Wolraad Woltemade* was taken over from the South African Navy during 1961. When application was made to the Department of Transport at the beginning of 1962 to register the *Wolraad Woltemade* in Cape Town, it could not be done as it was found that another vessel with the name of *Wolraad Woltemade* had already been registered in Cape Town. The name of the ferry-boat was then changed and it was registered as the *Dias*. The vessel is still being used for the transportation of passengers and small quantities of cargo between Cape Town and Robben Island.

**Private/state-aided schools tax concessions**

\*17 Mr A GERBER asked the Minister of Finance †

- (1) Whether he is considering making tax concessions in respect of (a) parents and (b) sponsors making financial contributions for educational purposes to private and/or state-aided schools, if not why not, if so, what are the relevant details,
- (2) whether he will make a statement on the matter?

B642F

**THE MINISTER OF FINANCE**

- (1) (a) Section 18A of the Income Tax Act, 1962 already provides *inter alia* that donations made by parents to private and/or state-aided schools may be

**INTERPELLATION**

The sign \* indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

**Own Affairs**

**Pre-primary education\* extension**

\*1 Mr A GERBER asked the Minister of Education and Culture

- (1) Whether his Department is contemplating extending the provision of pre-primary education, if not, why not, if so, what are the relevant details,
- (2) whether he will make a statement on the matter?

B665E INT

\*THE MINISTER OF EDUCATION AND CULTURE Mr Speaker pre-primary education is not compulsory. For that reason the present subsidy formula does not generate funds for the maintenance and extension of pre-primary education. In simple terms this means of course that the Department does not receive money that is specifically earmarked for this type of education.

As a result, provincial education departments that are already under great financial pressure have to make provision for pre-primary education out of funds for compulsory education. Money for pre-primary education is therefore limited. In co-operation with the organised teaching profession and the other education partners it was agreed that the *status quo* in respect of the financing of pre-primary education be retained. Among other things, this means firstly that pre-primary education will *pro rata* retain its part of the budget. Should there be a decrease or an increase in the funding of education, pre-primary education's share of the budget will be adjusted accordingly.

Secondly it means that it will not be possible to establish any new facilities for pre-primary education. Communities are free however to establish pre-primary classes at existing schools with their own funds.

I am thoroughly aware of research findings that indicate the importance of pre-primary education for the promotion of school readiness, particularly for learners from underprivileged environments. We are therefore looking anew at

ways of utilizing the money that can be made available for pre-primary education at present, for the benefit of the greatest possible number of pre-school children. We regard it as our responsibility to use this facet of education to maximum advantage within the financial means of the Department.

\*Mr A GERBER Mr Speaker, the policy of the Government and the reply that the Minister gave here today on the position of the provision of pre-primary education, specifically in his Department, is to the detriment of the whole of South Africa, because a lack of pre-primary education provision inhibits the full utilization of our potential manpower and eventually stunts the economic growth and development of our country.

According to researchers pre-primary education is of the utmost importance to realize our children's full potential. Many researchers have come to the conclusion that achievements that are so often associated with high quality intellectual stimulation at an early age, that is, virtually regard it as a prerequisite. It is therefore extremely short sighted of a government to try to save on pre-primary education. It is during the phase that the best investment in a country's manpower can be made. It is an investment that can eventually be extremely advantageous financially and otherwise to the individual but also to the country as a whole.

In the USA research findings reflect for example, that 67% of the children who attended pre-primary school completed their high school careers, compared with 49% who did not receive pre-primary education. I think we can learn a lesson from Japan in this regard. In this country the learning process also with regard to pre-primary education is not limited to an elite group of the people but is for everyone. That is the reason for the high standard and success that they achieve in their education as reflected by their share of world markets and their achievements in the economic sphere. In Japan as in most countries in the world pre-primary education is not compulsory yet their attendances figure for three-year-olds is 100% and that for four and five-year-olds 92%.

If the Japanese were asked for the recipe of their success in respect of productivity and their place in the world economy they would attribute it to the high standard of education. They would also



weapons. Since South Africa's accession to the Nuclear Non-proliferation Treaty and adoption of IAEA safeguards, the South African Government has been investigating South Africa's possible participation in other multilateral non-proliferation regimes, treaties and bodies.

As regards the proliferation of weapons of mass destruction, it is the intention of the South African Government to adhere to the guidelines of the MTCR as a prelude to possible membership thereof. Legislation and/or regulations to control the export of technologies and equipment listed in the Equipment and Technology Annex to the MTCR guidelines will be introduced as soon as possible.

†Mr J CHIOLÉ Mr Speaker, arising from the hon the Minister's reply. With what percentage has South Africa's missile research been scaled down?

†The MINISTER Mr Speaker, I am sorry, but I did not hear him.

†Mr J CHIOLÉ Mr Speaker, I can also shout out the question. Taking into account the South African Government's desire to become part or a member of the MTCR, I ask with what percentage has South Africa's missile research been scaled down as a result thereof?

†The MINISTER Mr Speaker, I am sorry, but I do not have those particulars at my disposal, because the matter does not fall within my portfolio. The hon member should know that.

†Adv J J S PRINSLOO Mr Speaker, further arising from the hon the Minister's reply, is the United States of America itself already a member of the MTCR?

†The MINISTER Mr Speaker, the USA is a very prominent member.

We must try to understand that in the new world order which is coming into being, whether we like it or not, the major wars have been replaced with minor wars. The great powers which are now left over—for the time being America will be the only superpower until Japan and the Far East or Europe emerge as a superpower group—are no longer going to allow the medium-sized powers and smaller countries of the world to threaten the world peace. It is against this background that one worldwide finds the insist-

ence on the introduction of control measures in respect of technology and weaponry intended for mass destruction.

*Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament*

#### Discussions on future of Walvis Bay

\*11 Mr C W EGLIN asked the Minister of Foreign Affairs

- (1) Whether the South African Government has held any discussions with the Namibian Government on the future of Walvis Bay, if so,
- (2) whether the possibility of setting up a joint South African/Namibian administration for Walvis Bay was raised during these discussions, if so,
- (3) whether any progress has been made in this matter, if so, what progress?

B633E  
The MINISTER OF FOREIGN AFFAIRS

- (1) Yes. Meetings on ministerial level took place on 14 March 1991 (Cape Town) and 17 May 1991 (Windhoek) and amongst officials on 5 December 1991 (Pretoria) and 26 March 1992 (Windhoek).

(2) Yes

- (3) At the meeting of the intergovernmental Joint Technical Committee on Walvis Bay in Windhoek on 26 March 1992, consensus was reached on a working document regarding the proposed joint administration of Walvis Bay. This document is now being considered by both Governments and until such time as decisions have been reached in this regard, no details can be divulged.

#### Incorporation of Umkhonto we Sizwe in SAP

\*12 Mr P J GROENEWALD asked the Minister of Law and Order †

- (1) Whether he or the Government intends to have Umkhonto we Sizwe or members thereof incorporated or included in the South African Police now or in the future,
- (2) whether he will make a statement on the matter?

B637E

#### The MINISTER OF LAW AND ORDER

- (1) At present there is no intention to incorporate Umkhonto we Sizwe or its members in the South African Police.
- (2) However, as anyone from any other organization, members of Umkhonto we Sizwe are also free to join the South African Police, if they conform to the requirements for enlistment and resign their membership of Umkhonto we Sizwe.

#### SAP: investigation of motivation for violence on trains

\*13 Adv J J SPRINSLOO asked the Minister of Law and Order †

- (1) Whether the South African Police has investigated and/or undertaken research or had research undertaken into the motivation of the persons responsible for the present wave of violence on suburban trains, if not, why not, if so, what are the findings,
- (2) whether he will make a statement on the matter?

B638E

#### The MINISTER OF LAW AND ORDER

(1) No

The causes of violence on trains and those responsible is at present being investigated by the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation under the chairmanship of Mr Justice Goldstone and the South African Police will give evidence before this Commission.

(2) Yes

Every incident of violence on trains is investigated by the Unrest and Violent Crime Investigation Unit of the South African Police. Since 9 June 1990, twenty-six (26) persons have been arrested in connection with eleven (11) cases. All of these cases are now before the courts.

Middle Eastern oil prices: payment to Sasol

\*14 Mr R R HULLEY asked the Minister of Mineral and Energy Affairs

- (1) Whether Middle Eastern oil prices are in the region of 16 dollars per barrel at present, if so, what is the payment to Sasol in cents per litre in terms of this formula,

- (2) whether he will make a statement on the matter?

B639E

#### The MINISTER OF MINERAL AND ENERGY AFFAIRS

- (1) On 13 May 1992, Middle Eastern crude oil prices ranged between \$15,50 and \$19,25 per barrel. Sasol's protection is based on a derived crude oil price calculated from the landed cost of refined product in Durban. On 13 May 1992, the product postings (FOB) for petrol and diesel were \$25,64 and \$26,30 per barrel respectively. Converted into South African c/ℓ at an exchange rate of \$1 = R2,8615, the landed cost in Durban of petrol was 49,9c/ℓ and that of diesel 51,6c/ℓ. Based on these prices the tariff protection Sasol enjoyed was 11,3c/ℓ.

(2) No

#### Cape Town/Robben Island: ferry-boats

\*15 Mr R V CARLISLE asked the Minister of Correctional Services

- (1) Whether his Department owns two high-speed ferry-boats for travel between Cape Town and Robben Island, if so, what was the capital cost thereof,

- (2) whether these boats have been in regular operation over the past three years, if not, why not, if so, for what purpose?

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B640E

#### The MINISTER OF CORRECTIONAL SERVICES

(1) Yes

This Department owns two ferry-boats which were commissioned during 1989 and 1990, respectively. The vessels were designed and built locally at a joint cost of R6 296 661. The two boats have a cruising speed of 18-20 knots compared to the bigger ferry-boats which travel at 12-15 knots.



(2) Yes

Since being commissioned both vessels are used regularly to transport passengers as well as small quantities of cargo such as bread, milk, vegetables etc

Ferry-boat *Wolraad Woltemade/Dias*

\*16 Mr R V CARLISLE asked the Minister of Correctional Services

Whether the ferry-boat *Wolraad Woltemade* had its name changed to *Dias*, if so, (a) why, (b) when and (c) for what purposes is it being used?

B641E

THE MINISTER OF CORRECTIONAL SERVICES

(a), (b) and (c)

The ferry-boat *Wolraad Woltemade* was taken over from the South African Navy during 1961. When application was made to the Department of Transport at the beginning of 1962 to register the *Wolraad Woltemade* in Cape Town, it could not be done as it was found that another vessel with the name of *Wolraad Woltemade* had already been registered in Cape Town. The name of the ferry-boat was then changed and it was registered as the *Dias*. The vessel is still being used for the transportation of passengers and small quantities of cargo between Cape Town and Robben Island.

Private/state-aided schools tax concessions

\*17 Mr A GERBER asked the Minister of Finance †

- (1) Whether he is considering making tax concessions in respect of (a) parents and (b) sponsors making financial contributions for educational purposes to private and/or state-aided schools, if not, why not, if so, what are the relevant details,
- (2) whether he will make a statement on the matter?

B642E

THE MINISTER OF FINANCE

- (1) (a) Section 18A of the Income Tax Act, 1962, already provides *inter alia* that donations made by parents to private and/or state-aided schools, may be

deducted for tax purposes to an amount of R500 or 2 per cent of the taxable income (whichever is the greater) of the parent. The deduction is however at present limited to donations made to special funds established by schools whose sole purpose is the promotion of secondary education.

- (b) Companies may, in addition to donations to the funds mentioned in (a) above, also claim a deduction in respect of donations to a few large educational funds for the advancement of both primary and secondary education, to an amount of 5 per cent of the taxable income of the company. The aforementioned measure was introduced last year after it came to light that the corporate sector had a pressing need to make donations to educational institutions for the advancement of primary and secondary education needs on a broad basis.

It may be that, with the use of the word "sponsors", the hon member has in mind not an out-and-out donation, but rather a contribution made mainly for the purpose of obtaining publicity for his business. In such case the expenditure will constitute a normal business expense which will be fully deductible.

- (2) An interdepartmental committee, consisting of representatives from the Department of Finance, the Department of National Education together with other interested parties has conducted extensive discussions regarding the possible extension of the deductibility of donations to, especially, primary schools. As a result of practical problems that are being experienced, not only with the extension but also with the current deductions no solution has as yet been found. In the light of this, the committee has considered various alternative suggestions for State assistance in respect of education costs and proposals in this regard will be submitted to the Government shortly.

INTERPELLATION

The sign \* indicates a translation. The sign † used subsequently in the same interpellation, indicates the original language.

Own Affairs

Pre-primary education extension

\*1 Mr A GERBER asked the Minister of Education and Culture

- (1) Whether his Department is contemplating extending the provision of pre-primary education, if not, why not, if so, what are the relevant details,

- (2) whether he will make a statement on the matter?

B665E INT

THE MINISTER OF EDUCATION AND CULTURE Mr Speaker, pre-primary education is not compulsory education. For that reason the present subsidy formula does not generate funds for the maintenance and extension of pre-primary education. In simple terms this means of course that the Department does not receive money that is specifically earmarked for this type of education.

As a result, provincial education departments that are already under great financial pressure, have to make provision for pre-primary education out of funds for compulsory education. Money for pre-primary education is therefore limited. In co-operation with the organised teaching profession and the other education partners it was agreed that the *status quo* in respect of the financing of pre-primary education be retained. Among other things this means firstly that pre-primary education will *pro rata* retain its part of the budget. Should there be a decrease or an increase in the funding of education, pre-primary education's share of the budget will be adjusted accordingly.

Secondly it means that it will not be possible to establish any new facilities for pre-primary education. Communities are free, however, to establish pre-primary classes at existing schools with their own funds.

I am thoroughly aware of research findings that indicate the importance of pre-primary education for the promotion of school readiness particularly for learners from underprivileged environments. We are therefore looking anew at

ways of utilizing the money that can be made available for pre-primary education at present for the benefit of the greatest possible number of pre-school children. We regard it as our responsibility to use this facet of education to maximum advantage within the financial means of the Department.

\*Mr A GERBER Mr Speaker, the policy of the Government and the reply that the Minister gave here today on the position of the provision of pre-primary education, specifically in his Department, is to the detriment of the whole of South Africa, because a lack of pre-primary education provision inhibits the full utilization of our potential manpower and eventually stunts the economic growth and development of our country.

According to researchers pre-primary education is of the utmost importance to realize our children's full potential. Many researchers have come to the conclusion that achievements later in life are so often associated with high quality intellectual stimulation at an early age that they virtually regard it as a prerequisite. It is therefore extremely short-sighted of a government to try to save on pre-primary education. It is during this phase that the best investment in a country's manpower can be made. It is an investment that can eventually be extremely advantageous financially and otherwise to the individual but also to the country as a whole.

In the USA research findings reflect for example that 67% of the children who attended pre-primary school completed their high school careers, compared with 49% who did not receive pre-primary education. I think we can learn a lesson from Japan in this regard. In this country the learning process, also with regard to pre-primary education is not limited to an elite group of the people but is for everyone. That is the reason for the high standard and success that they achieve in their education as reflected by their share of world markets and their achievements in the economic sphere. In Japan as in most countries in the world pre-primary education is not compulsory yet their attendance figure for three-year-olds is 40% and that for four- and five-year-olds 92%.

If the Japanese were asked for the recipe of their success in respect of productivity and their place in the world economy they would attribute it to the high standard of education. They would also



# Pride and discipline at Mandela's last prison

STimes [Cape Metro] 24/5/92.

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**A BLOCK-MOUNTED** cartoon of Mr Nelson Mandela stands on a shelf in the office of Brigadier Albert Keudler, commanding officer of Victor Verster prison near Paarl.

It depicts the ageing ANC president, hassled and flustered by the demands of modern-day politics, saying with a sigh "Oh, for a few days rest and relaxation back at Victor Verster."

The prison was the last jail for the world's former most famous political prisoner before his release in February 1990.

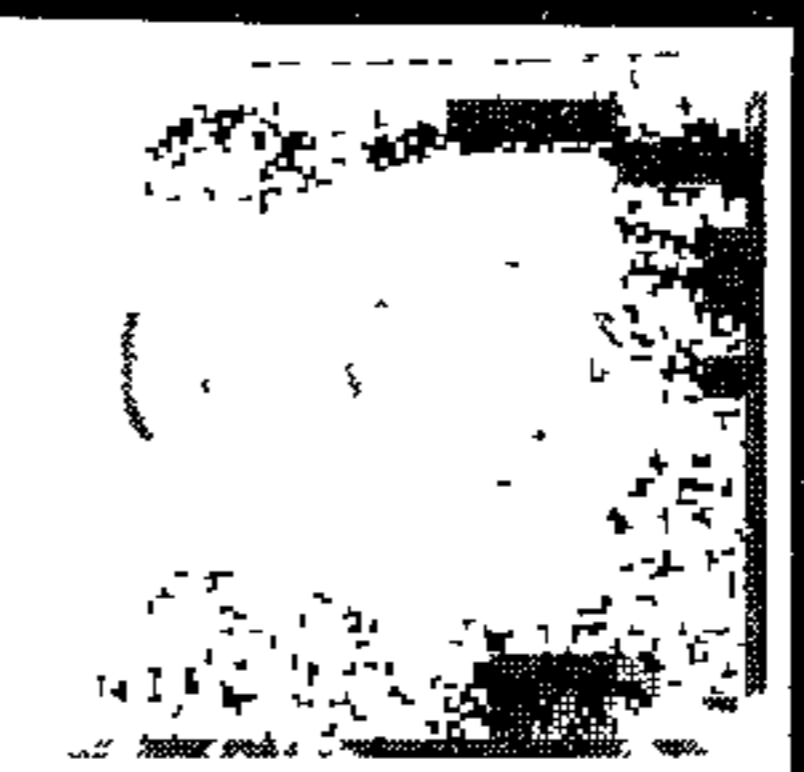
"Nelson Mandela" He was a nice gentleman," said Brig Keudler. "None of our staff had any problem with him, and he had no problems with our staff. He knew about prison life and he adapted easily."

Said Department of Correctional Services spokesman Brig Erika van Zyl: "He wasn't treated as an ordinary prisoner, he had a house."

Added Brig Keudler: "That made it very difficult to look after him. He needed extra security." "I think we did a good job

## Special Report BY KURT SWART

**Pictures: Ambrose Peters**



Prison staff at Victor Verster appear to take pride in doing a "good job" for the inmates. More like a small town than a prison, Victor Verster occupies 402 hectares in lush Paarl countryside, with agriculture its main industry.

Last year it produced 597 tons in slaughtered chickens, pigs, sheep and oxen, 192 750 dozen eggs, 448 760 litres of milk and 616 tons of fruit and vegetables.

Victor Verster is nearly self-sufficient in feeding prisoners and warders. Much of the produce is transported to other prisons in the Western Cape. It boasts a fine building trade centre with a good pass rate among inmates learning artisan skills.

Prison staff include agriculturists, nurses, a pharmacist, a chaplain, teachers and social workers, building tradesman and, most notably, prison warders in para-military uniform.

Warders great superior officers with salutes. "It's very important to have strict discipline. Military discipline is a strict discipline, but ours is more in the way of home discipline," explained Brig Keudler.

Female warders from the Western Province were ahead in their interdepartmental netball match against the visiting Northern Transvaal team as the Sunday Times was driven to where the less-privileged Victor Verster inhabitants were quartered — in a maximum and two medium-security sections.

"This is also part of prison life," said Brig Van Zyl. "We have a lot of hardened criminals locked up under abnormal circumstances. It's an unnatural world, an unnatural environment. There are frustrations. Rapes do take place. We try to separate sensitive from hardened criminals. If a prisoner is victimised or raped it's our responsibility to see that prisoner is kept away from his persecutors. It's a prison offence to victimise another prisoner."

### Lessons

An aspect of prison life that Victor Verster prison staff are proud of is its educational facilities. Prisoners can decide to further their education in prison.

"Some of our staff conduct lessons and we also have private teachers coming here," said Brig Van Zyl. "A person can come here illiterate and leave with a degree. We teach basic arithmetic, how to read and write and other subjects."

After Standard Four a prisoner has to pay to continue with lessons. It means a lot to these people to be able to learn to read and write.

Some prisoners with greater education volunteer to teach their cellmates. The Afrikaans class we visited was conducted by a prisoner named Patrick. On the blackboard he had spelled the words "Rot 'n Rot".

"I'm able to help them and it makes me feel good," said Patrick, who had been jailed for murder with mitigating circumstances and possession of firearms and ammunition.

One of the "students" in the classroom was Jeff, a second-year B A (Law) student. He is also taking courses in purchasing management and electronics.

"I hope to walk into a job when I leave this place. The prison authorities will help you if you give them your cooperation, but the outside world doesn't like employing ex-cons," he said.

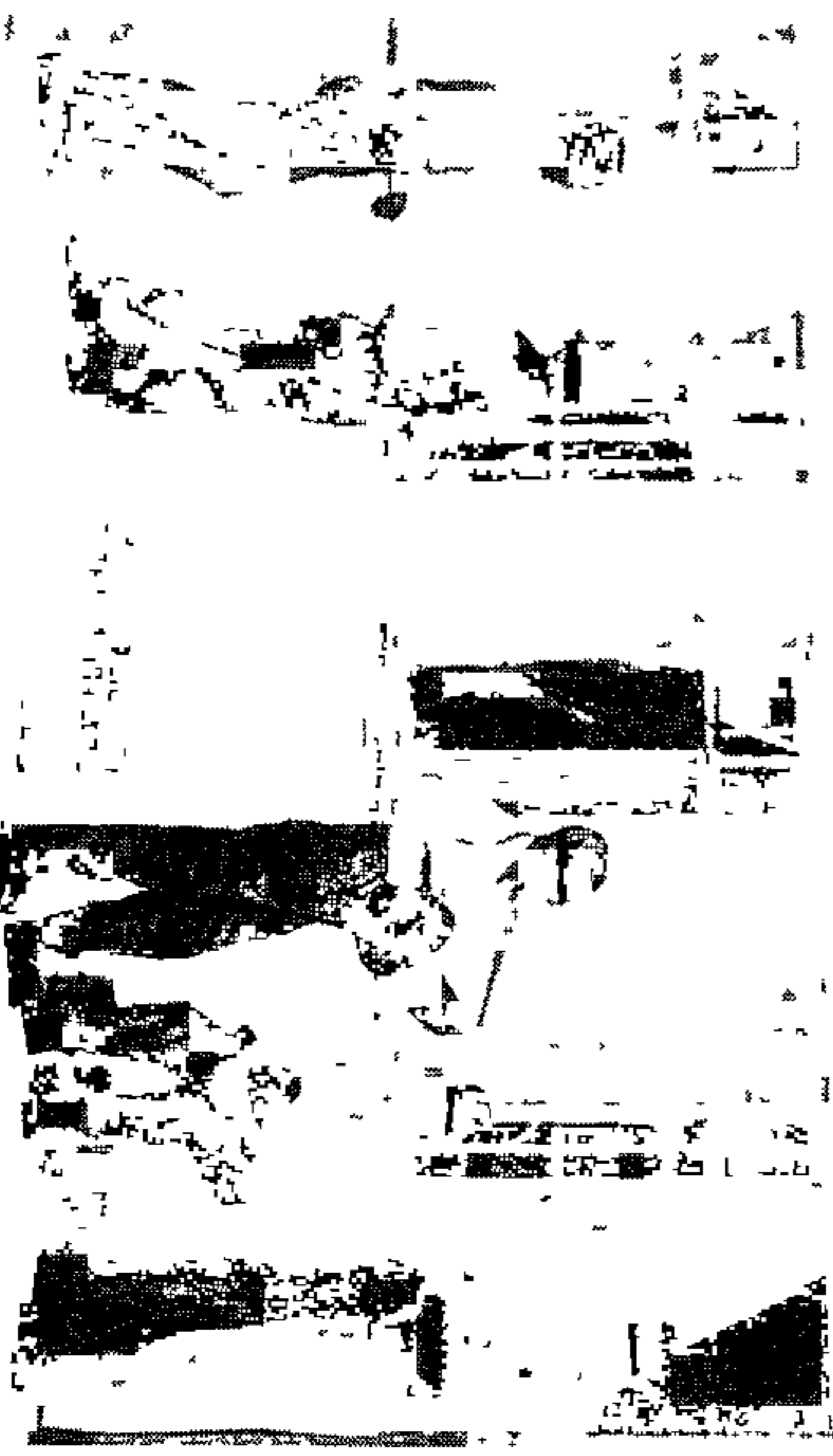
Brig Van Zyl echoed Jeff's thoughts later as we drove once more past the netball match, still in progress.

"We can't open the doors completely to the public, because this is not a freak show. We have a responsibility to our prisoners as well. But we do want more community involvement, because that's where the prisoner goes when he leaves here," said Brig Van Zyl.

"This is the caring community which moans Poor boy, what will happen to him behind these walls? But when he's released this same community is not prepared to employ him."

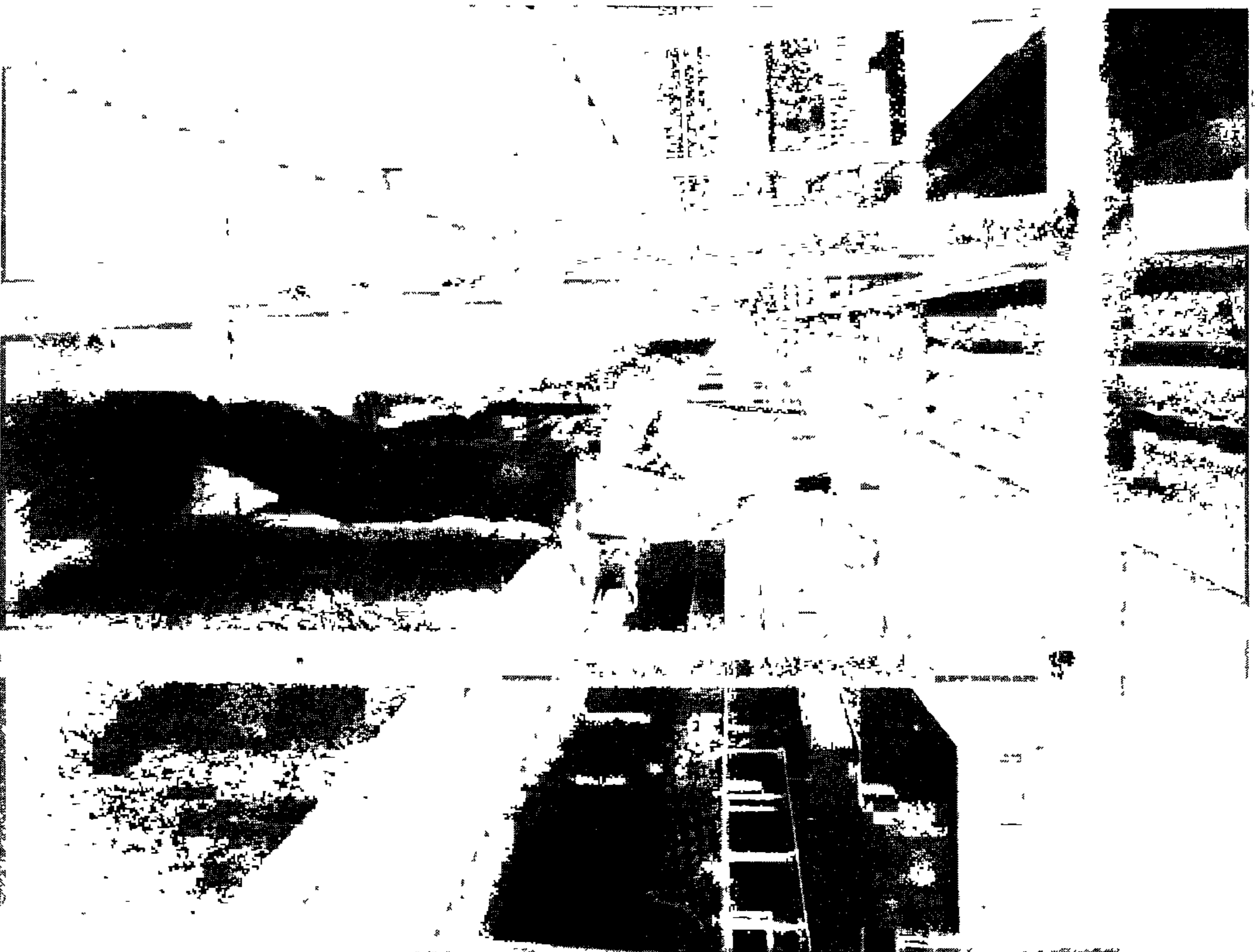
Pretoria-based Brig Van Zyl was in high-spirits as we left Victor Verster. The Northern Transvaal female warders were in the lead and WP faced another netball defeat.

Next week Inside Polismoor Prison



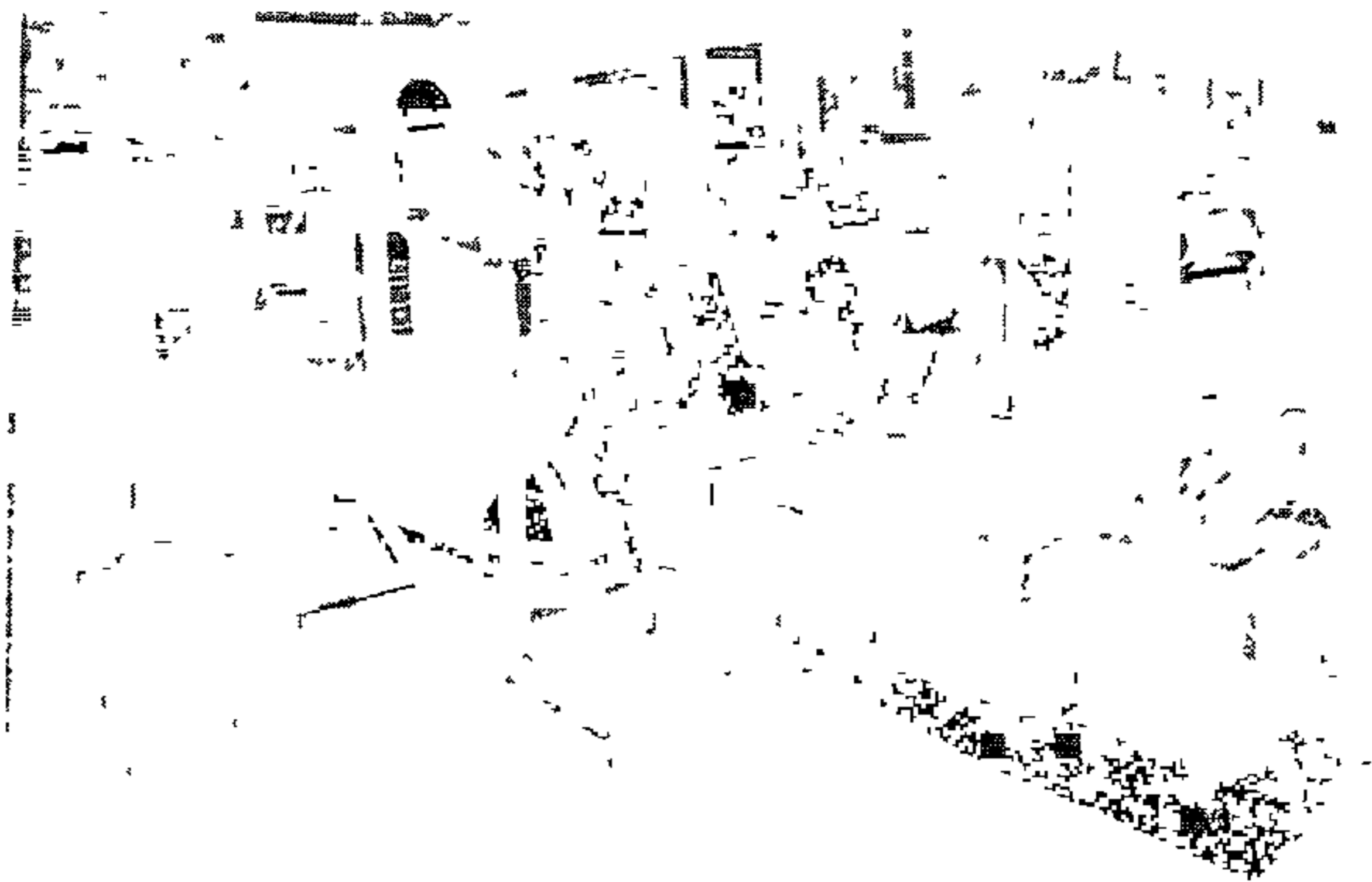
**BARBER SHOP ...** hair-trimming time at Victor Verster as a convict barber goes to work

**JAILBIRD BLUES ...** a troubadour's tune to ease the burden of prison life



**ON THE CATWALK ...** A shotgun-toting warder keeps an eye on his charges in the yards below

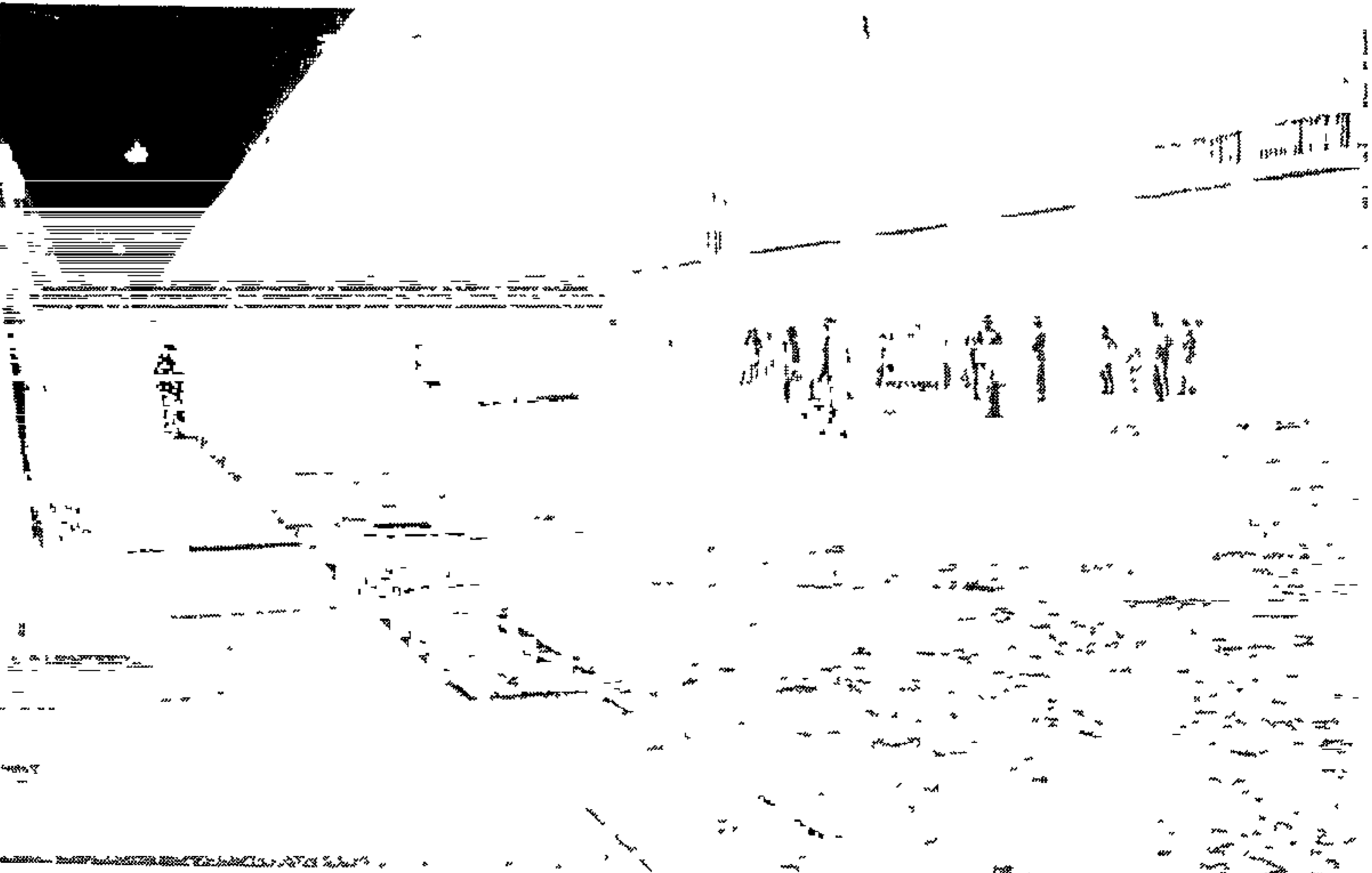




**WORKSHOP** inmates produce items like filing cabinets, tables, shelves and rifle cabinets for use mainly in prison offices and in other government departments



**SPIRITUALLY THIRSTY . . .** Anglican chaplain Father Bruce Allen counsels a prisoner



**HANDLE WITH CARE .** in contrast to the fun and games in the other exercise yards, even leisure breaks are filled with tension in the case of this group of prisoners, considered very troublesome

Prisoners in the maximum security section are housed in maximum security because they would presumably have more desire to escape than short-term prisoners. With "good behaviour", a prisoner may find himself transferred to one of the two more user-friendly medium sections.

Prisoners in both sections are rated for privileges, an "A" prisoner receiving more perks and comforts than a "D" prisoner. The privileges range from more hours allowed for watching TV to permission to keep pets. Privileges can be removed as a form of punishment.

### Abnormal

The maximum section is all barbed wire and searchlights with armed guards on the catwalks watching over the prisoners playing volleyball, soccer, dominoes and kermis in the yards below.

Prisoners are housed in communal cells, holding about 25 inmates. Single cells are used for punishment purposes, or by prisoners requesting solitary quarters for study purposes or because they fear gang-related violence.

"Gangs are a part of prison reality," said section commander Major W P Agenbag. "We are aware of gangs. We have had in-depth studies done on the phenomena. They are not a problem for us, although we do have gang fights."

Victor Verster gangs include the 26s, the 27s, the 28s, Air Force, and the Big Fives. There are also members of The Mongrels, Scorpions and BFK's at the prison. Body tattoos are high fashion in prison society, some inmates being covered from face to ankles, even though the practice is officially frowned upon.

Another practice frowned upon is homosexuality.



## ANC women start prison hunger strike

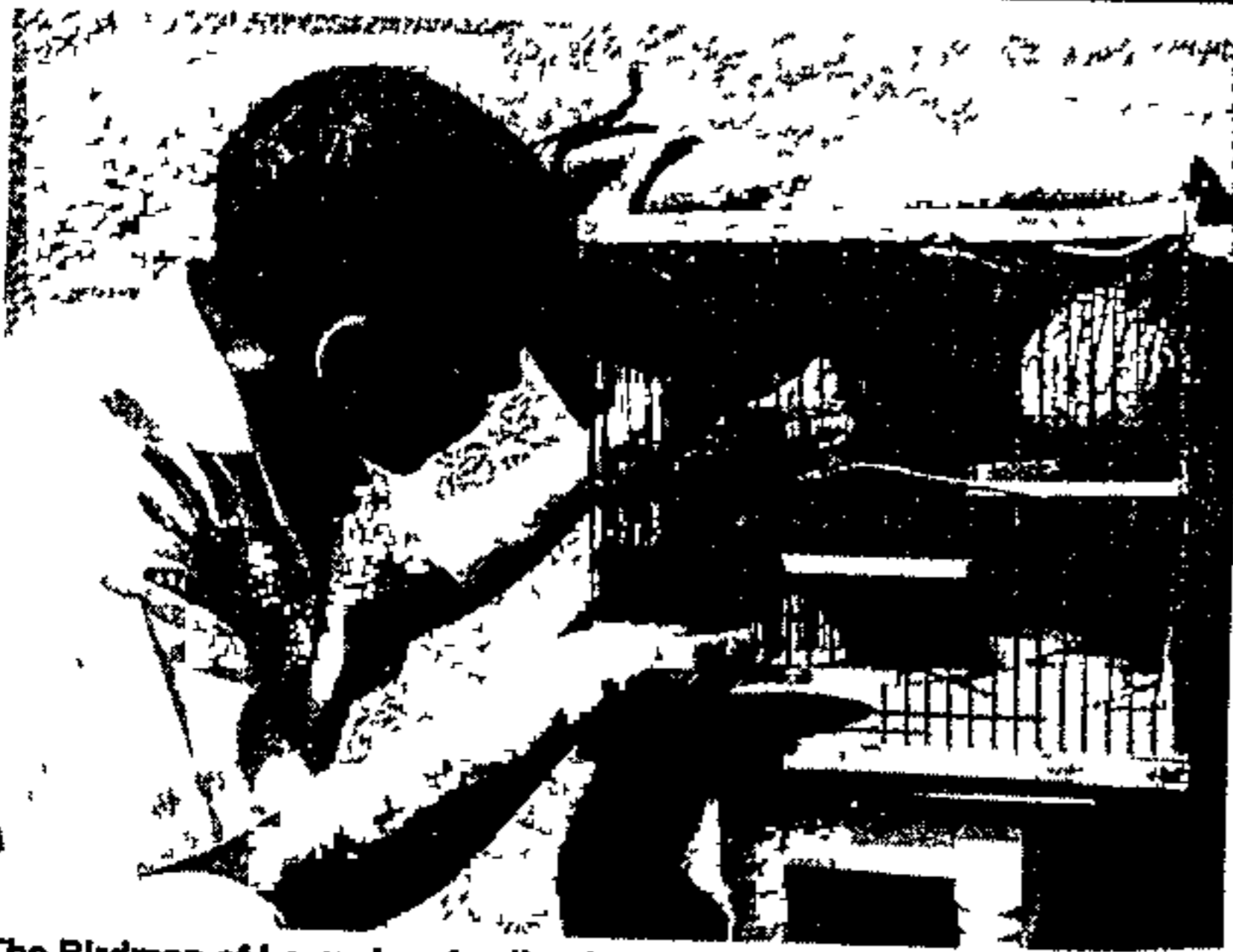
CT 25/8/92 Own Correspondent

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**MARITZBURG.** — Thirty-six members of the ANC Women's League here are on a hunger strike in prison demanding the immediate removal of 32 Battalion, the KwaZulu Police and the SAP Riot Unit from Imbali township.

The women, now in the New Prison hereafter taking part in a recent sit-in and protest march in the city, also want all charges against them dropped.

They began their hunger strike on Friday night.



The Birdman of Leeuwkop feeding his canaries. All pics: JOE MOLEFE

# The Birdman of Leeuwkop

**THE Birdman of Alcatraz**, a movie based on the real story of a prisoner who keeps his sanity by looking at his birds, has its South African version at Leeuwkop Prison.

*Sowetan 25/5/92* (253)

This is the first part of a series by MATHATHA TSEDU, *Sowetan's* Investigations Editor, on conditions in South Africa's prisons

South Africa's own birdman keeps his two canaries in a secluded yard of the maximum section of the prison. They chirp away nonchalantly as if freedom is at hand.

The birds can be said to be in double imprisonment. They cannot get out of their small grass cage. And even if they can, they would still be in the larger prison.

The prisoner is very fond of his birds and feeds them with food that he scavenges from the gardens of the prison grounds.

Amid the squalor and desolate surroundings of the prison, here is a man trying to show care and love for animals.

Elsewhere in the prison, a moving rendition of Sankomota's song "You are waiting for your name to be called" echoes in the air.

The Sunshine Music Band, formed by prisoners themselves, entertains inmates in concerts and fundraising activities.

The message in the music - speaking of "waiting for your name to be called" and "your body shaking with disbelief" - is clear.

Here are men who are longing to be free, to be with their loved ones again.

This is mirrored in the faces of the band members as they sway and gyrate to the tune.

### Benefit

The band even did a boere orkes piece for the benefit of white officers who accompanied us on our visit to the prison.

The song left Public Relations Chief Brigadier Erica van Zyl open-mouthed and swinging along.

At Johannesburg Prison, which is sometimes referred to as Sun City, we had a chance of meeting and talking to Abdul Bhamjee, the prison's most celebrated prisoner.

Dressed in a brown jersey and the green prison uniform, Bhamjee cut a forlorn figure but still managed to look cheerful.

### Obvious

The female wing of Sun City has 41 babies being catered for by the Department of Correctional Services.

No men are allowed to stay there, for obvious reasons. But ironically half of the children are male.

Prison is prison is prison, and many of us wish we never end up there.

### Chiccós

We also believe all is criminal and dull. But for those in there, life must continue and the men and women do everything to make their lives as bearable as possible.

While some sing, some keep birds. Who knows, those men of the Sunshine Band may come out to become a solid band here that may shake the Chiccos and Sankomotas of this world.

When you eat milk products, you're certainly on the right track. That's because every person, and especially those who like to participate in sport, need strong bones to support them. Now, the one nutrient that can build these bones is calcium.

And the best and only way to get this calcium is by eating enough dairy products.

### Delicious and Nutritious.

Milk and milk products such as cheese, yoghurt and maas are all products which are an essential part of a balanced diet. These are the foods which can give you all the calcium you need. In addition to building your bones, calcium also keeps your teeth strong and healthy. If you enjoy running and have a daily intake of milk products, you reduce the risk of osteoporosis (decalcification of the

# The calcium in dairy keeps you well ahead

bones) a crippling disease which, as you get older, leaves your bones brittle and weak.

### Why cheese will keep you smiling

Cheese is made from milk. Whether you eat it on its own, with bread, or use cheese in your cooking, cheese is an invaluable source of calcium. And like milk, cheese also supplies lots of protein.



### Why yoghurt is the healthiest snack.

Yoghurt is a cultured or fermented milk product.

Ideal as a snack on its own, or as a topping on breakfast cereals, yoghurt will help keep your bones healthy and strong.

### Why champions run on milk.

Milk is one of our best foods. It provides protein which builds up strong muscles and blood, calcium, which is essential for strong, healthy bones and teeth, and vitamins to keep us healthy. That's why you need to drink it throughout your life. Only make sure that the milk you buy has the Real Dairy Mark on the label.

Now that you realise how important milk products are in your diet, be sure that you have at least two servings of your favourite milk product every day. It really is a great way of keeping your health running smoothly.

For more information on nutrition and healthy eating habits, write to

The Dietitian,  
Box 1284,  
Pretoria 0001



DON'T LET A DAY GO BY WITHOUT DAIRY

MFGAB 5721/1R



## ANC women continue fast

DURBAN — Altogether 36 ANC women being held in prison in Maritzburg yesterday vowed to continue a three-day hunger strike until they are freed and their demands are met for the withdrawal of 32 Battalion, the riot police and KwaZulu Police from Imbali

(253)CT26/5/99  
The ANC Women's League members were arrested in recent protests

Meanwhile, it was reported that 11 men who claim to be "political prisoners" at East London Prison embarked on a hunger strike yesterday over grievances which included being denied access to "uncensored" newspapers and political literature — Sapa and Own Correspondent

## HOUSE OF DELEGATES

## QUESTIONS

†Indicates translated version

For oral reply

General Affairs

Two officials suspended: investigation into prison food **253**

\*1 Mr MRAJAB asked the Minister of National Health

(1) Whether two officials of the Department of National Health and Population Development, whose names have been furnished to the Minister's Department for the purpose of her reply, were suspended in 1991 following an investigation into substandard prison food, if so, (a) what are their names and (b) what were the circumstances surrounding their suspension,

(2) whether these officials have been reinstated, if not, why not, if so, (a) when and (b) why,

(3) whether she will make a statement on the matter? D159E

The MINISTER OF NATIONAL HEALTH

(1) Yes,  
(a) Mr G H C Gerber and Dr J P Kotzé and  
(b) it was brought to the attention of the Department that the South African Police were investigating allegations against the officers which could possibly result in a charge against them of an offence or of misconduct,

(2) yes,  
(a) Mr Gerber resumed duty on 30 September 1991. The date of Dr Kotzé's resumption of duty in the Department is being arranged in consultation with him and

HOUSE OF DELEGATES

(b) the reasons for the suspension have been satisfied. The officers were removed from the work-place so that the investigation would take its course and so that the alleged misconduct would not continue to the detriment of the Department,

(3) no **253**

The LEADER OF THE OFFICIAL OPPOSITION Mr Chairman, arising out of the hon the Minister's reply, could she disclose whether this substandard food was supplied to a particular prison or prisons?

The MINISTER Mr Chairman, I am afraid that question will have to be directed to the hon the Minister of Correctional Services

## INTERPELLATION

The sign \* indicates a translation. The sign †, used subsequently in the same interpellation indicates the original language

Own Affairs

## Department in court actions: defence

1 The LEADER OF THE OFFICIAL OPPOSITION asked the Minister of Education and Culture

(1) What total amount was paid in legal costs to defend his Department in court actions during the period 1 January 1990 up to the latest specified date for which figures are available,

(2) whether he has taken a decision in regard to the engagement of any member of the legal fraternity to represent the Administration House of Delegates, if not, why not, if so, what did he decide? D179E INT

The MINISTER OF EDUCATION AND CULTURE Mr Chairman, the total amount expended on legal costs from 1 January 1990 to date is R111 497. I have not taken any policy decision on this matter.

Hon members are aware that all the legal matters of the Administration House of Delegates are

normally handled by the State Attorney's office. However, in 1991 the Department engaged the services of a private firm of attorneys, namely Pat Poovalingam and Company, to attend to certain specific matters which required prompt responses from the Department. This firm had once represented the Teachers' Association of South Africa and is also totally *au fait* with the provisions of the Indians Education Act and the regulations promulgated thereunder. Incidentally, this was the only prominent case in which the Department was successful.

Unfortunately it is not always possible to get prompt advice from the State Attorney's office, and this decision was taken for that reason. Under normal circumstances the required procedure is followed.

The LEADER OF THE OFFICIAL OPPOSITION Mr Chairman, the main purpose for which I placed this interpellation on the Question Paper was to establish whether we are defending cases that should not be defended and whether steps have been taken that should not have been taken in the first place.

I want to refer to a very big case involving a school principal in the Shalcross area in which the present hon Minister of Housing and Agriculture was involved. I do not want to mention the principal's name, but this case received a lot of publicity. However, I think everyone is aware of the fact that the steps that were taken against this particular principal, for trivial reasons, have brought him a lot of bad publicity. Furthermore, there was an historical grievance on the part of an individual who held a position of authority in the House of Delegates and when he found the simple excuse of a charge of misconduct, he took this person to court. As the Chairman of the Ministers' Council at the time, I did not want to interfere and the matter was eventually settled out of court. I believe that the Department lost about R50 000. Are we engaging in exercises such as this? I do not want to deal with a matter that is still before the Supreme Court, but I think this needs to be re-examined.

When I was the head of the SA Indian Council, the Director-General of the Department of Justice indicated to me that we had the right to choose our own legal team, but only through the

office of the State Attorney. Mr S S van der Merwe was the director-general and he made this ruling, and I believe that that ruling is applicable now.

What is happening now is that the same counsel is being engaged all the time, namely Colin Mann. It suits this counsel to drag out the case in housing matters, when it is getting close to the trial date an out-of-court settlement is reached. In the case of an official who was suspended and took the matter to court, Colin Mann actually worked against him at the James Commission of inquiry although he was engaged by the Department to defend this particular official. I have documentary evidence of what Colin Mann did to this official. How could he defend him when another public body was taking action against the Department? I did not raise this because of Mr Pat Poovalingam, but I believe that a lot of people, including Mr Poovalingam, should be given the opportunity to represent the State.

Mr D K PADIACHEY Mr Chairman, following on what the hon the Leader of the Official Opposition has said, we have capable men and legal teams in our society which we could use. When an hon Minister may use his discretion and appoint a legal team, it is unfortunate that we still go through the legal advisors who then proceed with the case.

As the hon the Leader of the Official Opposition said, it is true that we are only using one team, namely that of Colin Mann, and that matters are dragged out.

We know for a fact that we are short of funds in the Education budget. By allowing this to drag on and on the State is losing money. Where must the money come from? We cannot afford it. When it comes to the personal grievances we may have against principals and teachers, it is not fair that we should now look at matters in regard to which we can take them to court and take legal action against them. We must also try to short-circuit these issues. It is not necessary for everything to go to court. At the beginning of the year a case regarding the promotions went to court. There was an out-of-court settlement which showed up the House of Delegates and the politicians on the whole. I think we must be careful of this in the future.

The MINISTER Mr Chairman, I am mindful of what the hon the Leader of the Official Opposi-

HOUSE OF DELEGATES



# Decide on death penalty — judge

STEPHANE BOTHMA

A RAND Supreme Court judge on Wednesday urged Parliament to take a final decision on the death penalty, saying it was uncivilised to keep prisoners on death row for years

Sentencing two murderers of an elderly Johannesburg woman to death, Judge M J Strydom said it was extremely upsetting that the Criminal Procedure Act expected him to impose the death penalty when executions were suspended

"The time is over-ripe that a decision be taken," Strydom said

He sentenced Simon Plaatjies, 26, and Phillip Masala, 29, to death for murdering Joan Emrie on July 29 last year by tying a cord around her neck and strangling her during an aggravated robbery, for which the pair each got 15 years

He said 295 prisoners were awaiting execution at the end of last year

"If the death penalty is not abolished in the future, mass executions will have to take place," the judge said. He agreed with an editorial in the SA Bar journal *Consultus* that this was not an option

The editorial said a possible solution would be the death penalty's abolition, but all race groups seemed to favour its retention

Despite the controversy, Strydom said, he had to follow the law "In your case," he told the murderers, "the death penalty was the only appropriate sentence."

Comment. Page 10

# Ex-mayor dies after necklacing

51 Day 29/5/92

FORMER Lekoa township mayor Esau Mahlatsi died yesterday after being shot and necklaced in Sebokeng in the Vaal Triangle, police said last night.

Spokesman Capt Henriette Bester said police found Mahlatsi's charred body at about 4 45am in Moshoeshoe Street, in Section 13 of the township

The motive for his murder and the identity of his killers were not known. Mahlatsi apparently survived several earlier attempts to kill him.

Soweto police last night reported that the Meadowlands hostel was attacked twice during the afternoon. At about noon an unknown man opened fire on the hostel. One man was injured in the incident

At about 2pm, a handgrenade was thrown at the hostel. Capt Govindsamy Mariemuthoo said the grenade failed to explode. Police were investigating both incidents.

In a shooting incident in Hillbrow yesterday, one man was killed and two people injured when a gunman fired at their vehicle with an AK-47.

The victims were sitting in a parked Mercedes-Benz in King George Street when the gunman fired about 18 shots at them from a blue minibus parked in front of the car. The minibus drove away after the shooting. No arrests had been made

On Wednesday Jubileno de Sousa, who ran a dry cleaning business in

## LINDEN BIRNS

Main Reef Road, Benrose, was murdered at the George Goch mens' hostel in Jeppe. De Sousa and one of his workers went to the hostel to collect clothes for cleaning

A man grabbed De Sousa while another man held a gun to his head. Police said De Sousa was shot in the face when the worker with him ran to get help.

Sapa reports that the Human Rights Commission (HRC) said 50 people were killed and 32 injured between May 20 and 26. During the previous week 61 were killed and 59 people injured, the Human Rights Commission said.

## Injuries

In a report released in Johannesburg on Wednesday, the commission said vigilante actions in the Pretoria-Witwatersrand-Vereeniging (PWV) area and Natal accounted for 42 deaths and 24 injured

Security force action accounted for five injured and 414 arrests in the PWV, eastern Cape and Ciskei.

The commission said the SADF's 21 Battalion had again been involved in raids on East Rand townships, which had resulted in injuries to residents in squatter camps at Phola Park, Tamboville and Ratanda

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May 30 to June 3 1992

By Donald Zake

THE notorious "Klipkamps" labour system, in which maximum security prisoners were put in small wire cages and forced to break rocks, has been abolished.

The Department of Correctional Services' announcement comes after SOUTH exposed conditions in the "Klipkamps" last year. Staff at the Brandvlei Maximum Security Prison said this week the

## Prison 'Klipkamps' get the chop

South 30/5-3/6/92

253

330 "Klipkamps" at the prison were being dismantled.

They said prison authorities had not given reasons for the decision.

"They just called us in one morning and told us the Klipkamps were being taken down."

The cages had not been in use

since the beginning of this year, staff said.

Correctional Services spokesperson Major Wena Greyling said the practice had been under

"severe criticism for a period of time". After a thorough investigation into the further utilisation of the

camp, it was decided to have it scrapped.

"Attempts are being made to keep prisoners productively occupied in other ways," she said.

Each wire mesh cage was about 1,5 metres square.

A person taller than 1,5m would not be able to stand in the cage.

Prisoners were given a mallet with which to crush a large boulder into gravel chips.



### Cell death: Man's family want probe

TRADE unionist Samuel Seema, who died under "mysterious circumstances" in prison, will not be buried until his family is satisfied with the post-mortem report. *Claes 31/5/92 (253)*

Seema, 34, president of the Metal Transport Union and Allied Workers' Union and employed by Fidelity Guards, died in Klipriver Prison on May 15, two hours after he was arrested on suspicion of being involved in an armed robbery. He was last seen alive when two men dragged him out of his duty vehicle in Doornfontein.

A commemoration service will be held at Dove Willmot in Braamfontein at 11 am tomorrow.

# Prison with a feminine touch

Special Report: KURT SWART  
Pictures: AMBROSE PEIERS

253

has been discharged which says "thank you, I learned something, it makes all the hardship worth while"

"Though we had only been inside for an hour" it was with a sense of relief that we braved the light drizzle falling on the green Tokai landscape as May Oberholster led us outside

One could only imagine what it would feel like for an inmate like Judy when she finally walked through the grey steel gates to the relative freedom of the outside world

she said "They have free choice as to whom they sleep with. Some whites have decided to share cells with the other women."

The decisions are made because of a belief in equality, or as May Oberholster put it "They feel more comfortable with black women and because some of them may have had boyfriends of another colour."

The most common crimes committed by the women inmates were theft and other "economical crimes," dagga smoking, and murder.

The presence of two male journalists in the section elicited curious stares, a few sexist catcalls and outright hostility from the convicts.

The maternity section holds 19 babies and toddlers. A white prisoner placed her baby in the arms of a black woman, and fled when she saw the camera. "Some women come in pregnant and give birth while still in prison. Others have babies who are still dependent on them," said May Oberholster.

"We try to place them as soon as possible into foster care. The child court decides what's best for them."

Said Capt Ingrid Oerison, head of the maternity section: "We have a separate kitchen for babies. We prepare the food, and iron and multivitamin supplements according to the baby's age and weight, and we wash and dry their nappies." In one of the long passages

the Sunday Times briefly interviewed a few women prisoners.

"There have been a lot of changes here. We can now sit at a table and eat like human beings, we are allowed to watch TV. It's important for me to be able to watch TV. It takes my mind off where I am and the situation. I'm in. Despite the changes it's really not nice being in prison."

Another woman, in her late teens or early twenties, sparked with enthusiasm Judy was within a few weeks of being released.

## Emotions

"I'm a bit afraid of what I'll find in the outside world," she said.

"I'll be released in June and I have so many mixed emotions. Will my friends accept me? How will my family react? I worry about this, but at the same time I feel so happy. I'm leaving this place."

There is a thin line in the women's section between empathy and authority, said May Oberholster.

"The convicts and the warders are all women, and women tend to have empathy with each other. Many have sad stories to tell. At the same time it is important to maintain discipline."

"Being a warder has to be in your blood. It's my life. If you can help just one woman, if you get just one letter from a woman who

POLLSMOOR is a crowded transit prison, overflowing with newly-admitted prisoners and those awaiting trial or transfer to other prisons.

It is home to more than 6 000 prisoners, including 300 women and 19 babies.

Nearly all prisoners are admitted to Pollsmoor before standing trial or before being transferred to other Western Cape prisons.

It was from Pollsmoor that the first 44 white prisoners were transferred to the formerly all black Brandvlei and Robben Island prisons recently.

The slow crumbling of apartheid barriers continued among those left behind at Pollsmoor. Formerly all white prisoners were housed at the Medium B section, and "coloured" prisoners were admitted to the maximum security section.

## Share

From the beginning of this month, prison authorities said, all prisoners regardless of colour were being admitted to the already overcrowded maximum section.

However, prisoners still have a choice as to whom they want to share cells with. In practice, because of the disparity in numbers between white and black inmates, this means effectively decide whether they want to be nonracial or not. Integration has become privatised. Petite Major Fea Oberholster heads the women's section at Pollsmoor, a section which has the atmosphere of a strictly-run boarding school. Women stand to attention as female warders walk by and then resume their endless task of scrubbing and polishing the passage floors, one 600m long. Some of the floor brushes are still stamped "Blankes" or "Nie-Blankes".

## Comfort

"There is a definite female touch to their cells," said May Oberholster, pointing to a tiny 3m x 3m cell, with walls painted pink, prettily-adorned with flowers and pot plants.

"This could be home for a couple of years and the women try to make the cells as comfortable as possible."

Women join knitting and needlework groups and aerobic classes and their recreational committee organises netball and volleyball matches.

"Make-up is allowed, as are private underclothes and pyjamas," explained May Oberholster.

"Twenty three of the 300 women are white women,"

**SCRUBBER** . the washing and polishing of floors is a frequent duty for prisoners at Pollsmoor Prison. Some of the passages at the female section of the prison are 600m long

CONVICT CRECHE . . . some of the 19 babies at the prison's maternity section

**NONRACIAL ENCLAVE** . one of the integrated community cells in the female section



# Imbali hunger strike: charges dropped

CL Press  
31/5/92  
By FRED KHUMALO

DEFIANCE won the day for 36 Imbali women who had charges of trespassing dropped against them following a five-day hunger strike which they started last week.

The women were part of a wave of humanity which two weeks ago brought Maritzburg to a standstill when they marched on the city's Alexandra police station and staged a sit-in.

For two weeks the women remained in jail, demanding that the 32 Battalion, the KwaZulu Police and the SAP riot squad be withdrawn from Imbali.

Charges of trespassing were levelled against them and they were to appear in court next week.

## Strikers

But following the hunger strike which started last weekend and in the wake of an ANC threat of a stayaway or consumer boycott if the women were not released immediately, the charges against them were dropped.

Among the hunger strikers were 79-year-old Lydia Cimbi, and two pregnant women - Buyi Ngqulunga and Cindi Mngoma.

Last month Imbali residents staged a week's stayaway, demanding the withdrawal of the security forces from the township.

The climax of the defiance action by Imbali residents was this week's signing of an agreement by the ANC, delegates from the SAP and members of the Pietermaritzburg Chamber of Commerce and Industry.

In terms of the agreement, the SAP delegates undertook to recommend to their superiors that ANC demands for the withdrawal of the security forces from Imbali and the repeal of the emergency declaration be looked into.

Both parties agreed to adopt a policy of restraint in an effort to cool the tensions.

## Progress

The ANC and a delegation from the SAP are to meet again on Wednesday where each party will report progress it has made in trying to resolve the deepening crisis.

ANC spokesman Reggie Radebe has warned that if the SAP's report back is "not satisfactory, and if our demands are not met with immediate effect", Imbali residents are going to intensify their mass action and a stayaway will be staged.

Major Vosloo, who led the SAP delegation to the meeting, confirmed that an agreement had been reached between his force and the ANC.

However, he said, it was impossible to promise Imbali residents that the 32 Battalion and the SAP riot squad were going to be removed from the township.

# 'Prisoners deprived of proper food' Cells 'unhygienic' <sup>(253)</sup> and overcrowded' <sup>ARG 2/4/92</sup>

## Supreme Court Reporter

AN advocate has handed a report to the Supreme Court claiming awaiting trial prisoners are subjected to unsafe transport, overcrowding and cell conditions which fail to meet minimum standards of hygiene.

Mr Justice Lategan appointed advocates Mrs Jill Jones and Mr Anton Katz as his "agents" to visit Pollsmoor Prison after their clients, murder accused Mr Alawn Matthews, 25, and Mr John Killey, 53, complained of being deprived of sleep and proper food and of being bitten by lice.

Mr Matthews and Mr Killey are charged with murdering and robbing Argus advertising representative Mr George Haupt at his home in Sea Point in November.

In her report Mrs Jones said she watched several police lorries returning prisoners from court. Most of the prisoners in one of the vehicles were unable to sit for the duration of the journey. When the lorry was opened most were standing upright or squatting.

Prisoners were vulnerable to being thrown around while the truck was moving because there were no handholds.

In a cell for awaiting trial prisoners she saw men lying on what appeared to be communal mattresses, eight men to each. The mattresses appeared thin and worn and were placed on the concrete floor. There were no pillows or sheets, she said.

"The blankets, from a sample chosen at random, were filthy, lice-ridden and smelled foul."

She said the smell in the cell was "offensive" and several prisoners had bite marks, allegedly caused by lice, and skin rashes.

The light in the cell was poor, as the natural light was obscured by wet washing. This contributed to the damp atmosphere in the cell.

Mr Matthews has pleaded not guilty to murder but guilty to assault and robbery with aggravating circumstances. Mr Killey has pleaded not guilty to murder but guilty to attempted robbery.

The trial continues today.



# AIDS campaigners hit at prison service

ANTI-AIDS campaigners have accused the Correctional Services Department of being the weak link in efforts to combat the disease, because it refuses to make condoms available to prisoners

Simon Nkoli, counsellor with the Township Aids Programme (TAP) and a former political prisoner, said the disease was being spread in prisons because of an outdated approach to homosexuality, which in terms of SA law is still illegal.

"They can't be serious about stopping the disease if they don't accept that homosexuality in prisons, as well as rape, is a

6/10 am 3/6/92  
KATHRYN STRACHAN 92

reality. It's not enough just to educate prisoners about AIDS; they have to have prevention as well," he said

Nkoli said many men referred to TAP for counselling claimed they were infected while in prison. There were also women who said they had been infected after their husbands contracted the virus in prison

Department spokesman Maj Dave Smith said "the provision of condoms to prisoners would serve as a condonation of homosexual acts, which are prohibited by law It is

clear there are moral, religious, social and medical considerations involved"

He admitted "homosexual tendencies" were found in the prison population, but pointed out that prisoners were constantly under the control of trained personnel and steps were taken against "transgressors"

Smith said his department was aware of the occurrence of infectious diseases, including AIDS, and that screening of prisoners was a continuous process. All prisoners were regularly informed of the dangers of the disease and the ways in which it could be contracted, he said.

# Pollsmoor probe urged

CT 4/6/92

Political Staff (253)

**THE** conditions at Pollsmoor Prison, where awaiting-trial prisoners were being held in overcrowded cells and slept on lice-infected blankets, needed urgent investigation, the Democratic Party said yesterday.

"It is totally unacceptable that these conditions exist," the DP said in a statement issued by its correctional services spokesman Mr Mahmoud Rajab

"Prisons are not meant to be comfortable resorts, but at the same time

prisoners need to be housed in conditions which satisfy basic standards of hygiene, sanitation and human habitation.

"When one considers that awaiting-trial prisoners are persons often found not guilty of any offence, it is important they should not be treated as though sentence has already been pronounced on them."

Justice requires that the Minister of Correctional Services, Mr Adriaan Vlok, attend to these shortcomings immediately, the statement said.



# Jailed IFP men released four to eight years early

By ENOCH MTHEMBU and RAY NXUMALO  
FOUR Inkatha supporters who took part in one of Natal's most horrific political massacres have been released from jail between four and eight years early, it emerged this week.

The four — Sifiso Lawrence Mavuso, Thami Ndlovu, Dennis Mchunu and Lucky Mtshali — were part of a group led by Emmanuel Khanyile which in 1987 abducted eight youths from kwaMashu township. Seven were brutally bludgeoned and shot to death, while the eighth — the only woman among the victims, Simangele Xaba — managed to escape and later testified for the state in the ensuing murder and kidnapping trial.

KwaMashu's Youth Movement was aligned to the United Democratic Front at the time and the attack appeared to be in revenge for the earlier abduction of Bheki Shabalala, son of Inkatha central committee member and notorious Lindelani "warlord" Thomas Shabalala. The six men convicted as a result were Inkatha Freedom Party supporters.

According to evidence given in court, the youths were taken to the Ntuzuma Cemetery, where they were told to get out of the kombis in which they were abducted and walk in pairs holding hands. Khanyile and his group then attacked them with assegais and cane knives, shot them and ditched their bodies in a shallow pool of water. Later in the evening, Khanyile returned in a bakkie to remove the corpses and dumped them about 4km from the scene of the attack.

Inkatha member Eric Msomi testified that after the massacre, he had driven with Khanyile and the others to the house of IFP strongman George

Vilakazi. There, Khanyile had said that their mission was to locate UDF ringleaders who were terrorising the community.

Khanyile and Bhekani Phewa were sentenced to death in the Durban Supreme Court in February 1989 for seven counts of murder, but their sentences were commuted to 25 years' imprisonment in February 1991. According to a Department of Correctional Services spokesman, the two "are currently serving imprisonment at the Durban and Waterval prisons respectively".

The spokesman confirmed that Mavuso and Ndlovu — both jailed for six years on February 9 1989 for eight charges of kidnapping — were unconditionally released in April 1991 in terms of the Pretoria Minute.

Mchunu, also released in April 1991 in terms of the Pretoria Minute, served 22 months of a 10-year sentence for eight kidnapping and three assault charges.

Mtshali, who was convicted of eight kidnappings, was released after serving less than three years of a 10-year sentence. "He was a first offender and was released on July 5 1991 after he benefited from the December 1990 and July 1991 amnesties as well as a remission of sentence for good behaviour," the spokesman said.

Jody Kollapen, Lawyers for Human Rights' Director of Penal Reform, commented this week: "If we look at these cases and that of Khethani Shange (the policeman who served nine months of a 27-year jail sentence for multiple murders), it shows a clear preference of release of prisoners in favour of the IFP."

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w/mavuso 5/6 - 11/6/92

## Prisoner died as 'hell broke loose'

Staff Reporter

(253)

A WARDER has described how "all hell broke loose" during a clash between rival gangs in Pollsmoor Prison, which led to the killing of a maximum security prisoner.

Warder Verreyn le Roux was giving evidence in the trial of Sergeant Jan Etsebeth, 32, of Ottery, who is charged with murdering Mr John Dilo, 32, who was involved in the clash on April 9, 1990.

ARLT 5/6/92

Warder Le Roux, a dog trainer, told the Wynberg Regional Court he was called to a cell and found "all hell had broken loose"

Asked by Mr MF David, for the State, whether he saw Sergeant Etsebeth hitting Mr Dilo, Warder Le Roux did not answer, and Mr David put it to him he was trying to protect himself.

The hearing continues





WORK TEAM: Juveniles at the Porter Reform School where workers complain of attacks

Photo Yunus Mohamed

# Reform school workers launch safety campaign

SOUTH 6/6 - 10/6/92

By Quentin Wilson

THREATENED workers at the Porter Reform School in Tokai have been forced to form a committee to campaign for their safety after persistent attacks by inmates

Officials are asking for guns, uniforms and danger pay, alleging inmates have launched a series of planned attacks on them while trying to escape from the school

Porter tries to rehabilitate juveniles convicted of crimes ranging from housebreaking to rape and murder. It falls under the Department of Education and Culture in the House of Representatives

Part of the "reform treatment" involves forcing the boys to do manual labour on the school grounds. It is their access to garden tools such as spades, hammers and shears which poses the biggest security threat to the officials

Spokesperson for the newly formed committee Mr Joseph Lewis is confident their demands for greater protection will be met

"The fact that this group was formed is the best thing that has happened at Porter Reformatory School in the last 100 years. If it doesn't work, we might have to consider other steps

"For the moment, we will continue

to ask that our demands be met through talks with the department. If this does not work we may consider strike action," Lewis said

According to Lewis, there have not been recent attacks apart from "a few minor scuffles"

The school is made up of four sections each housing up to 110 inmates. In each section there is an unarmed supervisor and an assistant. Only one of them is on duty in each section during the night-shift

A supervisor who did not want to be named for fear of losing his job, said he was "constantly in fear" and always carried a broom with him in case he was attacked. He said

inmates had tried 'many times' to attack him

"One day I went out with about 30 boys to the garden where they were working with spades. Earlier a boy tipped me off and told me 'Menceer, they want to attack you today,' so I took something along to protect myself

"I fought off the attack. I won't tell you what I used but I do have a wife and kids and I have to protect myself," he said

Mr Hennie Jansen, spokesperson of the Department of Education and Culture, said his department would respond soon to the demands of the officials

# Hunger strike at prison 253

AT least 500 prisoners from the Baviaanspoort maximum security prison have

gone on a hunger strike

A spokesman for the Department of Correctional Services confirmed that the hunger strike started on Sunday following the stepping up of security arrangements. Security

was tightened because of an increase in the incidence of escape and attempted escape, the spokesman said.

"It is obvious the prisoners at Baviaanspoort, for their own purpose and reasons, were not satisfied with this arrangement," said the spokesman.

The spokesman said the prisoners were being treated within the scope of the standard minimum rules and the Correctional Services Act, and the rules pertaining to hunger strikers were being adhered to.

"The move was deemed necessary in the interest of public safety and to maintain an orderly prison community," added the spokesman.

CT-11/6/92  
253

**ANC's inquiry unacceptable**

JOHANNESBURG —  
The International Society for Human Rights in Frankfurt, Germany, yesterday criticised as "insufficient and unacceptable" the terms of reference of the ANC commission of inquiry into complaints by former ANC prisoners



# Spy Gerhardt seeks release from jail

LAWYERS acting for jailed Soviet spy Dieter Gerhardt intend applying to the Pretoria Supreme Court today for his release from prison *B1/Jan*

The former Simon's Town naval dockyard commander is serving a life sentence in Pretoria Central Prison for spying for the Soviet Union *11/6/92*

The application will be brought by Lawyers for Human Rights (LHR) on the basis that Gerhardt is a political prisoner whose spying activities were motivated by a political goal

LHR lawyers will argue that in terms of the Pretoria and Groote Schuur Minutes agreed to by government and the ANC on the release of political offenders, Gerhardt should be set free. They will argue also that the Indemnity Act provides for the release of political offenders

*252* PATRICK BULGER *(253)*

The application will be accompanied by an affidavit from Gerhardt which may throw light on his motives for providing the Soviets with some of their best information on Western defences during the entire Cold War period. Gerhardt's 1983 trial was held in camera

It is understood the state will argue, probably, he was motivated primarily by financial gain and did not qualify for release as a political prisoner.

The LHR said the case would test whether the state's interpretation of its agreements with the ANC was in fact correct

Gerhardt, who has developed links with the ANC since his arrest, is one of 357 prisoners still held in SA jails and deemed to be political by human rights groups

w/maail 12/6-18/6/92

**Popcru holds first congress**

■ THE controversial Police and Prisons Civil Rights Union (Popcru) held its first national congress over the weekend.

(253)

**BRIEFS**

w/maail 12/6-18/6/92

Major resolutions included representations to Interpol not to co-operate with the SAP until the force is 'democratised'. The union also wants to set up a centre for the victims of Reef violence.

(253)

Popcru will campaign for union recognition this year. Gregory Rockman, the founder of the union, was elected president while Peter Nkuna was elected general secretary.

## HOUSE OF REPRESENTATIVES

## QUESTIONS

†Indicates translated version

For written reply

Own Affairs

Loans to certain person for farming purposes

8 Rev A D GOOSEN asked the Minister of Local Government, Housing and Agriculture †

- (1) Whether a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, obtained loans from his Department in order to buy a farm and start a farming operation, if not, what are the relevant details, if so, (a) what amounts were lent to this person, (b) (i) at what rate of interest and (ii) on what dates were the loans granted, (c) what is the current market value of the farm concerned and

(d) what is the expected annual turnover of this person's farming operation,

- (2) whether his Department has taken any steps to establish whether (a) this person is a *bona fide* farmer and (b) the loans granted were used entirely for farming activities, if not, why not, if so, what are the details in this regard,

- (3) whether the loans were paid to the person concerned by cheque, if not, in what manner was payment made,

- (4) whether this person has to date repaid any instalments on the loans to his Department, if not, why not, if so, (a) what amounts and (b) when,

- (5) whether he will disclose the identity of the person concerned to the House, if not, why not, if so, who is this person?

C22E

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE

It is not policy of the Administration House of Representatives to disclose the private financial affairs of individuals. The rest falls away

## HOUSE OF DELEGATES

## QUESTIONS

†Indicates translated version

For written reply

General Affairs

Children of prison inmates in prisons

36 Mr M RAJAB asked the Minister of Correctional Services

- (1) (a) How many children of inmates of prisons are there in prisons under the control of his Department, (b) how many such children have been there for more than (i) one year, (ii) two years and (iii) three years and (c) in respect of what date is this information furnished,

- (2) whether he will make a statement on the matter?

D191E

The MINISTER OF CORRECTIONAL SERVICES

- (1) (a) In the interest of the children and parents concerned and in the absence of suitable alternatives, 235 young children are being accommodated with their mothers in South African prisons in terms of special arrangements

- (b) (i), (ii) and (iii)

The statistics are unfortunately not centrally available in the format as requested and can only be obtained by means of an expensive and manpower intensive countrywide return

The following information with regard to the ages of the children who were in prison with their mothers on 30 April 1992 may, however, be of value to the hon member

0—1 years old	=	143
1—2 years old	=	75
2—3 years old	=	10
3—4 years old	=	7

- (c) 30 April 1992

- (2) Yes

In line with international practice, regulation number 94 of the regulations promulgated in terms of section 94 of the Correctional Services Act, 1959 (Act 8 of 1959), a female prisoner may be permitted, subject to such conditions as are prescribed, to have her child with her in prison during the period of lactation and for such further period as may be necessary. The necessary clothing, food and medical treatment may be provided by the State for such period as a child remains in prison

Standing departmental orders also determine that a child may remain in prison with the mother for as long as is deemed necessary for medical and nutritional purposes. Thereafter it should be endeavoured to remove the child from prison, subject to a certificate by the medical officer to the effect that the child would not be harmed psychologically or physically if separated from the mother. In a case where removal from prison is appropriate, it is a condition that suitable abode should be obtained beforehand

All children are examined by the medical officer as soon as possible after admission to a prison or after birth in order to determine which medical treatment and nutrition is to be prescribed. The child's mass is taken monthly and the necessary injections and vaccinations as applicable are administered by a qualified nursing sister, or otherwise arrangements are made for the administration thereof at the local clinic

At every prison where children are with their mothers a member of the nursing profession is responsible for the necessary supervision. This member sees to it that all prescribed directives regarding the care of the children are strictly adhered to and that the children's general health and well-being is promoted

In general it can be mentioned that the Department of Correctional Services places a high premium on the medical treatment of all persons entrusted to its care. In this regard the nursing staff of the Department of Correctional Services are



1367

Hansford

TUESDAY, 16 JUNE 1992

Hansford

1368

guided by the medical officer (district surgeon) and his prescriptions and orders are meticulously carried out This includes general treatment which can be

253

provided in the prison and prison hospitals, hospitalization in private or provincial hospitals and treatment by specialists

INTERPELLATIONS UNDER NAME OF MEMBER

Botha, Dr W J—

General Affairs

Finance, 841, 1053

Gerber, Mr A—

Own Affairs

Education and Culture, 291, 537, 1081,

Bruwer, Mr A A B—

Own Affairs

Agricultural Development, 1244

Gibson, Mr D H M—

Own Affairs

Education and Culture, 864

Burrows, Mr R M—

Own Affairs

Education and Culture, 185, 436, 1004

Haswell, Mr R F—

General Affairs

Law and Order, 272

Carlisle, Mr R V—

General Affairs

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Transport, 848

Own Affairs

Housing and Works, 619

Local Government, 1310

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General Affairs

National Education, 911

Jacobs, Adv S C—

General Affairs

Home Affairs, 725

Charlewood, Mrs C H—

General Affairs

Local Government and National Housing, 1059

Langley, Mr T—

General Affairs

Foreign Affairs, 1219

National Intelligence Service, 1

Chiolé, Mr J—

General Affairs

Environment Affairs, 1281

Leon, Mr A J—

General Affairs

Law and Order, 129

Transport, 732

De Beer, Dr Z J—

General Affairs

State President, 981

Ebrahim, Mrs R—

Own Affairs

Housing and Agriculture, 1021

Le Roux, Mr F J—


General Affairs

Foreign Affairs, 123

mence this month, the response experienced is overwhelming. Apart from the positive response from the educational community, parents are also keen to have the package and have requested a similar programme for themselves. It is user friendly and offers all relevant information,

- (3) yes, response so far has been positive. There have been requests for the package from Canada, Iceland, Namibia, Kenya, Zimbabwe and Swaziland. The European Economic Community in Brussels requested 3 packages and so did the Bureau of Hygiene and Tropical Diseases in London,
- (4) no

#### Academic hospitals: registrars

287 Mr M J ELLIS asked the Minister of National Health  (a) How many registrars are there at each academic hospital in South Africa, (b) what is the present patient/registrar ratio at each such hospital and (c) how many registrars in each year of study resigned at each of these hospitals during the course of 1991?

The MINISTER OF NATIONAL HEALTH  
B714E  
TYGERBERG ACADEMIC HOSPITAL  
COMPLEX


- (a) 197,  
(b) only the number of beds per registrar is available and that is 9,18 and  
(c) 3

GROOTE SCHUUR ACADEMIC HOSPITAL  
COMPLEX

- (a) 388,  
(b) 15 beds/registrar and  
(c) not available  
H F VERWOERD ACADEMIC HOSPITAL  
COMPLEX  
(a) 281,  
(b) 26 patients/registrar per month and  
(c) not available

HOUSE OF ASSEMBLY

lounge, bathroom and kitchen was available for the exclusive use of the Administrator. Several years ago, this area was split into a bedroom with bathroom for each of the Administrator and the Director-General with a shared kitchenette

- (2) Napac Building — no, due to its inadequacy 

- (3) Napac Building — yes  
(a) The existing office accommodation, in the Napac Building, for members of the Executive Committee is inadequate. At present five MECs share three offices

- (b) Office accommodation for members of the Executive Committee and overnight facilities for the MECs who reside in Pietermaritzburg

#### Differences between White/Coloured warders: Pollsmoor Prison

313 Mr D J DALLING asked the Minister of Correctional Services

- Whether there were any differences in the (a) accommodation, (b) recreational facilities and/or (c) remuneration offered to White and Coloured warders at Pollsmoor Prison as at 31 December 1991, if so, (i) what differences in each case and (ii) why?

B776E

#### The MINISTER OF CORRECTIONAL SERVICES

- (a) No  
Accommodation on premises country-wide is accessible to all personnel in accordance with the Correctional Services Regulation 25. This implies that accommodation is allocated discretionarily by

commanders at the hand of inter alia the following

- functional requirements,
- allocation according to level of post,
- merit and efficiency principle, and
- advertising of available accommodation

The following norms are automatically applicable in respect of the allocation of housing on reserves in order to ensure orderly community life

- the combating of overpopulation on living premises,
- a prohibition on subleasing,
- keeping premises tidy and hygienic,
- promotion of healthy neighbour relations and the combating of behaviour which may upset these relations on such premises, and
- the orderly use of public facilities on reserves according to accepted norms and standards

(b) No

All available recreational facilities at the Pollsmoor Prison have been accessible to all members since November 1990. There are still two facilities in use at Pollsmoor (the former White and Coloured facilities) but both facilities are accessible to all personnel and are utilized as such

(c) No

All disparity in respect of remuneration has already been eliminated with effect from 1 March 1988. There is thus no difference in the remuneration in respect of the mentioned population groups

(i) and (ii) Fall away

HOUSE OF ASSEMBLY



110 JUN 1992

REPUBLIEK  
VAN  
SUID-AFRIKA



REPUBLIC  
OF  
SOUTH AFRICA

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*Regulasiekoerant*  
*Regulation Gazette*  
**No. R. 4874**

Vol. 324

PRETORIA, 1 JUNIE  
JUNE 1992

No. 14007

## PROKLAMASIE

*van die*

*Waarnemende Staatspresident  
van die Republiek van Suid-Afrika*

No. R. 48, 1992

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,  
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **1 Junie 1992** as die datum waarop artikel 41 (a) van genoemde Wet, in soverre dit paragraaf (i) by artikel 276 (1) van die Strafproseswet, 1977 (Wet No 51 van 1977), voeg, in werking tree ten opsigte van die gebiede van die landdrostdistrikte Johannesburg, Randburg, Vanderbijlpark en Vereeniging

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Pretoria, op hede die Eerste dag van Junie Eenduisend Negehonderd Twee-en-negentig

**R. F. BOTHA,**  
Waarnemende Staatspresident

Op las van die Staatspresident-in-Kabinet

**H. J. COETSEE,**  
Minister van die Kabinet

## PROCLAMATION

*by the*

*Acting State President  
of the Republic of South Africa*

No. R. 48, 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT, 1991 (ACT No 122  
OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No. 122 of 1991), I hereby fix **1 June 1992** as the date on which section 41 (a) of the said Act, in so far as it adds paragraph (i) to section 276 (1) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), shall come into operation in respect of the areas of the Magisterial Districts of Johannesburg, Randburg, Vanderbijlpark and Vereeniging

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this First day of June, One thousand Nine hundred and Ninety-two

**R. F. BOTHA,**  
Acting State President

By Order of the State President-in-Cabinet

**H. J. COETSEE,**  
Minister of the Cabinet



10 JUN 1992



REPUBLIEK VAN SUID-AFRIKA  
REPUBLIC OF SOUTH AFRICA

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Vol 324

PRETORIA, 1 JUNIE 1992  
JUNE 1992

No. 14008

## PROKLAMASIE

*van die*

*Staatspresident*

*van die Republiek van Suid-Afrika*

No. R. 49, 1992

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG  
(WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby 1 Junie 1992 as die datum waarop artikels 5, 14 en 16 van genoemde Wet in werking tree ten opsigte van die gebiede van alle gevangnisse wat binne die landdrosdistrikte Johannesburg, Randburg, Vanderbijlpark en Vereeniging val

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Eenen-twintigste dag van Mei Eenduisend Negehonderd Twee-en-negentig

**F. W. DE KLERK,**

Staatspresident

Op las van die Staatspresident-in-Kabinet

**A. J. VLOK,**

Minister van die Kabinet

354—A

## PROCLAMATION

*by the*

*State President*

*of the Republic of South Africa*

No. R. 49, 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT (ACT No 122 OF  
1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix 1 June 1992 as the date on which sections 5, 14 and 16 of the said Act shall come into operation in respect of all prisons which fall within the Magisterial Districts of Johannesburg, Randburg, Vanderbijlpark and Vereeniging

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-first day of May, One thousand Nine hundred and Ninety-two

**F. W. DE KLERK,**

State President

By Order of the State President-in-Cabinet

**A. J. VLOK,**

Minister of the Cabinet

14008—1

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**GOEWERMENSKENNISGEWING****DEPARTEMENT VAN KORREKTIEWE  
DIENSTE****No. R. 1505****1 Junie 1992**

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG  
(WET No 122 VAN 1991)

Ek, Adriaan Johannes Vlok, Minister van Korrektiewe Dienste, bepaal hierby ingevolge artikel 49 van die Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), dat die werksaamhede van die inrigtingskomitees en die vrylatingsraad, ingestel kragtens die Wet op Gevangenis, 1959 (Wet No 8 van 1959), voordat laasgenoemde Wet deur genoemde Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, gewysig is, ten opsigte van alle gevangenis wat binne die landdrostdistrikte Johannesburg, Randburg, Vanderbijlpark en Vereeniging val met ingang van **1 Junie 1992** beëindig word, uitgesonderd die werksaamhede van die Vrylatingsraad beoog in artikel 64 (1) (b) van die Wet op Korrektiewe Dienste, 1959 (Wet No 8 van 1959)

**A. J. VLOK,**

Minister van Korrektiewe Dienste

**GOVERNMENT NOTICE****DEPARTMENT OF CORRECTIONAL  
SERVICES****No. R. 1505****1 June 1992**

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT (ACT No 122 OF  
1991)

I, Adriaan Johannes Vlok, Minister of Correctional Services, hereby determine in terms of section 49 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), that the functions of the institutional committees and the release board, established under the Prisons Act, 1959 (Act No 8 of 1959), before the latter Act was amended by the said Correctional Services and Supervision Matters Amendment Act, 1991, shall, in respect of all Prisons which fall within the Magisterial Districts of Johannesburg, Randburg, Vanderbijlpark and Vereeniging terminate as from **1 June 1992**, excluding the function of the Release Board contemplated in section 64 (1) (b) of the Correctional Services Act, 1959 (Act No 8 of 1959)

**A. J. VLOK,**

Minister of Correctional Services

**INHOUD**

No		Bladsy No	Koerant No
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(3) (a) what was the value of the electronic equipment concerned and (b) what are the further particulars surrounding this matter?

B759E

#### THE STATE PRESIDENT

- (1) No  
(2) and (3) Fall away

Security information removed from SADEF computers

303 Mr W A BOTHA asked the Minister of Defence †

Whether he will furnish information on whether security information gathered in connection with communist bodies and persons was recently removed and/or is at present being removed from computers of the South African Defence Force, if not, why not, if so, what are the relevant details?

B760E

#### THE MINISTER OF DEFENCE

Intelligence records are updated on a continuous basis by including new or removing obsolete information. With the limited information supplied by the Honourable Member, it is thus not possible to reply to the question

Total expenditure: Bloemfontein Regional Services Council

304 Mr W U NEL asked the Minister of Local Government and National Housing

- (1) What was the total expenditure of the Bloemfontein Regional Services Council on (a) internal (i) administrative and (ii) staff matters, (b) electricity infrastructure and (c) sewerage infrastructure for the 1990-91 and 1991-92 financial years, respectively,

- (2) what was the total amount in bridging finance received per local authority in the Bloemfontein area owing to a shortage in revenue from their own sources by (a) Mangaung, (b) other Black townships and (c) Coloured residential areas for each of the above two financial years?

B761E

HOUSE OF ASSEMBLY

#### THE MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

	1990-91	1991-92
(1) (a) (i)	R696 182,00	R1 375 900,00
(ii)	392 651,00	551 953,00
(b)	263 826,00	905 500,00
(c)	4 096 823,00	3 876 000,00
(2) (a) None		
(b) None		
(c) None		

Amounts received by Bloemfontein Regional Services Council

305 Mr W U NEL asked the Minister of Local Government and National Housing

What amounts did the Bloemfontein Regional Services Council receive from (a) Government services, (b) industries, (c) trade, (d) agriculture, (e) professional services, (f) Transnet, (g) Eskom and (h) other sources in the 1990-91 and 1991-92 financial years, respectively?

B762E

#### THE MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

(a)-(h)

As the accounting system of the Bloemfontein Regional Services Council does not make provision to identify income separately in respect of Government services, industries, trade, agriculture, professional services, Transnet, Eskom and other sources, the information cannot be supplied

Financial statements: Black local authorities

310 Mr A E DE WET asked the Minister of Local Government and National Housing

- (1) Whether Black local authorities in the Orange Free State submitted financial statements that could be effectively audited in respect of the 1986-87, 1987-88, 1988-89, 1989-90 and 1990-91 financial years, respectively,
- (2) whether he has taken steps to improve financial administration and control in this regard, if not, why not, if so, (a) what steps and (b) what has been the effect of such steps,

(3) what was the accumulated debt burden of the local authorities of (a) Mangaung, (b) Thabong, (c) Meloding and (d) Maokeng at the end of the 1991-92 financial year?

B771E

#### THE MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

- (1) 1986-87 Yes  
1987-88 Yes  
1988-89 Yes  
1989-90 Yes  
1990-91 No

(2) Yes

(a) Firms of chartered accountants were appointed on behalf of Black local authorities to draw up the financial statements for the different financial years

The Orange Free State Provincial Administration renders auxiliary treasury services to the majority of Black local authorities

Investigations in terms of the relevant legislation are continuously conducted to improve orderly financial administration. Rectification measures arising from these reports are instituted

Orderly training by chartered accountant firms are further provided to Black local authorities to improve their financial administration

(b) The financial administration of Black local authorities is improving as a result of the continuous training and action taken against councils

(3) The information is supplied as at 30 April 1992

(a) Mangaung	R11 725 957,00
(b) Thabong	9 523 982,00
(c) Meloding	5 746 450,00
(d) Maokeng	4 667 572,00

Number of males sentenced to corporal punishment (253)

312 Mr D J DALLING asked the Minister of Justice

- (1) How many males (a) under the age of 18

years, (b) aged 18 to 21 years and (c) aged 21 years and over in each race group were sentenced to corporal punishment (i) in 1991 and (ii) during the period 1 January 1992 up to the latest specified date for which information is available,

- (2) how many strokes were inflicted in respect of each category of persons during each of the above periods?

(253) B775E

#### THE MINISTER OF JUSTICE

(1) The required information is not readily available. In an effort to be of assistance to the Honourable Member, the following statistics for the period July 1990 until June 1991 were obtained from the Central Statistical Services

Total number of persons sentenced to corporal punishment only 32 689

Total number of persons sentenced to corporal punishment and imprisonment 5 511

(2) The required information is not readily available

#### Total cost of building KwaMhlanga

314 Mr P G SOAL asked the Minister of Regional and Land Affairs

(1) (a) What was the total cost to the former Department of Development Aid of building the town of KwaMhlanga in KwaNdebele and (b) (i) what was the nature of each of the projects developed in this town and (ii) what did each such project cost the said Department,

(2) whether similar facilities existed in Sibuswa at the time, if so, for what reasons were they being duplicated in KwaMhlanga?

B779E

#### THE MINISTER OF REGIONAL AND LAND AFFAIRS

(1) (a) The total cost for the former Department of Development Aid of building the town of KwaMhlanga in KwaNdebele, was R53 926 000

Country  
HOUSE OF ASSEMBLY



(d) Parsons Commission—between October 1993 and March 1994. The possibility of steps which will expedite the Commission's business are being investigated.

De Meyer Commission—August 1992 and in respect of the Receiver of Revenue probably a later date but subject to a decision of the appeal court.

#### Justices of the peace: persons appointed

136 Mr D J DALLING asked the Minister of Justice

(1) Whether he will furnish particulars in regard to all persons appointed as justices of the peace during the latest 12-month period for which information is available, if not, why not, if so, (a) what are their names, (b) from which districts do they come, (c) what are their qualifications, (d) what positions did they hold at the time of being appointed and (e) for what reasons were they so appointed,

(2) in respect of what period is this information furnished?

B342E

#### The MINISTER OF JUSTICE

(1) and (2)

It is an onerous task to compile a correct and reliable list of names for records of magistrates. Furthermore this list may also be influenced by applications which are expected to flow from an invitation in certain areas.

#### Prisoners released before completion of sentences

277 Mr A J LEON asked the Minister of Correctional Services

(1) How many prisoners were released from prison before completing their sentences during the period 1 July 1991 up to and including the latest specified date for which information is available,

(2) whether any such prisoners were released before completing 75 per cent of their prison sentences, if so, (a) how many and (b) what were the (i) respective sentences and (ii) actual periods served in each case,

#### Sentence Category

Sentence Category	> 6 months up to 12 months imprisonment	> 12 months to < 24 months imprisonment	24 months and longer
Released on parole after 1/3 of sentence	9,1%	6,5%	1,05%
Released on parole after 1/2 of sentence	12,2%	9,1%	22,68%
Unconditionally released with or without remission of sentence (in other words not released on parole)	3,5%	5,5%	15,64%
	75,2%	78,9%	60,63%
	100%	100%	100%

Released on parole after 1/3 of sentence

Released on parole after 1/2 of sentence

Unconditionally released with or without remission of sentence (in other words not released on parole)

On 5 March 1992 I announced that prisoners in the sentence category up to and including six (6) months imprisonment will, in future, not be released before they have not completed at least 1/3 of the sentence which was imposed. Before this announcement it was policy that this category of prisoners, with certain exceptions, could have been released on parole as soon as possible after admission.

(3) Yes

The release policy of the Department as well as the special release measures during 1991 were clearly set out in my press release of 8 May 1992, a copy of which is attached for the hon member's convenience. I also dealt with this matter here in Parliament during the discussion of a draft resolution by a private member on 31 March 1992. In this regard I wish to refer the hon member to columns 3306-3312 of the Hansard of 31 March 1992.

(4) No

As the hon member is aware, special release measures were taken during 1991, when extraordinary circumstances oc-

curred which necessitated special arrangements. These measures were purely *ad hoc* and were, inter alia, aimed at levelling the political playing-field.

The successful reintegration into the community dictates that the privacy of released prisoners should be respected and therefore it is normally the policy not to provide particulars or to comment in respect of individual cases. In this regard, I have to add that should information of this nature be made public, it could lead to attempts of unnecessary public interference with individual cases which would not be to the advantage of the successful reintegration of the ex-prisoner into the free community. The family of the released prisoner should also be considered and their privacy should be respected and protected in the interest of the preservation and extension of family relations. In addition, unnecessary public interference may endanger some released prisoners' physical safety and this Department cannot be instrumental in that regard.

However should the hon member be interested in the particulars of a specific case, he is welcome to approach me, whereafter I will make the information available to him on a personal basis.

It is also important to note that the occupation of an offender upon his arrest and conviction is not a factor which is taken into account during the normal release process. Record is therefore not kept separately in the normal course of events of ex-members of the security services or any other vocational group who find themselves in prison or who are released therefrom.

(a)(i)(aa), (bb) and (ii) as well as (b)(i) and (ii) Fall away

PRESS RELEASE BY MR A J VLOK, MP  
MINISTER OF CORRECTIONAL SERVICES WITH REGARD TO THE RELEASE OF KHETHANI SHANGE

8 May 1992

If the cases of persons like Shange, Potsane and others are viewed in isolation of the so-called "political" prisoners, it leads to unnecessary misunderstandings, as is presently the case. It is therefore in the interest of everybody to put the



matter in the correct perspective and also to publicize the case to rest

The initiatives following the announcements made by the State President during his historical speech on 2 February 1990, was preceded by a period of political violence and turmoil

In this, members of the ANC, the PAC, Azapo, Inkatha, the Security Forces as well as other organizations, became unavoidably involved. The initiatives announced by the State President, dramatically and constructively changed the whole situation in South Africa. Various steps to level the political playground, such as the release of so-called "political" prisoners, had to be taken

Consequently, as a step in the process of normalizing the political scene, an agreement in terms of the Groote Schuur and Pretoria Minutes, was reached between the Government and the ANC on the guidelines for defining political offences. Applying these guidelines, a total of 1 248 so-called "political" prisoners were released unconditionally in terms of section 69 of the Correctional Services Act

According to the following agreement, reached between the ANC and the Government, this part of the process was finalized on 30 June 1991

"Whereas it is of importance to all parties concerned that the procedures, mechanisms and results relating to the release of prisoners under the Groote Schuur and Pretoria Minutes, be accepted, therefore, both parties agree that for the purpose of their mutual endeavours in regard to the release of prisoners, it is deemed that finality in the process has been reached today and that the results are accepted. Provided that in any case in which the government advises that release is not warranted, this shall not infringe on the right of the individual to request further advice from the Advisory Committees. This, however, shall not be construed as extending or delaying the finality of this agreement"

It was however all along realized and accepted that there were still some prisoners in detention who became involved in criminality during the same period of political violence and turmoil and who also had to be dealt with in one or another way

HOUSE OF ASSEMBLY

In view of this, the above agreement also recognized that

"Whereas a large number of prisoners do not qualify for release according to the categories and the guidelines, cognisance is taken of the fact that the Government is working on proposals for special and substantial remission of sentence which may include parole in certain cases"

Apart from this agreement, the Department at that time also received numerous requests and well motivated representations by various organizations. Within the prison population itself there was also unhappiness because only some prisoners benefitted whilst others did not

From the above it was clear that the release of so-called "political" prisoners, which only benefitted a specific category of prisoners, called for a more even handed approach

In addition to this, it was realized and accepted that it could only be achieved by taking special steps and extraordinary measures. The application of the normal release policy of the Department of Correctional Services was inadequate to reach this goal

In view of the fact that such measures were essential and to the benefit of the country as a whole, the application of special extraordinary measures were seen as completely justifiable

Against this background, it was consequently decided during June/July 1991, as a special measure, and under these extraordinary circumstances, and without creating a precedent, to take the following steps

(i) One third special remission of sentence was granted for certain first offenders. This resulted in the release of 2 959 prisoners during July 1991

(ii) Approval was also granted for the placing under parole supervision in terms of section 63(2) of the Correctional Services Act, of a further 66 prisoners who at that stage had only completed a relatively short portion of their sentences

The 66 persons consisted of inter alia members of the ANC, IFP as well as members of the security forces. Members of the ANC like Masina, Masango, Potsane and Phuri as well as members of the security forces like Goosen, Viviers, Prinsloo as well as Khetane Shange, were part

of this group who were paroled under strict conditions in terms of section 63(2)

It must be emphasized that all so-called "political" prisoners were released unconditionally in terms of section 69 whilst the above-mentioned persons were paroled in terms of section 63(2)

In this regard I wish to point out that parole implies the serving of a portion of a prison sentence within the community under specific conditions and under strict supervision

From the above it is clear that all these prisoners were therefore dealt with strictly within the provisions of the law and not *ultra vires* as implied by the LHR. Section 63, inter alia empowers the Minister of Correctional Services to place prisoners on parole as he may direct and the persons in question were in fact paroled on the authority of the Minister in terms of this provision

It is clear that the LHR have not properly verified the facts on which they have based their arguments put forward in their press release. LHR have also yet failed to explain why they do not oppose the parole of Masina, Masango, Potsane and Phuri who were paroled under the same circumstances—even though convicted of more serious crimes

Despite their lengthy explanations, I still have a problem with the objectivity displayed by the Lawyers for Human Rights. Why are they for instance criticizing the parole of Shange but are keeping conveniently quiet about other similar and even more serious cases?

We admit that the above-mentioned measures were a drastic step but it was done in good faith and to the benefit of the country as a whole. The positive results of the actions are there for everyone to see

The consequences of these parole cases are managed carefully and effectively by my Department. These people are serving long terms of their sentences under strict parole supervision and any violation of their parole conditions will have serious consequences for the relevant person

Number of suitably qualified teachers

280 Mr E W TRENT asked the Minister of Education and Training

How many suitably qualified teachers of (a) Accountancy, (b) Physical Science, (c) Biology and (d) Mathematics were there at each school falling under the control of his Department in the (i) Port Elizabeth, (ii) Ibhayi, (iii) Uitenhage and (iv) Kwanobuhle metropole as at 31 December 1991 or the latest specified date for which information is available?

The MINISTER OF EDUCATION AND TRAINING

School names	(a)	(b)	(c)	(d)
(i) Cowan Secondary School	2	1	3	0
Ernest Skosana Primary School	-	-	-	0
Itembelihle Comprehensive School	1	0	3	5
Masangwana Public Primary School	-	-	-	0
Molefe Primary School	1	-	-	0
New Brighton Primary School	-	-	-	0
Newell Secondary School	2	1	2	1
Philip Nkikwe Primary School	-	-	-	0
Stephen Mazungula Primary School	-	-	-	0
Thubelihle Secondary School	-	0	1	1
Tyhululwazi Secondary School	1	0	2	3
Gqebera Secondary School	1	0	1	4
Ilungelo Primary School	-	-	-	0
Khwezi Lomso Comprehensive School	1	0	2	5
Kwazakhele Secondary School	2	0	2	2
Loyiso Secondary School	1	1	1	3
Masibambane Secondary School	3	0	2	3
Mzontsundu Secondary School	1	1	1	3
Ndzondelelo Secondary School	1	1	1	2
Phakamisa Secondary School	1	1	3	1

HOUSE OF ASSEMBLY



# My life behi

**EXCLUSIVE: The Sunday Times interviews spy Gerhardt in his cell**

SI Times 14/6/92

**JAILED Soviet spy and former SA Navy commodore Dieter Gerhardt spends his days behind bars tending red roses, writing letters and reading John Le Carré novels.**

In solitary confinement at Pretoria Central Prison, Gerhardt, 56, is waiting for the freedom he believes is near

On Friday, accompanied by a former political prisoner, I visited him in the maximum security section of the prison where he has been incarcerated since being found guilty of high treason in December 1983

## Garden

He has long since exchanged crisp Navy whites for prison green, but his bearing is still that of an officer

When his lawyers appeared in the Pretoria Supreme Court on Thursday to launch a new bid for his release, they sported red rosebuds in their lapels. The roses came from Gerhardt's prison garden. He plans each visit by friends meticulously, however short the notice

Friday's 40-minute visit took place in the presence of a Correctional Services officer, and when we arrived, Gerhardt had a tray of coffee and biscuits waiting

On the tray were a flask, instant coffee — both local and imported — two typ coffee creamer, brown



By **CHARLES LEONARD**

sugar, two cups and saucers, a coffee pot, a can of diet soda and a plate of homemade biscuits

Gerhardt is almost bald, but his big green eyes have not dimmed in the gloom of his surroundings. He fills his 1,97m frame with just a hint of a paunch

He has been alone in this section of the prison since the release of political prisoners in terms of the Pretoria and Groote Schuur Minutes, and was clearly delighted to see his former fellow prisoner.

Gerhardt's most prized possession is a batch of photographs sent to him from Switzerland by his wife, Ruth, and son, Gregory

A shadow of sadness crosses his face as he shows us a photo of Ruth, convicted with him of spying for the Soviet Union but released in 1990 after serving seven years of her 10-year sentence. He shows a picture of Gregory, 15, skung

"Oh, look at that snow," he says,

mimicking his son — whom he has not seen since Gregory was a toddler — with his arms outstretched like a bird released from a cage

But that is all the emotion the former commander of Simon's Town naval dockyard allows himself

"Ruth is having trouble getting a visa to visit me," he says. She was deprived of her South African citizenship after her release. Gregory can visit me at the end of the year, but please God, I want to be out by then"

Gerhardt has just finished reading a non-fiction book by John Le Carré about Swiss Army general Jean-Louis Jeanmaire, who allegedly spied for the Soviet Union and who was released last year

## Library

"Talking about books, our library has sadly diminished, as some guys took books with them when they were released, including stuff that people like Jeremy Cronin and even Bram Fischer bought for the library

"I still look after our garden, the red roses, the lemon bush and the veggies," he says, referring to the garden started by political prisoners

Gerhardt's application for his release as a political prisoner was postponed by Mr Justice Van der Walt on Thursday, following an agreement between Gerhardt's counsel and counsel for the respondents — the State President and the Correctional Services and Justice Ministers.

Mr Justice Van der Walt ordered the respondents to file a notice this Wednesday if they intended opposing the application

Gerhardt's role as a spy was revealed to the world on January 26 1983, when the then prime minister, Mr PW Botha, announced his arrest. After Guy Burgess and Kim Philby, he is the Soviet Union's best-serving spy — and most successful in southern Africa

In prison, he jokingly told fellow inmates that his 21 years of service for the Soviet Union put him into the "Spy Top 10"

## Passion

Gerhardt graduated as an officer from the Sandanha Naval Academy in 1954 and was sent for further training in England two years later

There, he befriended black officers from other Commonwealth countries and later walked into the Soviet embassy in London to offer his services as a spy

When in Moscow, he indulged one of his greatest passions, classical music, with frequent visits to the Bolshoi theatre

Former fellow political prisoner and ANC spokesman Carl Niehaus recalled

"We had a very good little library in our section in prison. There was a beautiful book on the Bolshoi, which was treasured by Dieter"

Another former inmate said "Dieter told me he would do his day job in the navy, go home, sleep at the normal time and then get up at two in the morning to do his 'night job' — the spying"

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# SAP parole: Prisoner sues

Own Correspondent

253

CT 17/6/92

DURBAN. — A prisoner launched an application in the Supreme Court here yesterday asking for an independent judicial and public commission of inquiry to investigate the early release of prisoners serving sentences for "brutal and violent" crimes

Shane Frederick van Straaten, 25, who has been in the Westville jail since 1988, brought the application against the Minister of Justice, Mr Kobie Coetsee, the Minister of Correctional Services, Mr Adriaan Vlok, and Captain Ferreira, head of medium D in Westville Prison

He has asked for the inquiry to investigate the early release, by means of parole, of former SAP members serving jail sentences.

Van Straaten said he wanted an inquiry into the continued imprisonment of other prisoners who had qualified for release under the parole system and an investigation into allegations of "preferential" treatment given to certain prisoners.

He referred to several policemen who had been in jail and then released in "violation" of the parole system.

Mr Justice Booysen adjourned the hearing *sine die*.

## KAMA SUTRA

Discover the sexual secrets of the east and learn the art of love.



## 'Impossible to trace murderer'

JOHANNESBURG — An investigating officer in the murder of ANC lawyer Mr Bheki Mlangeni told an inquest in the Rand Supreme Court yesterday it would have

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# 'Equal rights' for all warders

Political Staff

253

CT 17/6/92

**THERE** were no racial differences in accommodation, recreational facilities and salaries for warders in South African prisons, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

He specifically denied there were any such differences for white and coloured warders at Pollsmoor Prison

Replying to a question tabled in Parliament by Mr David Dalling (ANC

sandton), Mr Vlok said accommodation at prisons countrywide was accessible to all personnel in terms of regulations

It was allocated at the discretion of prison commanders on the basis of criteria that did not include race.

Mr Vlok said all available recreational facilities at Pollsmoor had been accessible to all members since November 1990

All disparities in salaries had been eliminated on March 1, 1988



# MK 'will have fewer than 1 000'

From CHRIS BATEMAN

LONDON — THE ANC's military wing, uMkhonto we Sizwe (MK), would have fewer than 1 000 members by the time integration began in South Africa, Professor Annette Seegers, head of Political Studies at UCT, claimed yesterday.

A leading authority on civil/military relations in South Africa, Professor Seegers was commenting at the Chatham House conference on A Changing South Africa here yesterday.

This drew a concession from top MK member and former Robben Island prisoner Mr Tokyo Sexwale, chairman of the ANC's PWV region. "She has a point but her figures are ridiculous," Mr Sexwale replied.

Many "freedom fighters" were increasingly trying to leave the army and build careers. "Of more than 10 000 returned exiles, mostly MK, many had gone underground and had been instructed to stay there."

while others were receiving advanced training in Uganda, he said. "The people in Uganda are on standby," he said, and added that he hoped there would be a settlement, "otherwise I don't know what's going to happen."

Professor Seegers also said she believed the IMF would shut down the giant Armscor complex "as quickly as possible". Arms suppliers had been trying to enter the international market in an "aggressive manner", she said.

## Freeze on payments for state housing

Political Staff CT 19/6/92  
RENTALS and instalments on state-financed houses have been frozen indefinitely, National Housing Minister Mr Leon Wessels announced last night.

In a statement, Mr Wessels said the decision followed earlier announcements that rentals and instalments on state-financed housing would not be increased until "certain investigations" had been completed. The "freeze" was applicable only to the interest and capital redemption elements of the rental or instalment, and not to increases in municipal tariffs, service charges and other levies that also were part of them.

## SLIDE FILM DEVELOPING SPECIAL!

by Ian Walker

Photomax in Shell House, Waterkant Street, have just introduced a special offer where they will develop your 24 or 36 exposure colour slide film for only R7.50 and in only one hour! Pop your film in before you start work or your shopping and collect your slides an hour later. Mounting if you wish takes a little longer and costs 35c per slide. Our commitment is to quality and your satisfaction — our pleasure!

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## Four more independent HoD MPs join NP

Political Staff CT 19/6/92  
THE State President, Mr F W de Klerk yesterday welcomed four former independent MPs from the House of Delegates into the National Party.

This brings the HoD NP MPs to five as Mr Sathi Naidoo (Durban Bay) joined two months ago. The new NP MPs are Mr Salamuddin Abram, leader of the House of Delegates and chairman of committees, Mr Perumal Nadasen (Allandale), Mr Yakoob Baig (Moorcross) and Mr Sagadava Naidoo (Verulam).

## Freeze on payments for state housing

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- 11.00 Kideo
- 12.00 Young Writer
- 13.00 Transito
- 13.30 Tea Sechaba. (Repeat)
- 14.00 Balekame/Abangani
- 14.30 Muzik à la Carte
- 16.40 Days of our Lives
- 17.30 The Bold and the Beautiful
- 18.00 Devotion
- 18.30 Shell Road to Fame
- 19.00 CCV-TV Wheel
- 20.00 History of Soccer
- 21.00 Law and Order
- 21.00 Mob Boss. Comedy starring Morgan Fairchild
- 22.30 Unity '91
- 23.49 CNN
- 14.00 Kideo
- 15.00 Metric Help-U
- 15.00 TSS

- 15.00 Children's programmes
- 16.30 The Scheme of Things
- 16.59 Bright Ideas
- 17.00 Ego!
- 17.30 Loving
- 18.00 The World of Panasonic
- 19.00 Batman. (1989) Action adventure starring Michael Keaton and Kim Basinger
- 21.15 Red Scorpion (1989) A Soviet agent is sent to infiltrate an African uprising and kill its leaders. Starring Dolph Lundgren, M Emmet Walsh and Al White
- 23.00 M-Net SuperSport. Cricket Highlights of the second day's play of the second test match between England and Pakistan
- 23.00 M-Net SuperSport Golf. The second day's play of US Open at Pebble Beach, California
- 1.00 Dased-Bang (1989) Police thriller, starring Don Johnson, Penelope Ann Miller and William Forsythe.
- 2.50 Revenge of the Nerds II. Comedy, starring Robert Carradine, Timothy Busfield, Curtis Armstrong
- 4.20 Programme will be announced
- 5.00 M-Net SuperSport. Boxing Direct transmission from Caesar's Palace, Las Vegas, of the heavyweight title fight between Evander Holyfield and Larry Holmes

# Viljoen rejected inquiry into corruption judge

## Community allowed to stay on farm

Mr Justice Van der Walt said in a letter to the Speaker of Parliament, Mr Eli Louw Mr Louw had called on him to supply the chain of events to shed light on the debacle after a Parliamentary debate. The confirmation of the Ombudsman contradicts the claim by the government and Dr Viljoen that they acted properly and swiftly to stop and prevent all corruption in the department as soon as they discovered it.

On December 6, 1988 Mr Justice Van der Walt attended a meeting with the Auditor-General of the Department of Development, Mr Gilles van der Wall, his deputy in the department and members of the Commercial Branch of the SAP, he said. On the same day or after it he went to Dr Viljoen to request the inquiry, he said.

THE Ombudsman, Mr Justice P J van der Walt, yesterday confirmed that State Affairs Minister Dr Gerrit Viljoen refused a recommendation from him four years ago to appoint a commission of inquiry into the affairs of the Development Aid Department. Mr Justice Van der Walt, who is the former Advocate-General, said that at his request he had a meeting with Dr Viljoen on December 6, 1988, and recommended an inquiry into the department following complaints of corruption by the Transvaal attorney-general.

However, Dr Viljoen denied the need for the inquiry. Dr Viljoen instructed Mr Van der Walt to work with the Transvaal attorney-general and conduct an internal inquiry alongside a police inquiry.

THE Mogopa people, who were forcibly removed from two farms near Ventersdorp in 1984, will have one of the farms, Zwarttrand, officially restored to them, the Deputy Minister of Regional and Land Affairs has decided. This was confirmed by the Director of Land Affairs, Mr Pine Prenaar, on Wednesday. He said the community had been removed from the farms in the Western Transvaal in the early 1980s. They reoccupied Zwarttrand without consent in the late 1980s. It had now been decided that they would be allowed to remain there. The other farm, Hartebeeslaagte, was state land and would remain so, said Mr Prenaar. — Sapa

## F W entertains Moroccan minister

THE Moroccan Minister of State for Foreign Affairs and Co-operation, Dr Abdelatif Filali, had talks yesterday with State President Mr F W de Klerk in Tuynhuys. Dr Filali is on a week-long visit.

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# MY AWAZING WAR STORY

Clpers 21/6/97

AS3

## Azanla man: We killed 10 of them

Three days later, on September 12 - the anniversary of Steve Biko's death in detention - she had recruited 27 prisoners for the cause

By MOSES MAMALLA

TODAY, exactly two years after he was captured in battle, Azanian National Liberation Army (Zanla) combatant George Mlungisa Biya is a free man.

Biya was released from prison after fasting for 56 days.

In an exclusive interview with City Press he told of the military clash with the SADF/Bophuthatswana platoon in which fellow combatant Mzwandile Mcooseli was killed.

He also alleges that 10 Bophuthatswana Defence Force soldiers were killed.

He told how the two foreign-trained cadres of the Black Consciousness Movement's military wing had infiltrated the country through Botswana.

"It was on June 21, 1990 when Mcooseli and I were walking down a gravel road at Ramatla-

bama in Bophuthatswana when we met our ambush," said Biya who was born 27 ears ago at Phiri in Soweto.

"We were in civilian clothing when the soldiers stopped us. We pretended to obey and a number of them approached us to check our passports

"When they were at close range, I produced my passport - a hand grenade - and hurled it at them"

That explosion marked the start of a firefight which raged for three hours

He said Mcooseli was shot while moving from one position to another.

"After holding them from 4.30 pm until 7.30 pm, I ran out of ammunition. That was when they surrounded me and I was captured."

He said he saw the bodies of 10 BDF soldiers.

He said an argument broke out between the two forces. Some wanted him to be taken straight to Pretoria while others maintained he should be kept in Bop where he was captured.

It was resolved that he would remain in the homeland.

When he told them who he was they were surprised as the name George Biya was well known to them.

They said he was "the chief terrorist and the Azanla general".

He however denied that he was a member of revolutionary Azanla.

"I think they did not kill me because they wanted information. After the severe torture failed to kill my fighting

spirit, a certain Colonel Craus employed psychological tactics.

"He told his men I did not deserve that kind of treatment. I was then offered a car, a big house and a negotiable salary in exchange for being an Askari.

"I told them I was worth the whole country - but they were demoralised," he said.

In another attempt to break his spirit, the security forces forced him to identify the bullet-riddled body of his fallen comrade.

But to the surprise of the BDF soldiers he saluted the body of Mcooseli and commended him for taking several of the enemy with him.

"My torture stopped because my lawyers inter-

vened. They insisted that I should be tried in court."

How had anyone known where to find him?

"Our military network is very efficient. The fact that I did not call within a specific period made our intelligence operatives take steps."

He was tried for murder, attempted murder, possession of arms and explosives and sabotage.

However, his defence was helped by the fact that a Bop government spokesman had soon after the clash publicly denied any BDF casualties.

The spokesman had only confirmed to the media that one "terrorist" was killed and another captured.

"We used his statement in our defence when we denied the murder

charges. We asked the BDF if they lied in public or in court. They replied they did not lie and we produced newspaper cuttings, proving that BDF had suffered no loss of personnel

"They had to withdraw the murder charges and I was convicted of illegal possession of arms and sentenced to three years' imprisonment on June 6 1991, after an 11-month marathon trial."

The following month, on July 27, further charges were put to Biya relating to four other acts of sabotage by Azanla.

Biya was said to have directing the operations which claimed a total of 22 BDF members.

On September 9 he was convicted of attempted murder and robbery charges and sentenced to 10 years' imprisonment.

He said that he had continued converting people to Black Consciousness philosophy.

A month later Biya and 31 political prisoners embarked on a hunger strike to secure their release.

"We started the hunger strike on October 7 and ended it victoriously on November 28," said Biya, adding that he had lost 23,8 kg at the time

"It was not easy. That is why only 14 of the strikers managed to reach the final goal."

With four rules - no treatment but medical examination, release of death, the struggle is above our interests and never kneel down - Biya and Busby Molefe, (who has since died), and their 12 fellow-prisoners were unconditionally released from jail.

Biya is now chairman of the Soweto branch of Azayo.



**JUSH FIGHTER ... Azanla guerrilla George Biya has come back from prison to tell his fantastic tale.**

■ Pict: TLADI KHUULE



**APARTHEID BAROMETER**

W/Mat 26/6-27/92

W/Mat 26/6-27/92

**DEATHS AND INJURIES**

More than 100 people were killed in the Transvaal and Natal during the past week. According to the Human Rights Commission (HRC) 106 people died and 93 were injured. The figure includes the Boipatong massacre.

and Natal allegedly by a death squad. The person was injured.

On June 19 Pitso Mnguni was gunned down in Mankazi while in the company of Makhosi, Thabani M-mela and Maw Mize were shot dead.

On June 20 Fiso Makhona was shot dead in a section, dimla.

The death toll is the highest recorded in a seven day period since the 193 of also recorded in the week before the March referendum.

**REPRESSIVE LEGISLATION**

On June 10 Verwoeging was declared a special interest area. This area includes the townships of Boipatong, Boipatong, Evaton and...

**SECURITY FORCE ACTION**

FIVE people were killed and 29 were injured in the PWV and eastern Cape according to the HRC. Three of the deaths and all the injuries occurred in Boipatong on Saturday when residents protested against President F.W. de Klerk's visit to the area.

The bring to 15 the number of townships declared unrest areas, says the HRC. The others are... Diepsdal, Dordrecht, Tlokoza, Bafeloeng,... and Enonah.

Two people were shot dead by police on Monday on the G... Highway, near Vanderlipark.

The HRC reports that 705 people were arrested between June 17 and June 23. Most were members of the African National Congress (ANC) and African Workers' Union.

**DETENTIONS**

THE HRC report that 30 people are presently in detention under Section 3 of the Public Safety Act. This number includes six residents from the Kw-Matsheni Hostel, who were detained in connection with the Boipatong massacre.

**VIGILANTE-RELATED ACTIONS**

IN THE PWV 86 people were killed and 42 were injured during the past week, according to the HRC. The figures include the 15 people killed and 30 injured during the Boipatong massacre on June 17.

**PRISONERS**

THERE are 99 prisoners currently being held on Robben Island, according to Correctional Services Minister Adrian Vlok. In the past nine months, 33 825 prisoners — from a total of 92 351 — have been released on parole. Vlok was responding to questions in parliament.

Six people died and three were injured in Natal.

**HIT SQUAD ACTIONS**

FIVE African National Congress members were killed in Mankazi.

W/Mat 26/6-27/92

W/Mat 26/6-27/92

W/Mat 26/6-27/92

253



# Court petition to get 'the beast' back behind bars

By CARMEL RICKARD

FORMER kwaZulu policeman Khetani Shange, released after serving only seven months of a 27-year sentence, could be back in jail if the family of his victims have their way. They are asking the supreme court to declare his release unlawful and order that he be locked up again.

Shange, called a "beast in policeman's clothing" by the judge who found him guilty of murder and attempted murder, is out on parole. Shange's release so soon after being imprisoned caused an outcry in the communities which he had terrorised while still wearing his kwaZulu Police uniform.

The crimes for which Shange was convicted included the murder of Themba Gumede and the attempted murder of Gumede's mother, Nomaswazi Ntuli.

This week Ntuli launched a supreme court application asking that a judge should review the decision by the minister of correctional services to release her attacker.

Ntuli says she is so afraid of the paroled former policeman that she has not included her work and home address in the court papers. She says she feared that if Shange knew how to get hold of her there was a serious chance she would be killed or hurt by him or someone acting on his orders.

At the centre of Ntuli's application is her argument that the minister's decision to release Shange was defective.

The minister took the decision to free Shange only 36 days after he was sentenced. Ntuli says it is therefore most unlikely the minister received a prison board report before making up his mind to let Shange out on parole. Nor did he go

through the other steps required before taking such a decision, thus making Shange's release unlawful.

However, even if he had received such a report, the decision to release Shange given the circumstances of the case and the comments of the judge, was "so grossly unreasonable" that the court should assume the minister acted improperly.

Ntuli suggests that the minister might have been motivated by "improper considerations" or by bias, or he might have acted in a purely arbitrary way, or he might not even have applied his mind to the matter at all.

For these reasons, the minister's decision should be set aside and Shange should be ordered to present himself at Westville Prison, to continue serving his original sentence.

During Shange's trial, Mr Justice Gordon said that Shange seemed to enjoy his reputation as a "hit man", and the fear that this caused. The judge also commented that Shange was one of the main players in a reign of terror in kwaMashu and that as a policeman Shange had abused his position of trust. Before sentencing Shange the judge also said he had come within a hair's breadth of passing the death sentence on him.

Commenting on the case, Democratic Party MP Peter Gastrow, who raised the issue of Shange's early parole in parliament, said he did not know of any similar case in the past relating to the release of a prisoner. He said he hoped the result would be a check on "arbitrary executive decisions to play around with sentences imposed by judges after serious thought".

Shange and the minister have until July 22 to decide whether to fight the case.

w/mant 26/6-2/7/92

253



# Rotten te

STAR  
27/6/92

**T**HERE is nothing like a little contact with hardened criminals for forcing one to revise (downwards) one's estimate of humanity.

I have observed the liberal sentiments of several young doctors crumble to nothing, like a sandcastle before the tide, in the face of psychopathic murderers and rapists.

The young doctors enter prison convinced that incarceration is primitive, wasteful and serves no useful purpose. Until then, their idea of evil incarnate had been the Tory Minister of Health of the day. But a little later, they come out muttering that prisoners should never be released.

I admit there is much about prison that I like. I like the warden's — their camaraderie, their gallows humour, even their rigidities and stubborn attitudes. And I have seen many acts of kindness done by them towards the prisoners — more than I have seen acts of brutality or cruelty.

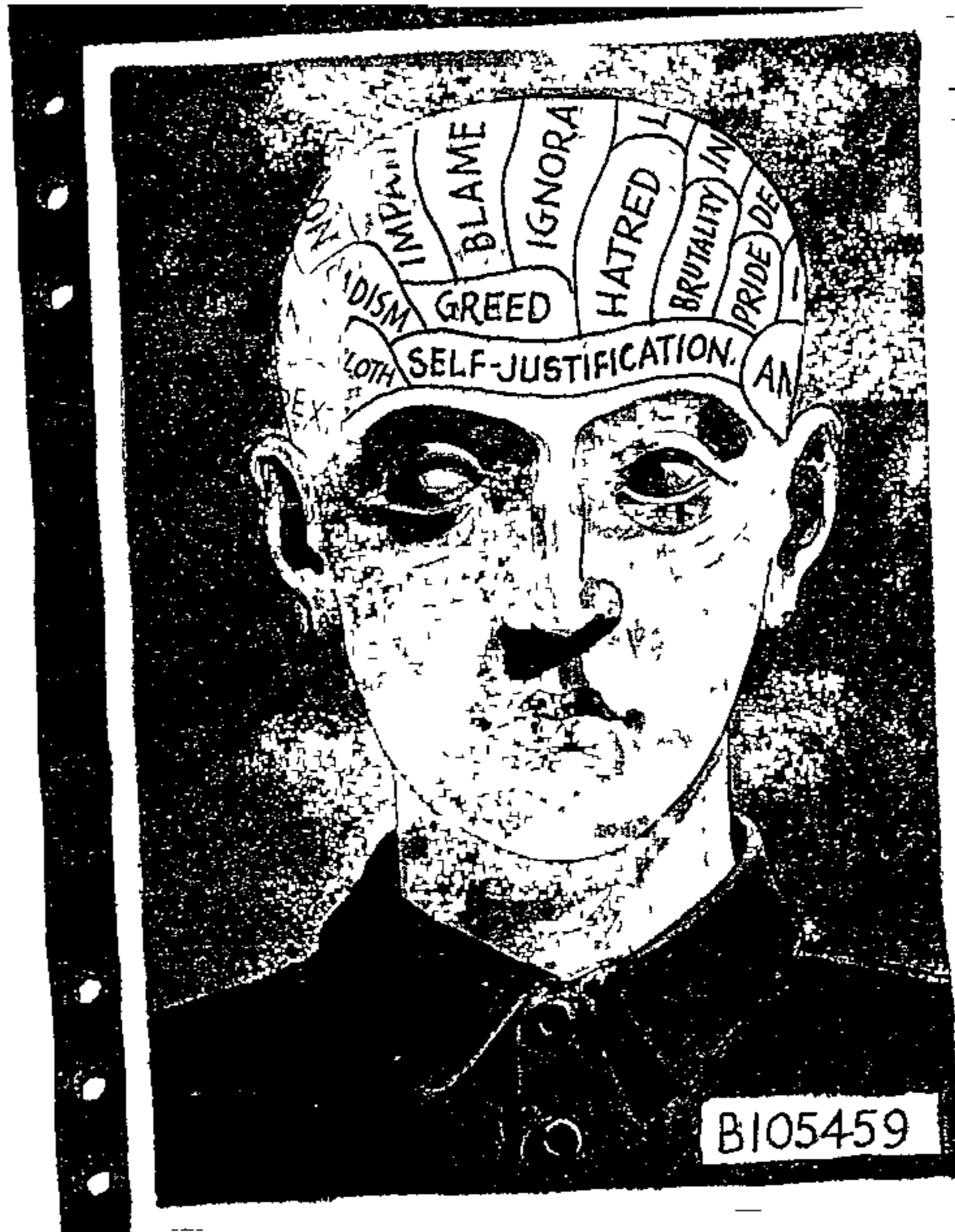
As for the prisoners, they never cease to fascinate me. Each of the fascination is more like the hands of a strangler, the face of an arsonist, the hand of a poisoner, gives me the thrill which others derive from murder fiction.

But the prisoners also raise philosophical questions in acute and practical ways. In my youth, I studied philosophy with something approaching passion but despairing of firm conclusions. I gave it up as pointless. The prisoners, however, revive the old ultimate questions of freewill and determinism, of good and evil, of the nature of explanation and the final unknowability of things.

Often I meet prisoners who have committed the most terrible crimes, but repentance is rare, except in front of the parole board, where it is quite common. Of course, the majority of prisoners have committed only petty offences, small (but repeated) crimes against property, or rather against the people who own the property.

They are often pathetic and inadequate individuals, thoroughly accustomed to prison life, the warmth and three square meals a day provided, unconditionally in prison are for them an incentive to further crime. As for the loss of freedom, they welcome it, being told what to do all their waking hours obviates the need for thought and decision.

This is not to say that they accept their lot. Far from it. They may not be very intelligent or sensitive (I haven't met one who realises empathically how traumatic crime is to victims, or how it can change victims' lives), but few have not detected the liberal *zeitgeist* of the last quarter of century, who have not taken advantage of it



**Is imprisonment the best way to reform violent criminals? Should punishment serve as a deterrent? Should we accept violent criminal tendencies? THEODORE S. BROWN believes violent criminals are rotten.**

to affix the blame for their behaviour elsewhere, and who do not desist at the first opportunity on the deformity of their own upbringing.

This allows them to retain their sense of moral worth. It is they, not the people whom they have robbed or assaulted, who are the real victims. Furthermore, blaming others for their predicament obscures from them the humiliating fact that they choose prison, that it is the life they have come to prefer.

But it is the notorious cases, the sadistic killers, the dismemberers and cannibals, the psychopaths and those who were once called the morally

thought there was such a class, and that it was genetically determined.

Thus Henry Boies, an American criminologist, wrote in 1893 "Everyone who has visited prisons and observed large numbers of prisoners together has undoubtedly been impressed, from the appearance of prisoners alone, that a large portion of them were born to be criminals."

"There would seem to be certain recognisable features which differentiate these from the rest of mankind, and set them apart as a criminal class of which it might be assumed — although any given individual might be reclaimed and saved — that as a class they were whole were destined to live and die criminals."

To the untutored eye, such a conclusion might still seem plausible enough and, in

**Often I meet prisoners who have committed the most terrible crimes, but repentance is very rare, except in front of the parole board, where it is quite common.**

its way, reassuring. But one has only to consider the soul of man under Nazism and communism, and reflect a little on the Khmer Rouge and their Peruvian imitators, Sendero Luminoso, to realise that the class of psychopaths can be indefinitely expanded.

Be that as it may, I have never actually met anyone who was morally insane, in the sense that he lacked the normal moral categories of thought.

On the contrary, the worst of criminals often have the acute sense of justice (or rather

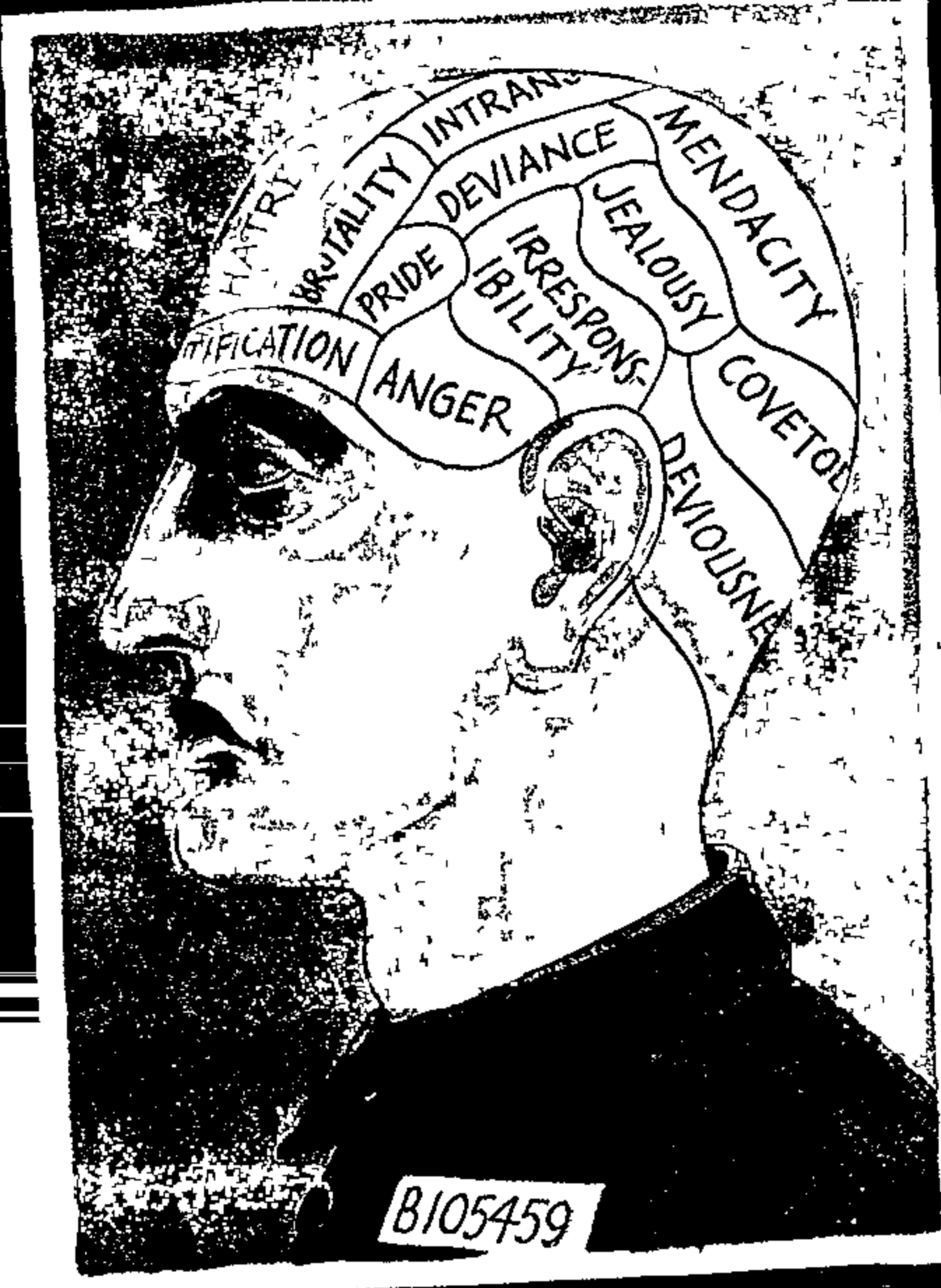
are there beings so entirely different from us, morally speaking, that they form a separate and distinct class, or are they merely at the end of a behavioural continuum along which anyone may, in the right circumstances, slide?

Victorian criminologists



# the core

(253)



...hilitate criminals? Does capital  
...d society accept blame for people's  
...ALRYMPLE, a British prison doctor,  
to the core and seldom repentant.

injustice) But they apply it only to themselves, and in obviously self-serving ways

It would be a mistake to conclude from this, however, that their sense of justice is insincere, for the human mind is a subtle instrument and quite capable of being morally earnest and viciously perverse at the same time

A few months ago, I encountered a remanded kidnapper of very high IQ who had kept a small child in a box for more than two weeks while demanding a ransom from her parents. When finally he was arrested, he was charged also with the sexual assault of another small girl, a crime which he steadfastly maintained he did not commit.

He said that if he was found guilty — unjustly — of this second crime, he would kill himself in protest

"Why would you do that?" I asked

"I don't want people to think I'm a nonce," he said

"But you are a kidnapper," I said "And kidnapping is a very serious crime. You are certain to get a long sentence"

He fixed me with his expressionless, porcelain-blue eyes

"I looked after her well," he said. After a pause, he continued "She came out of it alive. But I'm not a nonce, and I won't allow the f...s to pin it on me"

At about the same time, I interviewed a convicted rapist with three accomplices,

had broken into a house and raped an adolescent girl. He was sentenced to 10 years (the judge believing him to be the ringleader of the gang) and his accomplices received seven years

His accomplices had now been released, and he was on hunger strike (which he later broke) because of what he saw as the terrible injustice done him. He was perfectly immovable on the subject. There was no realisation that any so-called injustice — if it existed — was, compared with his terrible crime, trivial. He was clearly storing up his "reasons" for his next monstrous act

Many a time have psycho-

**The worst of criminals often have the acutest sense of justice (or rather injustice), but they apply it only to themselves, and in obvious self-serving ways.**

paths burdened me with the responsibility for telling them why they do the things they do, and have mocked me because I have been unable to find the explanation

A murderer who drove a fence picket through his wife's chest blamed his doctor because he had gone to him the week before complaining of agitation and anxiety and the doctor had done nothing

It was therefore, he told me, the doctor, not he, who was the real culprit.

Last week in the prison, an

armed robber about to be released into the wider world came to tell me that in his fantasies he strangled, decapitated and disarticulated people he met in the street

"Have you ever..." I began

"Acted on my fantasies? Yes, I once strangled a lad I met down a dark alleyway at night"

"But you let go before it was too late?"

"His jaw was smashed to pieces"

"Were you ever charged?"

"They never knew it was me who did it" His sadistic leer was the most horrible expression I have ever seen

He thought that once he had informed me of his propensities, I had *ipso facto* released him from responsibility for them, and had granted him a kind of medical absolution. But how he would have complained, if — on the basis of his confession — I had arranged a form of medical preventive detention for him!

I do not know any longer what it is to "understand" another person, at least beyond banalities such as "he ate because he was hungry"

There seems to me an irreducible gap between psychopathic behaviour and all hypothesised explanations of it

But I would make one general point, whose truth I cannot prove and which I admit is highly speculative: it is that the effort to explain psychopathic behaviour is itself likely to result in its spread

In Brian Masters's book about Dennis Nilsen, "Killing for Company", which is unlikely ever to be surpassed as an effort to comprehend the mind of such a man, we are told that on one occasion Nilsen said to the police that the real criminal, the person who should really be locked up, was in Number 10, not in the police station confessing to 15 murders

And he later wrote a poem about one of his victims in which he accused society of hypocrisy, for it had concerned itself with the murdered boy, who was something of a vagrant, only after his death during his life it had cared nothing for him

Thus the locus of moral responsibility departs from the

individual and settles on a distant abstraction.

No doubt there will always be brain-damaged individuals who, for physiological reasons, cannot contain

their rages and impulses

But if, as is taught in the schools and universities, in the churches and on television, in the newspapers, and in the secular sermons of the *bien pensants*, responsibility lies not with the individual but with society, it is scarcely surprising that crime and other forms of social deviance are inexorably on the increase

To deal justly oneself is a spiritual and intellectual discipline, to espy injustices elsewhere is often the merest self-indulgence. — The Spectator, London

# BOEREVOLK MEN REFUSE FOOD 253

By CLAIRE ROBERTSON  
Two Orde Boerevolk members wanted in Namibia on charges of murdering a UN guard are in the 10th day of a hunger strike in Pretoria Central prison.

Leonard Veenendaal, 26, and Darryl Stopforth, were arrested in April after being on bail for nine months while an application for their extradition to Namibia was pending.

The men have vowed not to eat until Justice Minister Kobie Coetsee decides whether they will be sent back to Namibia.

Last August, Mr. Stopforth, who has only one kidney, ate nothing for 32 days, while Mr. Veenendaal ended his strike after 32 days, damaging a kidney.

Mr. Stopforth's wife Karen, who is pregnant, said her husband was now passing blood.

A Department of Correctional Services spokesman said both men were in a satisfactory condition.



# Criminals set to 'burst' from SA's crowded jails

SI Times  
28/6/92.  
ANOTHER mass release of prisoners is on the cards as the country's prison population overflows available jail cells

Minister of Correctional Services Adriaan Vlok has intimated his department is considering freeing convicts before their sentences are up to bring the prison population down

More than 107 000 convicts are jailed in prisons around the country that are equipped to cater for only 93 000 prisoners

The prison population

By CHARIS PERKINS

has grown by 9 000 since the end of January

This week Correctional Services spokesman Brigadier Erica van Zyl said no decisions had been made, but the department was examining the possibility of freeing prisoners before their sentences were up

She could not say who would qualify for release "The department is still deciding"

Meanwhile, a spokes-

man for the National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro) said that releasing prisoners would not solve the crisis

"It makes no sense to release prisoners every time the prisons become overcrowded," said Johannesburg Nicro director Miss Jeanette Schmid

"The department should address the causes of overcrowding"

She said a major problem was the large number of awaiting-trial prisoners

253  
In May this year almost a quarter of the prison population was waiting to go on trial

Nicro's national director, Dr Esther Lategan, said the institute had not been informed that prisoner releases were on the cards

"After last year's furore when thousands of prisoners were released under amnesties, the Department of Correctional Services agreed they would inform us well in advance before they released any more prisoners," she said

"Prisoners, their families, Nicro and society cannot cope with a sudden release"

In a speech to students at the Zonderwater prison training college outside Pretoria, Mr Vlok said overcrowding was a serious problem

"One way to deal with it is by 'bursting'," he said

## Murderers

"The idea is to bring down the prison population to an affordable and manageable level. It boils down to selecting certain prisoners for early release when the prison population is too high"

He said the prison occupancy level and financial realities made bursting necessary

More than 57 000 criminals, including murderers, walked free last year when President FW de Klerk granted three amnesties to prisoners

The mass releases unleashed a storm of public outrage. Former Transvaal attorney-general Mr Don Brunette said many of the freed prisoners would soon be back in court

This week Brigadier van Zyl said "bursting" was an internationally accepted policy and should not be confused with amnesties

STAR 29/6/92  
**Legal aid could  
cut jail numbers**

A comprehensive legal aid scheme would lead to a substantial decrease in the prison population, according to the National Institute for Crime Prevention and Rehabilitation of Criminals (Nicro) (253)

In a press statement Nicro said of the R4 billion allocated for law and order in the 1990/1991 financial year, only R17 million had been set aside for legal aid

A shift in State expenditure policies would reduce the problems of crime and curtail the cycle of recidivism

Other statistics include

- About 80 percent of the more than 2 million people tried in magistrates' courts annually are not represented
- More than 100 000 of these people are sent to jail
- The chances of acquittal are five times higher when accused are defended — Staff Reporter



# Red Cross gains access to prisoners

STAR 9/7/92 (253)

The International Committee of the Red Cross yesterday signed an agreement with Minister of Correctional Services Adriaan Vlok enabling the organisation to visit prisoners who have been sentenced or are awaiting trial.

A statement from the ICRC in Pretoria yesterday said the agreement would enable the organisation to visit prisoners according to its customary procedures.

"These procedures include the right for ICRC delegates to interview prisoners without witnesses, to have access to all places of detention and to repeat visits," it said.

The ICRC carried out regular visits to sentenced security prisoners from 1963 to 1986, when they were suspended by the ICRC with a view to negotiating access to other categories of prisoners — unrest and those awaiting trial.

"On the basis of this new agreement the ICRC will re-

sume and develop a constructive dialogue with the Department of Correctional Services on the conditions of detention and treatment of prisoners held in South African prisons," the ICRC said.

Discussions between the ICRC and the Department of Law and Order were being held with the aim of reaching agreement on securing visits to detainees being held by the police, in particular those held under security legislation. Agreements had already been signed with Bophuthatswana, KwaZulu and Ciskei, where ICRC delegates were paying regular visits to police stations.

"Apart from its activities in favour of prisoners and detainees, the ICRC, together with the South African Red Cross Society, is giving assistance to victims of the violence in South Africa. Over 15 000 people across the country have received Red Cross aid since the beginning of the year," the statement said — Sapa

# Now Red Cross can visit SA prisoners

253  
CT 9/7/92  
PRETORIA — The International Committee of the Red Cross yesterday signed an agreement with Minister of Correctional Services Mr Adriaan Vlok enabling the organisation to visit prisoners who have been sentenced or are awaiting trial

A statement from the ICRC here yesterday said the agreement would enable the organisation to privately visit prisoners, including political prisoners, according to its customary procedures to monitor their treatment

Discussions between the ICRC and the Department of Law and Order were being held with the aim of reaching agreement on securing visits to detainees being held by the police, in particular those held under security legislation

Agreements have already been signed with Bophuthatswana, KwaZulu and Ciskei where ICRC delegates are paying regular visits to police stations. — Sapa



# Red Cross given access to jails

TIM COHEN

PRETORIA — Government signed an agreement with the International Committee of the Red Cross yesterday which will allow the committee to interview political prisoners privately to monitor their treatment.

The agreement was signed by Correctional Services Minister Adriaan Vlok and head of the Red Cross in SA Tony Pfanner.

In terms of the agreement, Red Cross representatives will be allowed to visit prisoners who have been convicted of common law crimes linked to internal tension or of offences against state security, unsentenced prisoners in the same categories, and foreign nationals.

The committee may interview prisoners privately, and will have access to every part of prisons they visit. It will report on each visit and discuss its findings with the Department and Minister of Correctional Services, the agreement says. Focus will be on the treatment of prisoners and conditions in prisons.

Correctional Services Commissioner Lt-Gen Willie Willemsse said in a statement yesterday "The fact that the Red Cross is allowed access to SA prisons must be seen as evidence of the sincerity with which the department has been striving towards meeting internationally acceptable standards for the treatment of prisoners."

# Whites warned of danger in Sebokeng

WILSON ZWANE

Leaders in the Vaal Triangle were unable to stop their supporters committing acts of lawlessness, such as the searching of motorists at makeshift roadblocks.

"And to make law and order prevail in the township, police need the co-operation of the people — which is not forthcoming because the people who give information to the police are assaulted," he said.

Recently, Business Day journalists travelling in the township were stopped by comrades at a roadblock. The car was searched for firearms.

One of the "comrades" told the journalists whites were not welcome in Sebokeng and would be targets for necklacing.

RAY HARTLEY reports that four people, including a police constable, died in unrest-related incidents yesterday.

The constable was killed instantly and his colleague seriously wounded in an AK-47 attack in Katlehong, Opperman said.

The bodies of a man and a woman who had been burnt after a bus was set alight by thugs were found at Vosloorus.

In another incident, a man was shot dead in Alexandra by unknown attackers. Spent AK-47 and 22 cartridges were found there.

Police have appealed to the public to assist in locating the weapons used in the Katlehong attack.

# Repairs for violence-torn areas

WILSON ZWANE

THE national peace committee will ask local and regional dispute resolution committees to identify projects for reconstruction and development in violence-torn areas.

Major funding agencies have put their weight behind an initiative aimed at reconstruction and development in unrest flashpoints, committee spokesman Val Pauquet said yesterday.

The committees would be asked to identify projects for reconstruction and development, and be invited to apply for funds for the projects.

It could not be established yesterday how much money the peace committee had allocated to socio-economic projects. Pauquet said permanent sub-commit-

tees of the national peace accord, to be called socio-economic reconstruction and development committees, would soon be set up in SA's trouble-torn areas.

These committees would initially be chaired by the chairmen of regional dispute resolution committees.

This week three development agencies — the Independent Development Trust (IDT), the Development Bank of SA and the Kagiso Trust — said they had had discussions with the peace committee about helping violence victims.

IDT trustees had approved a "substantial" amount of money for reconstruction, spokesman Jolyon Nuttal said.

# Mock trial dispute may be arbitrated

WILSON ZWANE

THE national peace committee has asked lawyers to arbitrate in a dispute between government and Inkatha, and the ANC.

The dispute was declared yesterday at a meeting of the committee executive. It arose from a mock trial held by an ANC official in Maritzburg on June 26.

President F W de Klerk, his government and 10 Inkatha leaders were allegedly sentenced to death at that trial.

The sources said Inkatha and government declared a dispute after rejecting the ANC's explanation that the purpose of the mock trial was to symbolise the demise of apartheid, not to offend De Klerk, government or Inkatha leaders.

A team of lawyers from the Transvaal Law Society, whom the national peace committee had recently enlisted to investigate infractions of the accord, had been asked to arbitrate "as a matter of urgency".

# Nod given to jail visits

■ Now the Red Cross can visit South African prisoners

*Sowetan 9/7/92* (253)  
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"Apart from its activities in favour of prisoners and detainees, the ICRC, together with the South African Red Cross Society, is giving assistance to victims of the violence in South Africa

Over 15 000 people across the country have received Red Cross aid since the beginning of the year," the ICRC said - *Sapa*

POLITICAL PRISONERS (25-)

THREE members

Malak (22)

Palangangue (21)

Potgietersrus District court and were each sentenced to an effective seven years imprisonment. The total number of political



## Popcru wants charter (253)

The president of the Police and Prisons Civil Rights Union, Gregory Rockman, told a gathering of uniformed services members at the Engcobo Roman Catholic Hall in Umtata yesterday that his union was in favour of a police charter

STAR 20/7/92

# Murder in prison: Sergeant 'not guilty'

07/24/92 Staff Reporter (23)

A POLLSMOOR sergeant could not be convicted of murder or culpable homicide because it was impossible to say who had administered the fatal blow which caused the death of a maximum security prisoner.

This was said in Wynberg Regional Court yesterday by Mr P Bredehahn, defence for Sgt Jan Etsebeth, 27, of Ottery, who has pleaded not guilty to murdering John Dilo, 32, in April 1990.

Mr Bredehahn said that the court could not decisively prove whether Dilo died as a result of blows sustained in the cell, in the corridor or two levels below the scene of the gang fight which Sgt Etsebeth and other wardens had gone to break up.

Judgment has been postponed until Thursday.

# Businessmen want Robben Island in trust

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MAG 23/1/72

**JOHN YELD**  
Environment Reporter

A GROUP of Cape Town businessmen, led by well-known property developer Mr Harry Fuchs, has called on the government to hand Robben Island to a trust to guide its development "for the benefit of South Africa"

Their call follows disclosures that the National Parks Board has pulled out of the future management of the island, in spite of a government decision to this effect last year

The board was apparently concerned that essential future finance might not be forthcoming and was also rumoured to be under intense pressure from the Administrator of the Cape, Mr Kobus Meiring, who argued that the island should be managed by Cape Nature Conservation

On Monday, the Department of Correctional Services, which has been heading a committee to investigate the future of Robben Island, since 1985, confirmed that the National Parks Board had pulled out, but declined to comment further

"The matter is being investigated and negotiated," said spokesman Colonel D J Immelman

"In view of the fact that negotiations are of a delicate nature, it will be appreciated that no further details can be given at this stage"

Mr Fuchs's group — which includes businessman and former Springbok spearfisherman Mr Tubby Gericke, urban and town planner Mr Robin Ellis and civil engineer Mr Phil Caloth — outlined its own development proposal

The group claimed the department of Correctional Services was "a law unto themselves" and alleged it was using State funds in an inappropriate way — including building a planned holiday/retirement-resort for prison staff on the island

"We note with concern that they are incorporating historic wartime buildings within this development, notwith-

standing earnest representations made to them for a moratorium on construction from, among others, the Robben Island Committee, Cape Town Chamber of Commerce, the Cape Town City Council's Environmental Advisory Committee and the tourism committee of the Cape Peninsula Regional Development Association.

"What right do they have to spend taxpayers' money for their exclusive benefit?" the group's statement said

Robben Island should be developed as an integral residential and recreational part of Cape Town, in harmony with the environment and accessible to all South Africans, the group argued

Key elements in their proposal include

- A Robben Island Trust should be formed, with trustees representing appropriate government departments, the local authority, formal business sector, and development and environmental institutions,

- The island should be sold to the trust, which would prepare conventional property plans,

- Individual pieces of land would be sold by the trust by tender, or developed by joint venture agreements, and

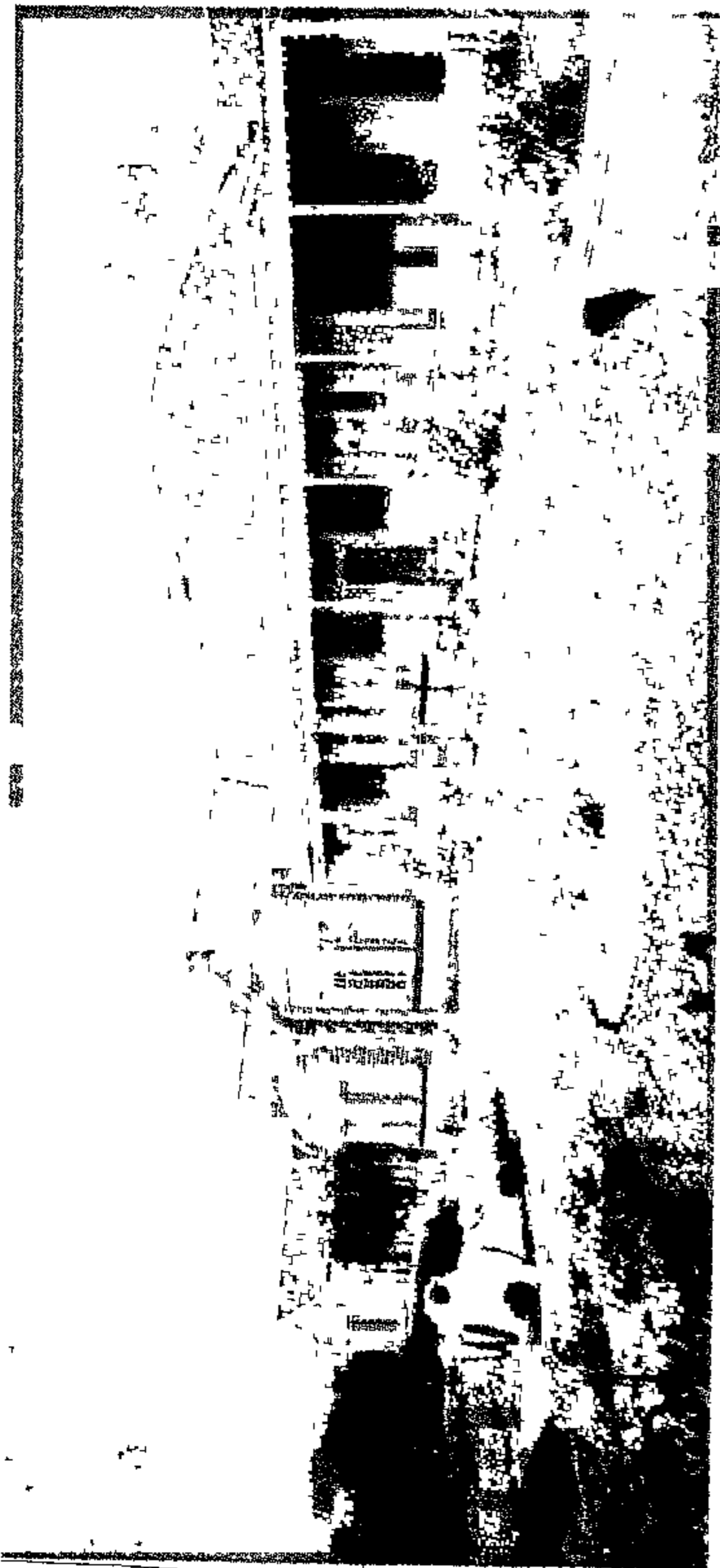
- The trust would administer the island in perpetuity — including roads and services — from its own rates base

Business opportunities could include a local brewery, ferry services, flea market, bicycle and electrical car services, and a helicopter and diving business

"We do not want an airfield, motor cars and pollution, nor do we want a casino which will reduce the value and public profile of the island," the group said

"Visitors will be drawn to the island by its magical appeal, its ambience and its unique facilities

"Above all, we want people to say what they want. Something must be done"



Picture JIM McLAGAN, The Argus  
**ISLAND HISTORY:** Some of the beautiful buildings on Robben Island, now used by the Department of Correctional Services, likely to form a key element in any development plans.



# Historian asked for name to be removed after changes

APR 25 1992 (253)

## Environment Reporter

CULTURAL historian Mr Nic Malherbe, named in the document as one of Mr Fuchs's group of five, has withdrawn his support for the proposal and demanded that his name be removed.

An angry Mr Malherbe, chairman of the Future of Robben Island Committee, has been involved in moves to restore the island to public use.

He said the proposal document that he had originally agreed to had been altered without his knowledge.

"The proposal has been changed from what I saw originally, changes I don't know about," he said.

"I was working with them and I did write the brief history, but things that

have been decided were altered, I can see that immediately."

Mr Malherbe said the proposal included plans for a village — "huge houses going up as a rich playground — that defeats the object".

With Table Mountain and Cape Point, Robben Island was one of the Cape's three major natural assets, he said.

"It must be accessible and available to all South Africans — it is an amenity and certainly not a residential development. We can't have an executive-priced village for the wealthy.

"And we would like to work in unison with a nature conservation body that would look after the marine and terrestrial environments," he said.

By DALE GRANGER

A POLLSMOOR prison warden was fined R500 in the Wynberg Regional Court yesterday for assault with intent to cause grievous bodily harm to an inmate — but acquitted on charges of murdering the prisoner

Jan Etsebeth, 28, of Ottery, a sergeant in the Department of Correctional Services, was sentenced to a R1 000 fine or 12 months' imprisonment with R500 or six months' imprisonment, suspended for five years

Medical evidence before the court was that maximum-security prisoner and "28" prison gang member, John Dilo, had died of

# Death: Prison warder fined

bleeding on the brain. The post-mortem could not prove, however, which specific blows to the head had caused his death, which was "unfortunate" as the state had not proved beyond a reasonable doubt that Dilo could not have died from injuries sustained in a cell beating by rival "26" gang members, the magistrate, Mr P J

Putter said.

The testimony of two "28" gang members, Willem Martin and Andre Botha, was consistent with evidence given by warden Mr Nichol Cornelius that Etsebeth, who was in charge of the maximum security E section, had ordered the "26" prisoners to stand aside and began beating four "28" inmates, including Dilo, and a non-aligned prisoner, with a truncheon, said Mr Putter

When Dilo fled he was bitten by a dog and beaten with truncheons by Etsebeth and two other warders

The prosecutor was Mr M F Davids. Etsebeth was represented by Mr P Bredehahn

## ANC hands Vance 2 new conditions

RAY HARTLEY

NEW conditions for resuming talks — the release of 400 political prisoners and the scrapping of security legislation — were presented to UN special envoy Cyrus Vance by an ANC delegation yesterday.

ANC international affairs director Thabo Mbeki described the preconditions as "additional to the ending of violence".

Vance met leaders from the ANC, Inkatha, the PAC and Azapo yesterday.

He would not comment on the meetings, but described his encounter with an ANC delegation, including secretary-general Cyril Ramaphosa, as useful.

Mbeki said the ANC continued to favour international intervention to end violence.

Mbeki said Vance had not communicated any of his discussions with government to the ANC delegation and was not acting as a go-between. Vance had not been asked to intervene to defuse mass action.

He said another ANC delegation, including president Nelson Mandela, would meet Vance next week.

Inkatha president Mangosuthu Buthelezi said he had told Vance there could be no effective international intervention in SA until the violence had been ended. The ANC's mass action campaign was increasing tension, he said.

PAC president Clarence Makwethu said he had informed Vance of the PAC's rejection of Codesa and told him government was behind the violence.



# AWB uses prison as arms factory, claim warders

*The Weekly Mail* 24/7 - 30/7/92

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*The Natal Witness* in March this year He claimed that an ANC supporter who shared his cell, named as Vusi Mkhize, was stabbed to death in the prison dining hall. The attacker was allegedly an Inkatha supporter who had been supplied with the weapon by a white warder.

Zulu says he personally witnessed three white warders at the Pietermaritzburg prison beat a prisoner to death.

"He fell down and the warders pulled him inside the cell. They put a blanket on him and locked the door. The prisoner did not cry or ask for help. The next morning he was dead."

Lawyers for Human Rights in Pietermaritzburg have affidavits from black warders of this prison which report that white warders attend AWB rallies and training sessions on the prison premises at night.

"Alleged AWB activities of members at the Pietermaritzburg Prison was thoroughly investigated and no substantiation for the allegations could be found," said the Department of Correctional Services. "It appears that the so-called testimonies are based on facts and they must be seen as propaganda stunts."

*The Weekly Mail* has agreed to provide the department with names of alleged members of the AWB at Leeuwkop so that these can be properly investigated.

TWO prison officials have claimed that white warders who belong to an Afrikaner Weerstandsbeweging cell at Leeuwkop Prison, near Johannesburg, are forcing black convicts to make spears and pangas for use in township violence.

The officials have not been named for their own safety. Their evidence is corroborated by eight prisoners who have told *The Weekly Mail* of convicts being used to manufacture "traditional weapons".

"These weapons are hidden inside a disused cell near the engineering works at Leeuwkop Medium A prison. Some of the weapons are stockpiled in the veld near the cells where members of the AWB hold meetings at night," said one of the prison officials.

The Department of Correctional Services has rejected the allegations as being "malicious and devoid of all truth".

Prisons authorities rejected allegations that members at Leeuwkop shout slogans and flaunt the insignia of the AWB and asked for names of the members involved so that these can be fully investigated.

*The Weekly Mail* sources say white sergeant employed at the prison workshop was arrested earlier this year with a load of "traditional weapons", hand

guns and balaclavas in the boot of his car.

This sergeant, named as Vermaak, is said to be heavily involved in AWB activities at the prison. This claim was also rejected by the Department of Correctional Services.

Tipped off by the eight convicts of the far-rightwing activity, *The Weekly Mail* made contact with the two officials who separately corroborated the details.

One said he personally witnessed warders displaying AWB insignia on prison premises in violation of departmental regulations. The other was interviewed while he was doing guard duty at a remote section of Leeuwkop's prison farm. He provided a detailed account of where the engineering shop, and cell alleged to store arms, was located.

An investigative team from *The Weekly Mail* visited the jail and tracked down the former prisons officer after receiving a number of letters smuggled out of the cells at Leeuw-

*Prisoners at a Transvaal jail are allegedly forced to make traditional weapons by white warders who belong to the AWB. By EDDIE KOCH and GRAHAM HARVEY*

The letters include claims that warders shout AWB slogans while doing physical training at the prison.

Members of this right-wing group subject convicts to severe racial assaults and abuse. *The Weekly Mail* has a pile of letters smuggled out of the prison which allege abuse ranging from racial assaults to homosexual rape of convicts.

"Leeuwkop is a training base of the AWB"

Weapons "used for violence in the trans" are made at the "passerswerk-swinkel" (workshop for fitters and turners) at Leeuwkop's Medium A

A base located on a farm near the prison is used as a meeting place for members of the AWB and "there is a weapons cache" here.

"We know their hideout and where the weapons are stored," says a letter signed by four inmates who supplied their full names and prison numbers.

All the informants asked that their identities be withheld on the grounds that their lives would be endangered in these were published.

The allegations follow a top-level probe by the Department of Correctional Services into reports by a Natal newspaper that right-wing warders were promoting political faction fighting among black inmates of the Pietermaritzburg New Prison.

Brian Zulu, a former convict of this jail, alleged that warders belonging to the AWB smuggled knives to Inkatha prisoners and encouraged them to attack African National Congress members in the cells.

Zulu's allegations were published in

# AWB'S prison 'arms factory'

TWO warders at Leeuwkop prison claim that a right-wing "arms factory" inside the prison workshop manufactures spears and pangas for use in township violence.

253

Afrikaner Weerstandsbeweging members hold meetings in prison cells at night, shout AWB slogans and wear their insignia, the warders claim. *Went* 24/7-30/7/92

The men's detailed allegations have been independently corroborated by a group of convicts at the prison, but have been rejected by prisons officials as "devoid of all truth".

● See PAGE 2



CT 25/7/92  
**AWB prison  
antics denied**

PRETORIA — The Department of Correctional Services dismissed as a "propaganda stunt" allegations of bizarre AWB activities at the Leeuwkop prison

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According to the latest issue of the Weekly Mail, it was alleged that warders belonging to the AWB forced black convicts to make spears and pangas for township violence. Letters allegedly smuggled from the prison claimed that Leeuwkop prison was an AWB training base — Sapa



# Mandela: I'm no atheist

**NELSON Mandela's 27 years in prison is a kind of religious symbol, a summary of 'bottom-line' values, things worth dying for. What sustained him during those years? What values guide his life? Does he believe in God? CHARLES VILLA-VICENCIO spoke to him**

STAR 257119

**T**HE relationship between a person and his or her God is a deeply intimate and personal matter, Nelson Mandela told me. "It is a matter I do not usually regard as open for comment in the media," he said.

"In many ways I am a private person. There is also a sense in which, for me, religious experience is a matter beyond articulation. It is something I do not fully comprehend, but also I think it is more important to live values, whether religious or otherwise, rather than to talk about them."

Asked whether he thought religious belief was an important ingredient of social existence, he responded: "Religion is important because the majority of people in society are religious, and at the centre of all the great religious traditions is the pursuit of peace."

"I am convinced that if we were to put into practice the central tenets of the religious traditions practised in South Africa, all of which have a lot in common, there would be social justice and peace."

Mandela readily acknowledges the impact of religion on his life during his years in prison. He speaks at length of chaplains whom he met on Robben Island.

One he mentions with affection is a Father Hughes of the Anglican Church. "His religion was an impressive spiritual understanding of life — never something separate from it." Then there was Rev André Schäfer of the NG Kerk in Afrika, "a little hostile towards us at first, but later becoming one of the best-liked chaplains. Here was a very honest man."

STAR 257119

He spoke too of the Rev Theo Kotze, who was a Methodist chaplain for a while. "The Government regarded him as being too political, and he was prevented from visiting the island."

Mandela enjoyed the ecumenical approach of the chaplains who never asked who belonged to what church or religion. "I never missed a service and often read the scripture lessons."

Equally important for him were the religious services provided by other faiths. "I enjoyed the visits of Imam Abdurahman Bessier with whom I had long conversations, remembering that it was Maulvi Cachala who first outlined to me the basic tenets of Islam many years earlier."

Referring to the existence of the kranat on the island, said to be that of Sheik Mantura, he observed: "The religious convictions of people like the sheik move me deeply." Impressed that the sheik's belief drove him to resist Dutch imperialist designs in south-east Asia (causing him to be exiled and jailed on Robben Island in the mid-1700s) Mandela insisted: "That kind of religion simply must be taken seriously."



**NELSON'S CREDO** It is more important to live values rather than to talk about them Photograph KEN OOSTERBROEK

**W**RITING to Sheik Omar Gabler in March 1965, Mandela observed: "I literally harassed the commanding officer of the prison for permission to visit the kranat. Permission was finally granted only in 1977. That was a day I will not easily forget.

especially those which represent great movements or national heroes, can move one beyond words. My fellow prisoners and I spent more than an hour at the shrine and came away feeling proud and happy that we were able to pay our respects to so great a fighter for justice."

Polismoor prison it was decided that prisoners could be visited only by chaplains of the specific church or religion to which they belonged. "This was a source of great disappointment to me. It was, however, also an occasion for me to develop a friendship with Rev Dudley Moore, of the Methodist Church to which I belong."

"He visited me frequently and I received holy Communion from him on a regular basis. The sacrament gave me a sense of inner quiet and calm. I used to come away from these services feeling a new person."

I asked him if he would regard himself as a religious person. "No I am not particularly religious or spiritual. I am just an ordinary person interested in trying to make sense of the mysteries of life."

He then quoted a verse from Tennyson, telling me that Alexander Kerr, rector of Fort Hare University during their student days, would often use these words: "Strong Son of God, Immortal love"

**STAR 257119**  
Who we, who have not seen their face  
By faith and faith alone embrace  
Believing what we cannot prove

I told him that Govan Mbeki had recalled these words in the same way, insisting that he was an atheist. "Oh, no!" Mandela volunteered. "I am not an atheist. Definitely not."

"One of the greatest joys after my release was the privilege of closing the front door and sharing privately in the decisions which any family person is required to make. In some ways the violation of this right was the most painful part of my years in prison."

**H**E went on: "Work on the island was demanding but also, in its own way, quite fulfilling. It exposed us to the outdoors. I watched the tides come in and go out. I considered the rock formations. I enjoyed the elements even when they were harsh. Isolated from society, I became one with nature."

People were also important — not least the prison warders. "Of course there were some unpleasant characters, but also some essentially good people. I still keep in touch with Lieutenant James Gregory and Warrant-Officer Stewart. They are fine human beings."

"We have got to learn to live together, to transcend our prejudices, to resolve our differences amicably, to respect one another and together to reach towards co-operation and attainable common goals. Those are some of the things I learnt again and again during my years in prison."

Regarding religion as a personal matter, the values that characterise Mandela's life are values that believers regard as sacred. Religious people are often slow to practise what they preach. But some of us recognise this praxis when we see it.

□ The author is Professor of Religion and Society at the University of Cape Town

**LEADUP FOR UNCLE**

**McBride**

# The ANC betrayed

## my son

South 2517 - 29/7/92

*Derrick McBride, a former Robben Island prisoner, has quit the ANC because he says it abandoned his son, Robert (left), and other political prisoners. Convicted of MK activities, Robert is serving a life sentence. <sup>253</sup> Derrick has been waging a relentless campaign for the release of his son but has quit the ANC because he claims it has tried to silence him.*



**STILL IN PRISON: A clenched fist salute from Robert McBride inside Westville Prison**

**See page 3**



By Quentin Wilson

*'Robert stood head and shoulders above us all'*

# MK veteran quits the ANC over his son's 'betrayal'

SOUTH 2517-2917192

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**U**MKHONTO we Sizwe (MK) veteran, Mr Derrick McBride has resigned from the ANC following the organisation's "betrayal" of his son, Robert, who is still being kept prisoner for his involvement in MK operations

McBride believes the ANC "is hushing up" that remaining political prisoners are no longer an obstacle to constitutional negotiations

Mr Robert McBride entered a seventh year in jail this week after being charged in 1986 with "furthering aims of the ANC" which included 10 counts of terrorism

Robert has spent four years on Death Row while awaiting execution for his part in the Magoo's Bar car bomb blast in June 1986.

After President FW de Klerk commuted his sentence to life imprisonment in April last year, Robert was moved to Westville Prison in Durban.

The government insists McBride is a criminal and not a political prisoner, which means he does not qualify for indemnity in terms of the Pretoria Minute

But when McBride was sentenced to death in 1987, the indictment by the State made clear what motivated him — "to achieve, bring about or promote constitutional, political, industrial, social and/or economic change in the Republic," it read

While acknowledging the responsibility for Robert's release lies with the government, his father believes the ANC should only negotiate with the government when all political prisoners are freed

He claims the ANC have consistently silenced this argument even though it was set as one of the pre-conditions for negotiation in their Harare Declaration of 1989

Derrick McBride, who was also convicted for MK work and spent time on Robben Island, says he is "tired of lying about ANC campaigns against the continued imprisonment of Robert and others".

Not only is he disillusioned about the ANC's "insensitive attitude" towards jailed ANC members, he also alleges the ANC has "continually neutralised" the campaign work of Robert's family — including his ailing mother, Dora — and friends for his release

McBride claims the ANC

- Offered him an all-expenses-paid trip to Lesotho for last year's ANC July conference. He claims the ANC did not want him to raise the issue of his son at this conference

- Refused to distribute 1 000 copies of a letter written by Robert at the Patriotic Front conference in October last year

- Helped draw up a document with the government in June 1991 which conceded there were no more political prisoners held

- Refused to assist financially with any campaign work to free his son. In November last year, Derrick alleges he paid R7 000 of his own money for his ongoing campaign

- Have snubbed him continually in the Southern Natal region when he asks them to do something for Robert's release

"Robert was part of the best MK unit in the country," his father says, "He was exceptionally brave and capable and stood head and shoulders above us all.

"During the three months from April 1986, our unit was responsible for 90 percent of all armed activity in the country — the ANC needed him then, but now they are quite



Robert McBride's wife, Paula (above) and mother, Doris (left).



DERRICK McBride was arrested on May 4 1986 for the part he played in forcibly freeing fellow MK soldier, Mr Gordon Webster

Working with his son, Robert, they helped overpower security guards watching over Webster at a hospital in Edendale

He was given an effective 12-year sentence for charges that included murder and attempted murder

After three years in prison, McBride was transferred to Pretoria because, he was told "your son is going to hang, you must be with him during this time"

McBride recalls a discussion with his son "We both knew a lot of people were being executed while he was still on Death Row. One morning, Robert said, 'Daddy, they hung three people this morning', and we could only look at each other

"We couldn't say anything"

prepared to let him rot in jail" McBride, 60, who is unemployed, believes he will achieve more outside the ANC than within because of the organisation's "insensitive attitude"

regarding his son's position.

"The list of examples just goes on and on," he says "Another instance was when I approached the regional office and asked them to give me a list of ANC members in the region

"With that list I could have approached every single member for their support in our campaign. They promised to give me the list but every time I went to the office, they told me they didn't have it. They tell me I cause mischief but I don't see anything mischievous in wanting my son released

"Once I came to them with a petition, but they said that they could not sign it unless it was on an ANC letterhead. I would have understood if they had just said 'Listen, comrade, there is a problem with this' and explained why. But instead they dealt with me in a very off-handed way and sent me back home

"I am an old man and it is getting difficult for me to walk the three kilometres to the office, back and forth all the time. They could have re-typed the petition on an ANC letterhead for me, but they just didn't help me"

McBride said he has approached ANC leaders in the region to discuss his problems, "but nothing really comes of it"

He claims that once Robert's wife, Paula, flew from Pretoria to discuss her husband's position with Natal ANC leaders, but she was stood up when she got to the offices

About the Patriotic Front conference, Derrick said. "Robert drafted a letter on behalf of all the remaining political prisoners asking for an 'explanation' of why multi-party talks were being considered when they were still being held

"I made a thousand copies of that letter and asked ANC leader Mr

Mac Maharaj if they could be distributed to delegates. He refused, saying that the other parties present would disapprove

"I spoke to PAC people and Azapo people, and they said they did not mind but all the copies of the letter vanished after I gave them to Maharaj"

McBride said that ANC executive member, Mr Jacob Zuma, drew up a document with Government minister Mr Kobie Coetsee in June last year which reads, "in regard to the release of prisoners, it is deemed that finality in the process has been reached today"

"How could Zuma agree to that when Robert and others are still in jail. The only reason I can see is that Zuma wants to be seen as a friend to the government so he can secure a top position in an interim government," Derrick said

McBride said Robert was also getting "frustrated with the ANC, but does not see any point in falling out with them"

● Zuma last week said a joint ANC government committee had failed to agree on remaining political prisoners.

### ANC: 'We understand'

MR Durnisane Makhaye, Southern Natal ANC spokesperson, said "We regret the utterances from McBride's father. One thing is for sure, when people join the ANC, they don't join as families, they join as individuals. So when a family member is having problems with the ANC, he should not involve other members in that dispute

"The ANC in Southern Natal, of which Robert McBride is a proud member, has done everything possible to campaign for his release, not only for his release but for all political prisoners"

"His branch has actually elected him as chairperson in absentia. The ANC here has produced leaflets and has conducted discussions arguing for his release

"What must be clear, whatever his dad says, Robert McBride remains an unwavering member of the ANC and MK

"We regret, and perhaps do understand, the problems his father is experiencing"

Makhaye added the ANC in the region had organised several McBride-visits by senior national executive members, including Mr Nelson Mandela

Mr Calvin Khan, MK spokesperson, said they were "not in a position to comment" when asked whether they believed the ANC was doing everything possible to secure the release of political prisoners

ANC members mentioned in McBride's accusations were unavailable for comment

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# FLERY ENDO DEATH ROW

## Zulu king weds his maiden in fine style

**SIBU MNGADI**  
THE Zulu monarch King Goodwill Zwelithini ka-Zulu has married his Transkeian-born fifth wife at Enyokeni Royal residence near Kwa-Nongoma in Natal.

But the wedding, which yesterday transformed the rural village into a kaleidoscope of colour as western culture mingled with tradition, was almost ruined by a flu-virus which affected the couple on the eve of the wedding.

Following one-and-a-half hours delay in the arrival of Zwelithini and his bride, KwaZulu Chief Minister and IFP president Mangosuthu Buthe-jeal apologised on their behalf and attributed the delay to a flu virus which is presently circulating in Natal. **CLIPPER**  
The Inkatha leader was quick to add that the couple had not spent the week-



**COMRADES IN ARMS ...** ANC alliance protesters in Johannesburg demonstrating solidarity with their arrested colleagues inside a police vehicle yesterday. Approximately 500 residents of Palm Springs were arrested at Jeppe Post Office while staging a sit-in as part of nationwide mass action. **M Phe: TADI KWUEL**

## Desperate prisoner sets himself alight

**By FRED KHUMALO (25) CLIPPER 26/17/92**

**CONDEMNED** prisoner Nelson Lungisani Mbananga has died in hospital with third-degree burns after setting himself alight in his Death Row cell.

Mbananga was awaiting transfer from Bloemfontein's Grootvlei prison to Pretoria Central at the time of his gruesome death.

He died last Friday at the Pelonomi Hospital four days after the fiery Groovlei prison drama in which it is alleged he set his cell alight.

He was one of 23 Death Row prisoners held in custody at the Bloemfontein prison.

Correctional Services spokesman Lieutenant Bert Shabert confirmed the death, adding that the incident was regretted.

He said warders had rushed to the unlocked cell, removed the burning prisoner and rushed him to the Pelonomi Hospital where he received the necessary treatment.

However, controversy surrounds circumstances leading to the prison cell fire.

Highly placed sources blamed Mbananga's death on negligence by prison warders.

The prisoner had threatened to burn himself to death and the prison warders thought he was kidding.

A City Press reporter who was on duty at the time he set himself alight, he added.

Mbananga, a miner at Welkom, then wrapped himself with his blankets. He struck the match to the blanket, igniting a fiery inferno.

The Death Row prisoner had choked on the fumes and was severely burnt.

Following Mbananga's shocking suicide, the other 22 Death Row prisoners were immediately transferred to Pretoria.

Top pathologist opens his files and warns: Police are out of control

# CRIMINALS: DEATHS: CROSSBARS

S/Times 26/7/92

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By BRIAN POTTINGER

**SOUTH AFRICA'S top medical pathologist, Dr Jonathan Gluckman, has opened his files to the Sunday Times in a desperate attempt to stop the continuing killing of prisoners in police custody.**

He decided to "go public" after direct appeals to President De Klerk proved fruitless. The killings have continued unabated, and Dr Gluckman has been called on to perform post-mortems at a rate, he estimates, of one a week.

Among the files was the case of a man found hanging in his cell who had, it turned out on medical examination, died of a blow on the head before he was strung up.

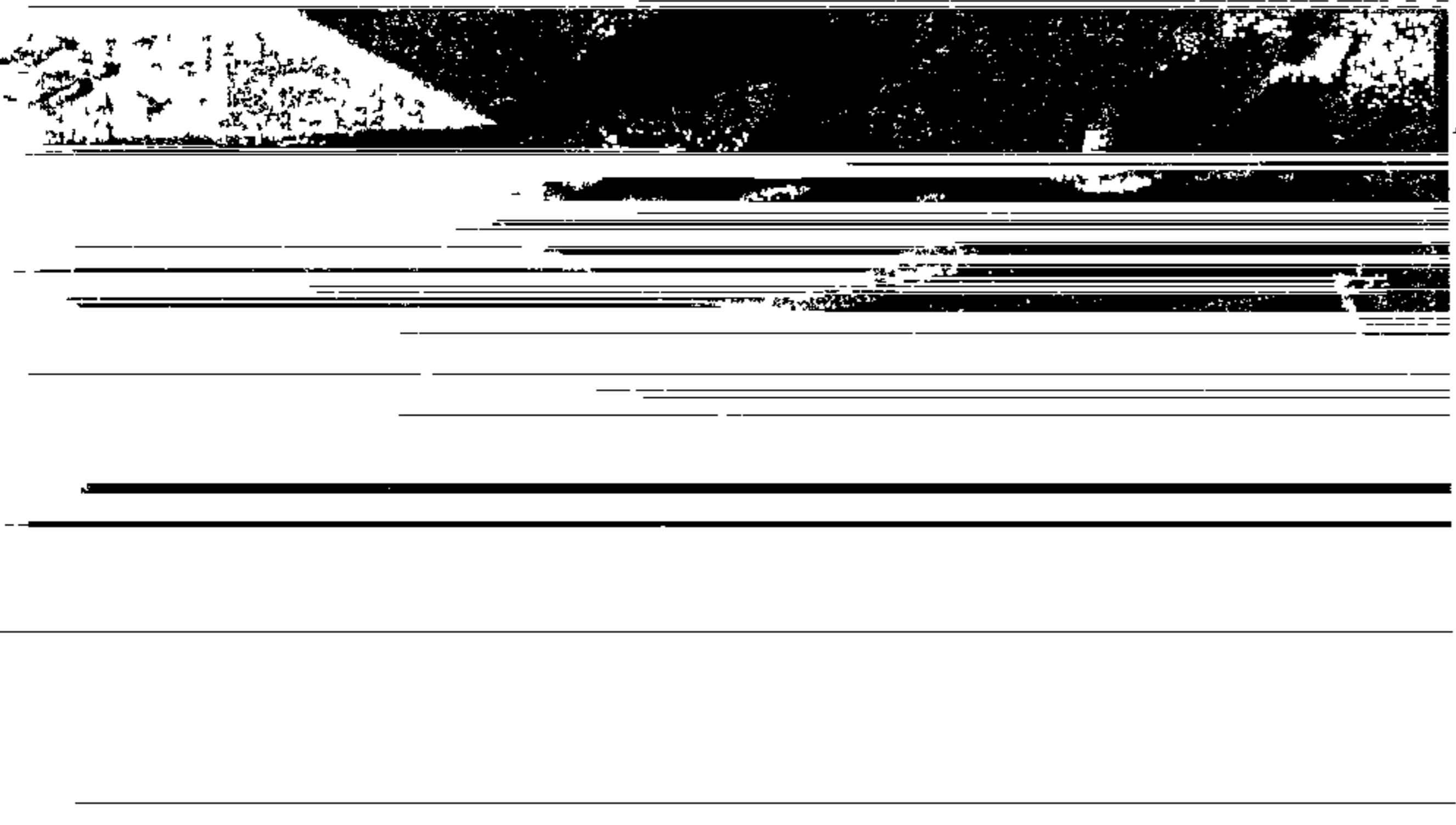
"I can't stand it any longer," said Dr Gluckman, best known for having given evidence for Steve Biko's family at the inquest after the activist's death in 1977.

The last straw was the death last week of a 19-year-old Sepokeng boy, whose body was found in the veld 12 hours after he was arrested. According to Dr Gluckman, his injuries were consistent with eyewitness evidence that he had been brutally beaten by the police.

"This is a 19-year-old boy. Not charged with an offence. Tortured, ill-treated and killed. He could have been a son of mine," said Dr Gluckman. "I get speechless



Back in business!  
SA team walk tall at Games opening



It's filthy, says ET as Jani faces court quiz on morals

By RUSSELL MICHAELS

WHILE former Sunday Times columnist Jani Allan was being subjected to bruising cross-examination about her sex life in a London court this week, to man, she denies having an affair with, AWB lead Eugene Terre Blanche, was on a hunting trip Namibia. The Sunday Times tracked him to a far-flung Karasburg, where his wife's parents live.

"I do not want to be involved in filth," said Mr Terre Blanche.

Miss Allan, sung Britain's Channel 4 Television for libel, claimed in evidence she was sexually frigid and could not morally





**Dr JONATHAN GLUCKMAN**  
"This is straightforward murder by the police"

time on a Kempton Park man who left for work on Thursday and ended up dead in a police station the same day.

In response to Dr Gluckman's claims, Minister of Law and Order Henus Kriel disclosed yesterday that he had ordered a report on every incident of death in detention over the past two years. The reports would be available in 14 days and he would then respond in full to Dr Gluckman.

In the pathologist's offices in Braamfontein, Johannesburg, are over 200 files of post mortems he has performed on people who died in custody.

"This is the fruit, or detritus, of a lifetime," he said. "Ninety percent of the people in these files, I am convinced, were killed by the police."

"I have constant evidence of police handling people in a vicious manner. My impression is that they are totally out of control. They do what they like."

## Victims

He said he had many dealings with senior police and ministers and had come to the conclusion that they really did not know what was happening.

Dr Gluckman called for a commission of inquiry into deaths in detention and urged the government to ensure that all such deaths were investigated at an open inquest — not departmentally.

He showed the Sunday Times five cases, randomly selected from his files, which he had presented to cabinet ministers and police. All five victims, he said, had been killed in police custody.

● **Case One:** Columbus Maqobo was arrested at home by Vanderbijlpark police on July 23 in perfect health. Family members were told later that day by Sebokeng police that he had been killed by Vanderbijlpark police. They identified his body at the Sebokeng

police station where it had been brought, said witnesses, in the boot of a police car. The post mortem showed death was consistent with suffocation;

● **Case Two:** Armstrong Yesake died on August 22 last year of a massive brain haemorrhage. He was found hanging in a cell at Modder Bee Prison, but Dr Gluckman believes he was dead before being hanged,

● **Case Three:** David Mokgalaka, 21, died on November 1 last year from a gunshot wound through the skull and chest. Witnesses claimed seeing him being beaten at Louis Trichardt police

by the police

"This is a 19-year-old boy. Not charged with an offence. Tortured, ill-treated and killed. He could have been a son of mine," said Dr Gluckman.

"I get speechless. I get sick at heart about the whole affair. It goes on and on and on. I don't know how to stop it. I don't think the government knows how to stop it."

Only minutes after talking to the Sunday Times in his office this week, Dr Gluckman was asked to perform another post mortem examination this

station, **From Page 1** 253

● **Case Four:** Duke Senne of Rockville died on January 15 this year in what Dr Gluckman concluded was a "savage assault." Witnesses claimed he and his brother had been assaulted at the Moroka police station,

● **Case Five:** Joseph Koetz, 58, was arrested on a criminal charge in Hertogville, near Bloemfontein, on January 17. He died the next day in custody

## Events

Dr Gluckman, who has served in executive capacities on the SA Medical and Dental Council, the Council for Medical Education for South African Blacks, the South African Association of Medical Schemes and the Medical Association of South Africa, said he had considered going public about six months ago

There had not been a specific incident, just an accumulation of events. He had contacted the Commissioner of Police, General Johan van der Merwe, to express his concern about the deaths in custody

"I told him that this was not manslaughter; this was not culpable homicide; this was murder, straightfor-

ward murder by the police. I gave him the particulars. He thanked me very much and that was the last I heard from him," said Dr Gluckman

He wrote to President De Klerk on November 20 to draw attention to a matter of "the utmost gravity". He followed it up with a letter in which he spoke of "an increasing sense of frustration and a growing sense of horror by what is being committed by the lower echelons of the police in our country"

He said not a week passed without an attorney, usually a black country one, asking him to do a post mortem examination on a person who had died in detention

## Studies

"The net result is that after 30 years of doing this work, one is sick at heart as one contemplates the future"

In February this year Dr Gluckman met Minister of Law and Order Henus Kriel and Minister of Correctional Services Adriaan Vlok. He presented the five randomly selected case studies of post mortems which pointed to killings in police custody. The ministers were "shocked", said

26/7/92  
Dr Gluckman, but nothing came of it.

On May 25 he again wrote to President De Klerk "in a mood of utter despair", appealing for ordinary people to be protected against "barbarism, particularly in the hands of the state's servants employed to uphold the law and the sanctity of the individual"

On June 25 President De Klerk wrote back saying he would communicate with Dr Gluckman "in due course".

## Hit

The trigger for Dr Gluckman's decision to go public, however, was the death of 19-year-old Simon Mthumkulu who, according to witnesses, was arrested by the police with friends in Sebokeng at 4pm on July 14.

Affidavits in the hands of human rights lawyers allege Mr Mthumkulu was hit on his back, instructed to put his fingers on a seat where they were hit about four times with a rifle butt, and taken to a toilet at the police station where he was forced to squat while being kicked and punched

A policeman then allegedly picked up a huge rock and threw it several times at the man's rib-cage.

The post mortem was performed this week and Dr Gluckman said his findings were entirely consistent with the injuries described by the witnesses.

President De Klerk was not available for comment yesterday but Mr Kriel said he shared Dr Gluckman's concern about deaths in detention. He and Mr De Klerk had discussed the matter and he had held discussions with Dr Gluckman at which a number of allegations were raised

He had gone beyond only the cases raised and had ordered an investigation into all incidents of death in detention over the last two years

# PICK 6

**GOSFORTH PARK**  
There were 243 winners with each collecting R4 841.30. Numbers 3,11; 3, 4,6, 2,9,12, 4, 5

**CLAIRWOOD**  
Only 5 winners received a payout of R88 620.30 each. Selections 1,4; 6, 9; 2,9,12, 5, 9.

**MILNERTON**  
Four lucky punters each received a payout of R211 557.70. Combinations 1,8,12, 15, 7,16, 3, 2, 2.



9 770039 533008



# 'No plans' for prison staff resort on Island

JOHN YELD  
Environment Reporter

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THERE are no plans for a holiday and retirement resort for prison staff on Robben Island, according to the department of Correctional Services.

It was reacting to claims by a group of businessmen, led by Cape Town property developer Mr Harry Fuchs, who have called for the department to vacate the island and hand to a trust for future

ARG 27/7/92

management and development.

In its proposal document last week, the group claimed the department was "a law unto themselves" and alleged it was using State funds in an inappropriate way, including building a planned holiday/retirement resort for prison staff on the island.

The department denied the charge, and added: "The allegation that taxpayers' money would have been used for

such a project is far-fetched and malicious. It can also be mentioned that holiday resorts for staff are built out of staff funds."

The department also denied a claim that the average cost of keeping prisoners on the island was four times more than in mainland prisons.

"(That) is a gross exaggeration. According to recent statistics, the cost is about twice as high as on the mainland.

"If the prison population is

enlarged there will be a decrease in per capita cost and the transfer of more prisoners to Robben Island is envisaged."

The department said the government had approved a plan for the future use of the island, in terms of which it would be responsible for about the next five years.

"As time progresses, the interest of the department is to decrease as the interest of other departments will increase."

# Youth 'could not stand up'

By Jo-Anne Collinge



(253) STAR 27/7/92  
who were seen by The Star had weals on their faces and necks and one had head wounds.

Simon Mthumkulu, the 19-year-old Sebokeng youth whose violent death prompted forensic pathologist Jonathan Gluckman to "go public" on his evidence of killings in custody, was allegedly last seen by a fellow detainee lying inert in Sebokeng police station

Simon was one of four Sebokeng youths who were allegedly detained and severely assaulted by police on Tuesday July 14.

The other three were released the same afternoon. They reported the next day to ANC branch leaders that Simon had not returned home.

A day later, within 48 hours of Simon's disappearance, his parents found his body in the mortuary. On Friday, Dr Gluckman performed a post-mortem on the youth and found evidence of brutal assault.

In statements to Peace Action, the youths said they were all beaten in various ways — with sjamboks, bits of hose, gun butts and bare hands. The two

At Sebokeng police station, one witness claimed, a large stone, which served as a door-stop, was dropped on to Simon as he lay face upward on the floor. The witness said that blood spurted almost immediately from Simon's mouth.

The witness said he had tried to lift Simon and take him along when they were told they could go, but Simon could not stand. The youth said he gave up and ran away as police had continued to assault Simon.

Two members of the group said they were pelted with stones from behind as they left the police station.

They said they knew several of the policemen involved and said the object of the assault seemed to be to get them to state that ANC leader Watch Mothibedi had incited youths to burn policemen's houses.

One of the policemen implicated by the youths had his house burnt down four days before the youths were held for questioning.

The Star attempted to obtain information about Simon the day after his disappearance. Vaal police spokesman Captain Piet van Deventer said he could find no record of him.

He added that he had raised the matter with a policeman implicated in the allegations of assault, but had drawn a blank.

The same day, Captain van Deventer released a statement about the discovery of a teenager's body on a road near the KwaMasiza Hostel. Asked repeatedly by The Star whether this was Simon Mthumkulu, he conceded some days later that this "seems to be the case".

Captain van Deventer confirmed that Simon had not been shot, but his body had borne the signs of multiple assaults, particularly on the head.

"In the matter of assault, all that I can say is that if the people concerned will make statements to the police, we will investigate it.

"Simon's death is being investigated and we appeal to any witnesses and his parents to come forward," said Captain van Deventer.



# Probe is ordered into prison deaths

Savetam 27/7/92

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## FRUSTRATED OUTBURSTS Minister

### Kriel orders investigation into deaths in custody after pathologist's expose:

**A** REPORT ON EVERY death in police custody in the past two years has been ordered by the Minister of Law and Order, Mr Henus Kriel, his spokesman confirmed yesterday

The confirmation came following a report by the *Sunday Times* that a medical pathologist, Dr Jonathan Gluckman, had decided to open his files in an attempt to stop the killings of prisoners in police custody

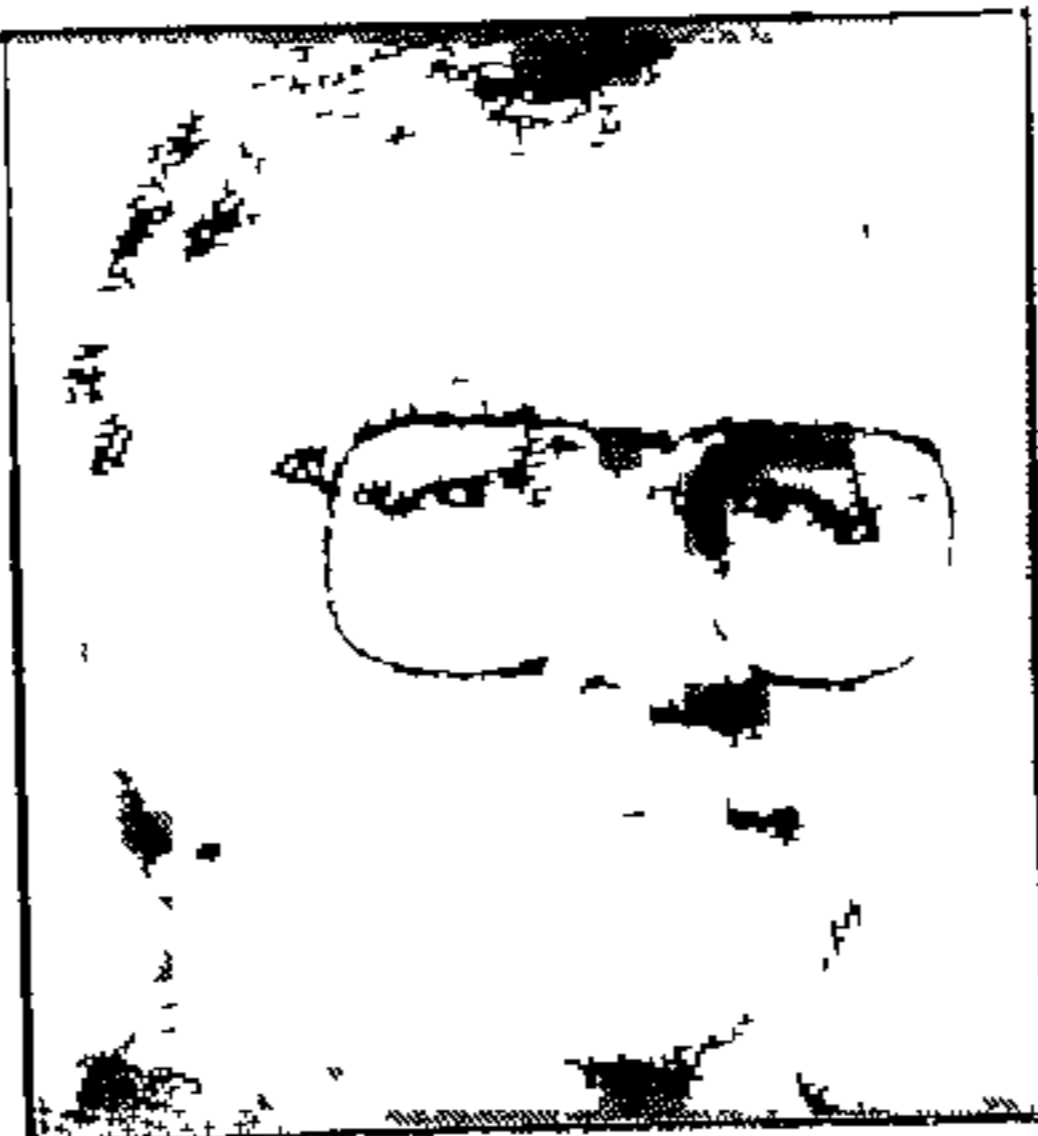
"We regard this matter very seriously," Kriel's spokesman said

The Minister would respond to Gluckman's allegations once the reports on deaths in police custody had been handed in, he said

Mr Peter Gastrow, the Democratic Party's spokesman on law and order, said Gluckman's allegations, "if substantiated, would amount to serious criminal conduct and a gross violation of human rights"

"Once again, an internal police investigation will not clear up suspicions. Credible outsiders need to be part of an open investigation which should result in firm action against those found guilty"

"The revelations strengthen the case for greater all-party supervision over the activities of security forces, which



Mr Henus Kriel

must be negotiated and implemented as soon as possible," Gastrow said

According to the report, Gluckman decided to reveal his suspicions after making fruitless appeals to State President Mr FW de Klerk, Kriel, and Police

Commissioner General Johan van der Merwe

"I have constant evidence of police handling people in a vicious manner. My impression is that they are totally out of control. They do what they like," Gluckman was quoted as saying

The paper also quotes Gluckman, best known for having given evidence for Black Consciousness leader Steve Biko's family at the inquest in 1977, as saying "I can't stand it any longer"

The last straw was the death last week of a 19-year-old Sebokeng youth whose body was found in the veld 12 hours after he was arrested. Gluckman said his injuries were consistent with eyewitness evidence that he had been brutally beaten by the police.

"This is a 19-year-old boy. Not charged with an offence. Tortured, ill-treated and killed. He could have been a son of mine," Gluckman said

and ammunition — and not meeting the conditions for indemnity — would be liable for prosecution

Proud . . . flagbearer Jan Tau le ceremony. ● Reports — Pages 5

# Gluckman gets death threats after exposé

By Zingisa Mkhuma and Peter Fabricius

Top forensic pathologist Dr Jonathan Gluckman yesterday received two death threats hours after he had gone public with allegations of ongoing torture and killing of prisoners in police custody. STAR 27/1/92

Dr Gluckman telephoned The Star and said: "I've had five threatening calls this morning, two on my life. The strangest thing is that the death threat calls were obviously from blacks. It is important that the world know what is happening".

Asked if he had reported the threats to the police, Dr Gluckman said: "I don't know who to tell in the police, who would you tell?"

Witwatersrand police spokesman Lieutenant Wikus Weber advised Dr Gluckman to contact his nearest police station to make a statement.

Dr Gluckman opened his files to a Sunday newspaper in what he termed a bid to stop the continuing killing of prisoners in police custody.

Law and Order Minister Hernus Kriel has ordered a full report from the police,

within 14 days, on the facts surrounding all deaths of people in police custody over the last two years, Law and Order spokesman Craig Kotze said yesterday.

Dr Gluckman said Mr Kriel and other members of the Government, including President de Klerk, had failed to respond to past pleas for action.

The death of a 19-year-old Sebokeng boy, whose body was found in the veld 12 hours after he was arrested on July 14, prompted the pathologist — who has performed over 200 post-mortems on people who have died in police custody — to "go public".

According to Dr Gluckman, the boy's injuries were consistent with eyewitness claims that he had been brutally beaten by the police.

Referring to deaths in custody, Dr Gluckman said "It goes on and on and on. I don't know how to stop it. I don't think the Government knows how to stop it."

Democratic Party Law and Order spokesman Peter Gastrow called for "credible" outsiders to be part of an open investigation into the matter.



# Govt probes custody deaths

LAW and Order Minister Hennis Kriel has ordered a report on every death in police custody in the past two years, a government spokesman confirmed yesterday.

The move followed allegations at the weekend by Johannesburg pathologist Dr Jonathan Gluckman that deaths in police detention occurred almost on a weekly basis. He told the Sunday Times he had "opened his files" in an attempt to stop the continuing killings of prisoners in police custody. **BIOA-1 27/7/92**

Killings in police custody had continued unabated, and he had been called on to perform post mortems at a rate of about one per week, Gluckman said.

The reports ordered by Kriel would be

**253** STEPHANE BOTHMA

compiled internally by the police, Law and Order spokesman Craig Kotze said.

"We are now trying to establish a factual base for Gluckman's allegations before the Minister will comment," Kotze said.

Gluckman said he had decided to go public after direct appeals to President F W de Klerk to investigate the matter proved fruitless.

He had performed post mortems on about 200 people who had died while in detention, of which he believed 90% "were killed by the police".

Gluckman called for a commission of

To Page 2

## Deaths

**BIOA-1 27/7/92**  
inquiry into deaths in detention and urged government to ensure that all such deaths were investigated at an open inquest and not deparmentally.

The deaths did not constitute manslaughter or culpable homicide, but straightforward murder by the police, Gluckman told the Sunday Times.

In reaction, DP Law and Order spokes-

**From Page 1**

man Peter Gastrow said Gluckman's allegations — if substantiated — would amount to serious criminal conduct and a gross violation of human rights.

"Once again, an internal police investigation will not clear up suspicions. Credible outsiders need to be part of an open investigation which would result in firm action against those found guilty."

# Cell deaths near '76 level, says the HRC

ARG 28/7/92

JOHANNESBURG. — Cell-death figures for the last 18 months are nearly as bad as during the Soweto revolts of 1976-77, the Human Rights Commission has alleged.

The monitoring organisation alleged 29 people had died in detention from January 1990 to June 1992, compared with

the deaths of 26 people in 1976-77

The HRC also alleged a total of 102 people had died since 1963.

In a report on cell deaths the HRC listed names, dates, places (including the TBVC states), days held as well as the ages of the alleged victims

It also noted "official alleged causes"

Since 1963, 29 people have reportedly hanged themselves

Other alleged causes include

- "Haemorrhage after hitting head against desk during interrogation"

- "Accidental fall from 10th floor"
- "Stroke"
- "Kidney failure"
- "Slipped on piece of soap"
- "Alleged assault by policemen"
- "Shot in forehead at point-blank range"

Law and Order spokesman Captain Craig Kotze confirmed that the Minister, Mr Hernus Kriel, was seeking to establish the factual basis for reports on cell deaths, which first broke on Sunday when senior forensics pathologist Dr Jonathan Gluckman spoke to the Press

"We're trying to establish the factual basis for these reports," said Captain Kotze

"It is grossly unfair and a neglect of the facts to say that all people who die in detention are murdered by police

"It is of the utmost importance that the facts be established"

The matter was being addressed with the necessary gravity and urgency, said Captain Kotze

"The Minister has committed himself to replying in public as soon as the necessary information is obtained" — Sapa.

# Man dies at police station as row rages

STAR 28/7/92

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By Bronwyn Wilkinson

A storm of controversy continues to rage around pathologist Dr Jonathan Gluckman's allegations that police have been killing people in their custody.

While medical, legal and political organisations demanded an independent inquiry into custody deaths, a man "collapsed and died" in custody in Vosloorus police station, police said.

The 20-year-old man who died on Sunday had been arrested for stealing a firearm and police promised a full investigation into his death.

The Medical Association of SA (Masa) yesterday demanded an independent inquiry into deaths in police custody and said doctors should be bound by the Tokyo Declaration guideline that doctors "shall not coun-

tenance, condone or participate" in torture.

Masa called on all members of the medical fraternity to support doctors who were threatened because they abided by the principles of the Tokyo Declaration.

Dr Gluckman's allegations — he said that about 90 per cent of 200 deaths in police custody he had investigated had been caused by the po-

● Cell death claims pouring in — Page 19

lice — caused an outcry from legal, human rights and political groups yesterday.

Since going public with his allegations on Sunday, Dr Gluckman has received at least five death threats.

While organisations demanded an independent inquiry into deaths in custody, Dr Gluckman said he had faith in the men in the top echelons of the police force and would be satisfied with a police investigation.

"The problem is on the ground. The lower rungs of the police are totally out of control," said Dr Gluckman, who conducted a post-mortem on Steve Biko in 1977.

Minister of Law and Order Hennis Kriel on Sunday promised that the allegations would be investigated. He ordered a full report from the police, within 14 days, on the facts surrounding all deaths of people in police custody over the past two years.

Two top State pathologists said yesterday they had personally never seen cases where police had killed people in custody.

Chief State pathologist

● To Page 3

## break-ins: s arrested

Johannesburg Regional Court today

The guards have been linked to 11 break-ins in Johannesburg's northern suburbs, Lieutenant Wilbur Weber said yesterday.

Lieutenant Weber said stolen goods including office equipment and video recorders worth R50 000 had been recovered. More arrests were expected. He denied that a policeman was also involved.

Last night Armed Response managing director Errol Feldman described the arrests as "horrifying".

## Outcry after allegations by pathologist

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Professor Johan Laubscher said he had never worked on a case where the police had been responsible for a death in custody. Sapa quoted him as saying that many people committed suicide in police custody.

"It happens in all legal systems round the world that prisoners die in detention, but South Africa is specifically sensitive to the problem."

Another State pathologist, who asked not to be named, told The Star he was aware that people died in custody, "but that does not mean they were killed

courage in going public.

The ANC called for an independent public investigation into the allegations.

The PAC said State violence was fuelling a deep distrust of the security forces.

The Black Sash questioned the effectiveness of an internal inquiry, saying it could be manipulated by the State.

The Legal Resources Centre called for "an inquest in open court in relation to every death in custody."

● Cell death claims pour in — Page 19.



# Cell death claims still pouring in

STAR  
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**F**ORENSIC pathologist Dr Jonathan Gluckman is by no means a lone voice levelling the accusation that members of the police force appear to continue to inflict torture and death with disturbing regularity.

A chorus of support for his position has issued from monitoring groups and lawyers. Like Dr Gluckman, they deal with deaths in custody and deaths due to allegedly unjustifiable use of force by the police. But lawyers also deal with numerous living victims of alleged police torture and assault.

According to the Human Rights Commission (HRC), "politically related" deaths in custody have occurred twice as frequently during the era of negotiations as they did during that of the "total onslaught". Figures compiled by the HRC put the total number of deaths for 1984 to 1989 at 29, and that from January 1990 to date at 28.

The HRC records 12 deaths in custody in the first six months of this year alone, comparing unfavourably with the worst periods on record — 1976 and 1977 — when 13 deaths were counted in each year.

Mohamed Navsa, director of the Johannesburg office of the Legal Resources Centre (LRC), said his staff were concerned about the number of requests they were getting from families to represent them at inquests. "We strongly support Dr Gluckman's position that there should be an inquest in open court for every death in custody," Mr Navsa said.

He added that the LRC still saw numerous cases of alleged police assault.

"I don't think this is related to an orchestrated police effort. It just seems that a Rambo-istic psyche prevails. We don't have many political cases, assault seems to be prevalent even in criminal matters," he said.

The HRC ascribed ongoing deaths in custody largely to a police culture which "is such as to hold black life in low regard. Throughout the police force, not only within the ranks of the security police, there is an attitude which justifies the use of torture and other brutal methods carrying a high risk of death in waging a war against a perceived enemy."

Only the ending of minority

Torture and deaths in custody have not waned in the age of negotiations, lawyers say in the wake of Dr Jonathan Gluckman's claims of police culpability.

By JO-ANNE COLLINGE.

rule could break this culture, the HRC argued, adding the warning that the retention of detention without trial legislation was "a sure recipe for torture and for the inevitability of deaths as a consequence of such torture".

However, according to lawyers and press files, many of those who die in custody or who allege torture were not held under security laws, but as suspects or potential informants in criminal matters.

For instance, in May this year Johannesburg wage clerk Kathleen Brookstein laid charges against three members of the Soweto Murder and Robbery Squad who allegedly stripped her naked and subjected her to sexual assault, electric shocks and suffocation during interrogation about the theft of money. No charges were laid against her.

## Drowned

One of the men she accused is Sergeant Stephen Bouwer, who was allegedly involved in the June 1990 interrogation of two Soweto women, Vivienne Makgobe and Sibongile Zamisa. They also alleged that they were electrically shocked at Protea police station and instituted a large civil claim.

Bethuel Maphumulo, arrested on December 11 last year for robbery, died two days later. Police said he had drowned in the pool at Soweto's Protea police station while trying to escape. Post-mortem results indicated multiple injuries and strangulation as the likely cause of death.

Attorney Norman Manom of Cheadle, Thompson and Hayson indicated that these types of allegations were by no means rare. His firm still received regular complaints of severe assault by the police.

Typically, he said, assault was alleged to take place soon

after arrest under the Criminal Procedure Act, not during security law detention as in the past. The drop in the use of security law detention explained the virtual disappearance of publicity-generating court action to restrain the police from unlawful assault.

"Urgent applications were made because people were in detention, often incommunicado, and didn't have access to the outside world for help," Mr Manom said.

An attorney with a law firm doing extensive work in the Vaal Triangle stated that virtually every client who was arrested in that area had reported assault by the police.

"In March I had seven youths for whom I did an after-hours bail application. They were in a complete state — blood dripping down them, blood on their clothes, one with a damaged jaw, another had been painted white," the attorney said.

The cloak of secrecy that surrounds interrogation and the absence of disinterested witnesses inevitably hinders judicial inquiries into individual cases of torture and death in custody. But the difficulties of inquiry are scarcely reduced in cases such as that of Thumi Padi and his girlfriend, Nokuzola Ncalo, who were shot dead by police in Phiri, Soweto, just over a year ago.

The question is whether the police use of force was justifiable. The police statement at the time of the Padi case was that they had acted in self-defence when Mr Padi, a former detainee, attacked them with a hand grenade. But family members claim the pair were shot dead in bed.

The inquest has not yet been concluded.

The controversy in the Padi case finds echoes in the deaths of other political activists, such as former MK members Rangoane Lefhedi of the Vaal and George Mashele of Vosloorus — both of whom died during police action at their homes.

When Dr Gluckman decided to "go public" on the implications of the physical battery he had seen, he had in mind a pattern formed by about 200 cases.

Law and Order Minister Hernus Kriel has responded by promising a "full-scale" investigation of deaths in custody. □

# Another man dies in custody

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CT 28/7/92

JOHANNESBURG — Another detainee has died in police custody after allegations at the weekend by pathologist Dr Jonathan Gluckman that about 180 prisoners had been killed by police.

Police liaison officer Captain Ida van Zweel said Mr Bongani Makhubela, 20, suspected of stealing a firearm, collapsed and died at the Vosloorus police station on the East Rand on Sunday.

She said a post-mortem would be conducted and the evidence would be submitted to the attorney-general.

Dr Gluckman said yesterday that five death threats had been made against him by yesterday morning, a day after his revelations.

"I have reported the threats to the Hillbrow police for investigation," Dr Gluckman said.

In a Sunday newspaper report the senior pathologist said he firmly believed that 90% of the 200 police detainees on whom he had performed

post-mortems had been violently done to death by "lower level" policemen.

Law and Order Minister Mr Hennis Kriel has ordered a comprehensive police report on Dr Gluckman's claims.

● The chief state pathologist in Pretoria, Professor Johan Laubscher, who conducted the post-mortem on Steve Biko in 1977, said he had never worked on a case in which the police were responsible for the death of a detainee.

He said many prisoners committed suicide, and that during the year of Biko's death 47 prisoners died in detention in England.

● The Medical Association of South Africa (Masa) called for an independent commission of inquiry into Dr Gluckman's allegations. Dr Gluckman is a Masa member.

● The ANC said the fact that it had taken an independent pathologist to bring the facts to public attention was a reflection of the lack of accountability within the police — Sapa



# Death of suspect who 'collapsed' in police station to be probed

28/7/92

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A YOUNG man suspected of stealing a firearm collapsed and died at the Vosloorus police station on Sunday. An independent pathologist Dr Jonathan Gluckman claimed detainees were being killed by police.

No action had been instituted, against anyone because no evidence of any offence regarding Makhubela's death was available at this stage, Van Zweek said. Meanwhile, Law and Order Minister Hernus Kriel met Justice Minister Kobe Coetsee yesterday to discuss Gluckman's claims that he had performed post mortems on about 200 people who had died in police detention and that about 90% of them had been killed by their captors.

A spokesman for De Klerk said yesterday that when Gluckman's allegations were received by the President, the matter was immediately referred to Kriel. "The president was giving Gluckman's allegations serious and urgent attention," the spokesman said. He said De Klerk would not deal with the

issue in a piecemeal fashion and a comprehensive statement would be issued. It would be incorrect to infer there was any undue delay by the President. Kriel and Coetsee were expected to announce the steps they would take within the next few days, a source said. At the weekend Kriel ordered reports on all deaths in police custody in recent years and said either a judicial commission of inquiry would be set up or attorneys-general would appoint a judge to lead inquest proceedings to investigate the allegations. However, by late yesterday afternoon

## STEPHANE BOTHMA

President F. W. de Klerk, failed to respond to his appeals. Gluckman had approached De Klerk with his claims in November last year.

Witwatersrand police liaison officer Capt. Ida van Zweek said in a statement the death of Bongani Edward Makhubela, 20, was receiving urgent attention.

"A post mortem will be conducted by pathologists to establish the cause of death and all relevant evidence will be submitted to the attorney-general for his deci-

Gluckman had not been approached by investigators and no request for access to his files had been received, he said. Gluckman said since his claims were published on Sunday, he had received six telephonic death threats.

"Life is short so enjoy it while you can," one of the callers told Gluckman, who said that he paid no attention to the calls. Senior police officers visited Gluckman yesterday morning to obtain a statement from him about the threats, but Gluckman would not make a statement, police and

## Death probe

28/7/92

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From Page 1

the pathologist confirmed. Gluckman performed the post mortems referred to on the instructions of attorneys acting on behalf of families of the deceased. He was often present when state pathologists performed post mortems.

police force. Kriel's decision to call for an internal investigation was criticised and the ANC said the police should not investigate themselves.

A police spokesman said all unnatural deaths in detention were subject to investigation and were referred, accompanied by a pathologist's report, to an inquest court. If these deaths were obviously caused by criminal conduct, a police investigation was launched immediately.

The CP said in a statement yesterday Gluckman's claims were "astonishing" and if true, these deaths in detention should be strongly condemned. Being a medical doctor who had taken the Hippocratic oath, Gluckman had a duty to disclose such information, the CP said.

Independent pathologists like Gluckman — briefed by family members or interested parties — testified at and submitted their post mortem reports to such inquest courts, he said. Inquest findings were then sent to attorneys-general for decision.

The Human Rights Commission said yesterday it had records of 130 — mostly political — prisoners who had died in detention since 1963. In a report, the commission listed names of the dead and also "official or alleged" causes of death. These included 29 people who hanged themselves.

Several human rights, legal, medical and political organisations responded to the allegations and said the claims reflected the lack of accountability within the

Other alleged causes included an "accidental fall from the 10th floor", strokes, kidney failure and slipping on soap

Gluckman had not been approached by investigators and no request for access to his files had been received, he said. Gluckman said since his claims were published on Sunday, he had received six telephonic death threats. "Life is short so enjoy it while you can," one of the callers told Gluckman, who said that he paid no attention to the calls. Senior police officers visited Gluckman yesterday morning to obtain a statement from him about the threats, but Gluckman would not make a statement, police and

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# Youth dies in custody

■ **DEATH THREATS** State pathologist says he has been threatened for revealing that detainees were allegedly murdered in custody:

~~253~~

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Sowetan 28/7/92

By Kenosi Modisane

**A**NOTHER prisoner died in police custody yesterday morning hours after a top State pathologist accused police of taking part in deaths of prisoners

Mr Bongani Edward Makhubela (20) of Legodi Street, Vosloorus, in the East Rand died at the local police station yesterday morning

East Rand police spokesman Captain Ida van Zweekel yesterday said Makhubela collapsed and died in his prison cell about 12 45am

Makhubela's death follows that of a 19-year-old Sebokeng youth which prompted Jonathan Gluckman to make public his examinations on prison deaths

The body of Simon Mthumkulu of Sebokeng was discovered in the veld about 12 hours after he had been arrested on July 14

Gluckman, who has examined corpses of about 200 prisoners went public at the weekend with revelations that police accounted for 90 percent of deaths in detention

Gluckman yesterday said he had received five death threats a day after he went on record to reveal that many police detainees were murdered while in custody

Besides the anonymous death threats, Gluckman said he had also received three threatening calls

Meanwhile, Law and Order Minister Mr Hernus Kriel has ordered a comprehensive police report on Gluckman's claims, dealing with

deaths of police detainees over the past two years

The report is to be completed within a fortnight

Kriel was also reported to have called a high-level meeting on the issue with senior officials in Pretoria yesterday

The African National Congress said in response the fact that it had taken an independent pathologist to bring the facts to public attention was a reflection of the lack of accountability within the police

The ANC welcomed Kriel's call for a full report "But the police cannot, and should not, investigate themselves

"It is imperative that a full, public independent investigation be conducted, and the police officers directly and indirectly involved, as well as their station commanders, be brought to justice"

The chief State pathologist in Pretoria, Professor Johan Laubscher, who conducted the post-mortem on Steve Biko, yesterday said he had never worked on a case in which the police were responsible for the death of a detainee

The Black Sash has called for an independent inquiry into Gluckman's allegations

# Back Gluckman, doctors urged

Health Reporter

THE Medical Association of South Africa has called on doctors to support Dr Jonathan Gluckman whose life has been threatened following his disclosures about deaths in police custody

Masa said it was most concerned about the deaths of people allegedly as a result of maltreatment while in police custody. It was also shocked to hear that Dr Gluckman had been threatened and could be harmed

It encouraged "national medical associations, fellow doctors and the international community" to support doctors and their families whenever they were under threat

Masa reaffirmed its support of the Declaration of Tokyo which demanded that all doctors maintained the "utmost respect" for human life

The declaration states that doctors "shall not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading procedures"

Masa also added its voice to the call for an independent commission of inquiry

It said Dr Gluckman was a respected member who had been the driving force behind its investigation into the medical care of prisoners and detainees

ent 28/7/92 (23)

# 'Purge the force' call

## FW to act on deaths in detention

LONDON — South Africa's police need a "massive purge" after allegations that they regularly beat their prisoners to death, the Archbishop of Cape Town, the Most Rev Desmond Tutu, said here yesterday.

His comments came as President F W de Klerk entered the mushrooming row over the alleged wholesale murder of detainees in police custody by promising the matter was receiving the government's urgent attention.

Johannesburg pathologist Dr Jonathan Gluckman said at the weekend that he had warned Mr De Klerk and other government ministers about the alleged killings as far back as November last year, but to no apparent avail.

## 'No evidence of police brutality'

Staff Reporter

THE head of the department of forensic medicine at the University of Cape Town, Professor Deon Knobel, said yesterday there was no evidence in the Cape region to substantiate the allegations that 90% of the deaths in detention were caused by police brutality.

"If I had been living with such a

dirty secret, I would never have been able to look myself in the face," he said.

The allegations that Dr Gluckman made "should be and were being taken extremely seriously", said Prof Knobel.

"I have never failed or feared to speak out on any issue of discrimination or injustice or unlawful killing."

He also said police were to blame for about 90% of the 200 deaths in detention he had investigated.

Mr De Klerk said in a statement yesterday that the government was attending to the matter on "a co-ordinated basis" and that a comprehensive statement would be given.

He then added "Any inference that there was any undue delay in this matter on the side of the State President would, however, be incorrect."

Meanwhile, it was learnt yesterday that post-mortem reports by Dr Gluckman alleging police murders of prisoners in their custody might never have been seen

by inquest courts charged with establishing the prisoner's cause of death. CT 29/7/92 (253)

He said he did not know what happened to his reports after they were handed to lawyers opposing the official version of the prisoner's death. (253)

The ANC said yesterday that the allegations of police brutality confirmed the findings of the Waddington report and were an indictment of police procedure and lack of accountability.

● An investigation of all deaths in police custody must be made by an agency independent of police influence and control, the National Association of Democratic Lawyers (Nadel) said.



# Gluckman 'not called for evidence'

By Bronwyn Wilkinson

Dr Jonathan Gluckman, who caused a storm with allegations that police were killing people in their custody, has not been called to give evidence at an inquest for 18 months

That was in spite of having given lawyers several complete reports of his findings from post-mortems on people who had died in custody.

"If a family came to

me and told me someone had been beaten over the head with a rifle butt or had been severely assaulted, my report would state the injuries I found and that they were consistent with the story I had been given," Dr Gluckman told The Star

He did not know the outcome of the inquests

"But I presume that if I was never called to give evidence and the

outcome was still suicide, the magistrates

never saw my reports, and the report of the State pathologist must have differed from mine," he said

Dr Gluckman said he had decided to make his allegations public after he had contacted the State President, the Commissioner of Police and the Minister of Law and Order, and no action was taken

A statement from President De Klerk's office yesterday said, Law

and Order Minister Hernus Kriel had already given preliminary explanations regarding the lapse of time.

The Government was addressing the allegations urgently and on a co-ordinated basis, and a full statement would be released later

The Inkatha Freedom Party yesterday joined other in demanding an independent inquiry into the deaths of people in custody

STAR 2/11/90 (253)

### Prisoner's cell death

A PRISONER apparently died after setting his blankets and clothes alight in his cell at Grootvlei Prison, outside Bloemfontein, according to documents filed in the Appeal Court. (253)  
Nelson Mpangana of Tlhabong, whose appeal against his conviction and death sentence for murder was to have been heard in the Bloemfontein Appeal Court on August 27, died in the city's Pelonomi Hospital on July 17, apparently of burn shock. He was admitted to hospital with third-degree burns. Sapa.

Southern 29/7/92

# Gluckman not called to inquests for 18 months

BIDAY 29/7/92

STEPHANE BOTHMA

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INDEPENDENT pathologist Dr Jonathan Gluckman, who claims his post mortems showed multiple deaths of detainees at the hands of policemen, has not been called to testify in an inquest during the past 18 months

Gluckman said he received briefs from attorneys representing families of the deceased or organisations such as Lawyers for Human Rights

Reports were handed to clients and after that Gluckman had no control over what happened to his findings

Gluckman said informal inquests were not held in an open court

A Justice Department spokesman said last night all deaths in police custody were subject to an inquest. Every inquest finding was available to the public and was referred to the attorney-general

All documents, including independent post mortem reports, were referred to a presiding officer — a judge or a magistrate — who decided whether the inquest would be formal or informal, the spokesman said

"If the circumstances of death are cut and dried, the presiding officer makes a final decision there and then. This procedure constitutes an informal inquest."

However, if the documentation

raised questions, the presiding officer called for a formal inquest where witnesses would be called to testify. The presiding officer did not have complete discretion and was bound by strict guidelines.

An attorney-general had the power to prosecute, reopen the inquest or accept the findings

Meanwhile, President F W de Klerk said last night independent pathologist Dr Jonathan Gluckman was "unfortunately" not informed about a comprehensive investigation into his claims of detainees dying at the hands of policemen

De Klerk said this fact had apparently created the impression that government had not given the allegations the urgent attention they deserved.

De Klerk said that on receiving allegations from Gluckman he arranged for the Law and Order and Correctional Services Ministers to discuss the allegations with the pathologist.

"Gluckman expressed his satisfaction with the procedure that was followed"

Another letter from Gluckman, which De Klerk received early last

month, was given to Law and Order Minister Hernus Kriel for urgent investigation and a report-back to De Klerk. A more comprehensive investigation was ordered, but Gluckman was not told of its progress

In London, Archbishop Desmond Tutu said the SAP needed to carry out a "massive purge", Sapa-Reuter reports

Tutu, on a six-day private visit, described Gluckman as "exceedingly courageous. These are some of the things we have always suspected"

Inkatha yesterday joined the call for an independent judicial inquiry into the claims

Spokesman Ed Tillet said Inkatha rejected an internal police probe because of the suspicion that this would amount to a police cover-up or manipulation by the state

The SA Council of Churches called on security force members who had information on practices which they had reason to believe were not consonant to their duty, to come forward. "Police as well as prison warders must be accorded some form of protection which will enable them to testify to the truth on the circumstances surrounding the death of prisoners," the SACC said

● Comment: Page 10



# Gluckman not called to inquests for 18 months

BIDAY 29/7/92

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De Klerk said that on receiving allegations from Gluckman he arranged for the Law and Order and Correctional Services Ministers to discuss the allegations with the pathologist

"Gluckman expressed his satisfaction with the procedure that was followed"

Another letter from Gluckman, which De Klerk received early last

month, was given to Law and Order Minister Hernus Kriel for urgent investigation and a report-back to De Klerk. A more comprehensive investigation was ordered, but Gluckman was not told of its progress

In London, Archbishop Desmond Tutu said the SAP needed to carry out a "massive purge", Sapa-Reuter reports

Tutu, on a six-day private visit, described Gluckman as "exceedingly courageous. These are some of the things we have always suspected"

Inkatha yesterday joined the call for an independent judicial inquiry into the claims

Spokesman Ed Tillet said Inkatha rejected an internal police probe because of the suspicion that this would amount to a police cover-up or manipulation by the state

The SA Council of Churches called on security force members who had information on practices which they had reason to believe were not consonant to their duty, to come forward. "Police as well as prison warders must be accorded some form of protection which will enable them to testify to the truth on the circumstances surrounding the death of prisoners," the SACC said

● Comment: Page 10

STAR  
**suspect  
30/7/92  
dumped  
into cell**

By Rochelle  
Goshing-Hughes

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Policemen who allegedly beat a car thief suspect unconscious, dumped him on a cell floor where he was left for more than six hours before an ambulance was called, the Johannesburg Regional Court heard yesterday.

Fellow prisoner Clifford Prins, who was in a cell in the General Johan Coetzee police station, in Newlands, Johannesburg, was testifying at the trial of four men who allegedly caused the death of Johannes Theme on July 28 1990.

Three are policemen — Constables Christiaan van der Walt (24), Sarel du Plessis (25) and Jan Meyer (28) — and the fourth is Jacobus Pretorius (29) the owner of the car Mr Theme allegedly stole.

They have pleaded not guilty to a charge of culpable homicide.

Duty officer Sergeant Kobus Laubscher called a paramedic who told him Mr Theme had brain damage.

Sergeant Albert Adams, testified he had seen Constable du Plessis kicking Mr Theme as he lay on the charge office floor.

The trial continues.



# Custody death 'murder'

By Brian Sokutu

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STAR 30/7/92

A senior policeman says he has reason to believe that Simon Mthimkulu — whose death in custody resulted in Dr Jonathan Gluckman going public with accusations against the police this week — was murdered.

Vaal district criminal investigating officer Colonel Joseph du Ponte said yesterday that police would next week summon witnesses to the Sebokeng police station where an identification parade of policemen allegedly involved in the killing would be held.

He said a breakthrough in the police investigation depended "on when we get

statements from witnesses"

Colonel du Ponte said he hoped the investigation into the death of Mr Mthimkulu (19) would take two months to complete.

The results of the investigation would then be referred to the Attorney-General for a decision.

## Statements

The teenager's death was the "final straw" which prompted State pathologist Dr Gluckman to make public on Sunday his belief that police had been responsible for about 90 percent of the 200 deaths in custody he had investigated.

Legal Resources Centre lawyer Ellem Francis has

provided Colonel du Ponte with statements made by members of the Mthimkulu family and three youths allegedly tortured by Sebokeng policemen while in detention with Mr Mthimkulu on July 14.

One of the youths, Sakhalo Maseko (16), claims in his statement that police at Sebokeng police station ordered Mr Mthimkulu to squat, kicking him several times.

"Simon was (then) instructed to lie down and as he was going down, he was kicked by a policeman, and he landed on his face," Sakhalo said.

● To Page 3

# Custody death 'murder'

STAR 30/7/92

● From Page 1

"I was told to lie down and a policeman wearing blue canvas boots, jumped about six times on my back.

"I then saw the other policeman pick up a huge rock behind the door and throw it three times on Simon's rib-cage. Blood came out of Simon's nose.

"The other (policeman) grabbed me by the scruff of my neck and pulled me to a basin," Sakhalo's statement said. "He dipped my head three times into the water. The other was still hitting Simon with a rock.

"A third policeman entered the toilet and hit me with a sjambok about three times around my neck and told me to go home," the statement said.

"I tried to lift Simon but the

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police continued hitting me and I left Simon was groaning."

Sakhalo said he and his friends were accused of burning down houses.

"The police wanted us to say that Mr Mthibedi of the ANC had instructed us to burn down police houses. We denied this," he said in the statement.

● Justice Minister Kobie Coetsee has invited Dr Gluckman to supply a full list of prison death inquests the pathologist regarded as contentious.

In a statement yesterday, Mr Coetsee said "Should Dr Gluckman make such evidence available, it will immediately be submitted to the Attorney-General, concerned. The Attorney-General may on the strength of such evidence decide to have any inquest reopened."

# Five deaths 'suspicious'

CT307/92

ONLY five of the cases which pathologist Dr Jonathan Gluckman had alleged involved police murder were "suspicious" and are being investigated, according to the head of police public relations, Major-General Leon Mellet

The rest were found at inquests to have been natural deaths, suicides, assaults by fellow prisoners, assault by members of the public before arrest or deaths from injuries suffered during arrest, he said

General Mellet was responding to weekend allegations by Dr Gluckman that police were to blame for about 90% of the 200 deaths in detention that he had investigated

"I will put my head on a block and you can chop it off if all of these allegations are found to be true," he said yesterday

There was no truth in the allegations that the police were "out of control"

Police were still being killed at the rate of one a day. It was "very tough" on policemen when allegations like those were made

He said police would have to study allegations made by UCT's Institute of Criminology of torture of criminal suspects at police stations

Researcher Mr Lovell Fernandez — now a law lecturer at the University of the Western Cape — found that Bishop Lavis, the former headquarters of the Peninsu-

## Suspect plunges to death

JOHANNESBURG. — A robbery suspect plunged eight floors to his death from a block of flats in Hillbrow yesterday morning, police said.

Warrant Officer Andy Pieke said the suspect had been under police guard when he fell.

He said the man was arrested by Brixton and Vanderbijlpark murder and robbery units in Hillbrow about 5.45am yesterday.

The arrest was in connection with a robbery in the Vereeniging area on Monday during which "a large amount of cash was stolen".

The suspect allegedly confessed to his part in the robbery and took police to the Cresthill block of flats in Hill-

brow where he apparently said an accomplice was hiding.

The lift in the block was out of order and the suspect was taken up the stairs by police.

On the eighth floor, he was alleged to have jumped over a barrier and fallen to his death outside the block.

Brixton Murder and Robbery chief Colonel Chris Earl visited the scene and a full investigation, as well as an inquest docket, had been opened, WO Pieke said.

The suspect, from Weston in Johannesburg, was 29. His name was not being released till the investigation into the Vereeniging robbery was completed. — Sapa

la Murder and Robbery Unit, was most frequently named in connection with allegations of torture

All allegations of torture would have resulted in court cases, said General Mellet

Meanwhile, Nicro said yesterday that if tens of people in detention died as a result of police conduct, hundreds must be subject to methods of treatment which can never be reconciled with the principles and values of civilised society

The SA National Institute for Crime Prevention and Rehabilitation of Offenders was commenting on Dr Gluckman's allegations

National director Dr Esther Lategan said less than 15% of people being judged had access to legal assistance at any time during the process. Some of them, including juveniles, were in custody for up to a year or more

before the case was finalised

Nicro fully supported the appointment of an independent judicial commission of inquiry into these circumstances

● Minister of Justice Mr Kobie Coetsee has invited Dr Gluckman to supply him with a full list of prison death inquests Dr Gluckman regarded as contentious

In a statement yesterday, Mr Coetsee said "Should Dr Gluckman make such evidence available, it will immediately be submitted to the attorney-general concerned. The attorney-general may on the strength of such evidence decide to have any inquest re-opened"

"I remain convinced that a judicial inquest is the correct forum where all the facts concerning unnatural deaths can be publicly established and recorded, in order to proceed as swiftly as possible" — Staff Reporter, Sapa



## Gluckman asked to supply details

PRETORIA. — Minister of Justice Kobie Coetsee has invited Dr Jonathan Gluckman to supply him with a full list of prison death inquests that Dr Gluckman regarded as contentious.

In a statement yesterday, Mr Coetsee said "Should Dr Gluckman make such evidence available, it will immediately be submitted to the Attorney-General concerned."

"The Attorney-General may, on the strength of such evidence decide to have any inquest reopened."

"I remain convinced that a judicial inquest is the correct forum where all the facts concerning unnatural deaths can be publicly established and recorded, in order to proceed as swiftly as possible."

In terms of the Inquests Act an inquest is held whenever an Attorney-General decides that insufficient evidence is available to institute criminal proceedings in respect of the unnatural death of a person.

An inquest may be held by any presiding judge or magistrate.

In an inquest, any interested party may be allowed by the judicial officer to have legal representation and to present any relevant evidence at the proceedings.

The admission or rejection of evidence, whether written or oral, is entirely in the hands of the judicial officer.

After the judicial officer has made a finding, the full court record of the inquest, which is a public document and therefore open to inspection, is again submitted to the Attorney-General.

The Attorney-General then again evaluates the evidence available and decides whether to institute criminal proceedings.

The Attorney-General may also decide to request the judicial officer to reopen the inquest and to hear further evidence.

Should any evidence come to light at any stage after the inquest, the Attorney-General may again exercise any of the powers already mentioned.

Should any pathological evidence be made available which, in the opinion of the Attorney-General, may shed new light on any inquest, he may request a judicial officer to reopen the inquest or, should sufficient evidence for prosecution be available, the Attorney-General may decide to institute a prosecution. — Sapa

# Prison deaths probe

CITY/NATIONAL

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AUG 30/1992



## Probe into jail money scandal

(253) Own Correspondent  
DURBAN — A money scandal, running into more than a million rand and allegedly involving a number of officials and prisoners at Westville Prison, is being investigated by the police and the Department of Correctional Services

According to sources, several prison warders — some high-ranking — had allegedly been operating hand-in-glove with prisoners in criminal activities including fraud, theft and smuggling

# Another suspect dies in custody

*Sowetan 30/7/92*  
■ 'FATAL LEAP' Police accompanied him to

point out accomplice in Hillbrow: (219) (253)

By Kenosi Modisane

**A** PRISONER died in police custody yesterday morning, three days after another cell death made headlines

Police said yesterday a 29-year-old robbery suspect - they did not identify him - plunged eight floors to his death at a block of flats in Hillbrow, Johannesburg.

Yesterday's incident brings to four the number of people who have died in police custody within 18 days this month. All the men had not appeared in court before their deaths and police said they were all robbery suspects.

Witwatersrand police spokesman Warrant-Officer Andy Pieke said yesterday the man who died yesterday was arrested in connection with a robbery in Vereeniging.

Pieke said the suspect went with police to Cresthill Flats in Hillbrow where he was to point out accomplices hiding there.

"He then climbed over a barrier and fell to his

death. A full investigation and an inquest into his death has been opened," Pieke said.

On Monday morning another suspect, Mr Bongani Makhubela (20), of Vosloorus, East Rand, "collapsed and died" in his cell at the local police station.

The body of 19-year-old Mr Simon Mthimkhulu, of Sebokeng, was found in a veld on July 14 after he had been arrested by the Vaal police.

His death prompted senior pathologist Dr Jonathan Gluckman to make startling revelations of police killings of prisoners in detention.

On July 11 Mr Harris Salukazana (46), an employee of AECI in Modderfontein, died at Hillbrow Hospital while in police custody.

The South African Chemical Workers' Union last week marched to the Modderfontein police station to demand an independent investigation and an autopsy on Salukazana's death. They also demanded the suspension of the two policemen involved in his arrest.

# Another prisoner dies in detention

Sowetan 31/7/92

By **KENOSI MODISANE**

Yet another prisoner has died in police custody.

He is Mr Ambrose Xola Macakathi (30), the third prisoner to die in police custody this week.

His body was found in a cell at Protea police headquarters at 8 30am yesterday

Police said Macakathi was found hanging from a cell window (253)

A statement released by police yesterday said Macakathi, a murder suspect, had torn his pillow into shreds and used it to hang himself.

Police spokesman Captain Joseph Ngobeni yesterday said Macakathi was visited by police at the regular 7am interval.

"There was nothing abnormal when police first visited him at 7am. But when the cells were visited again at 8 30am Macakathi was found hanging from the window," Ngobeni said

He was arrested in connection with the death of Miss Jacqueline Stuurman (20), whose body was found in Kiptown on June (21)

On Wednesday, a 29-year-old robbery suspect died while in detention. He had allegedly plunged eight floors to his death at a block of flats in Hillbrow.

Mr Bongani Makhubela (20) of Vosloorus, "collapsed and died" in a cell at the local police station on Monday

The body of 19-year-old Simon Mthimkhulu of Sebokeng was found in a veld on July 14 after he had been arrested by the Vaal police.

Another prisoner, Mr Harris Salukazana (46), died at Hillbrow Hospital on July 11 after he had been arrested at Modderfontein.



# 440 prisoner set to be freed

■ Convicts released after  
Vance's intervention:

*Sowetan* 31/7/92

By Themba Molefe

(253)

Political Reporter

ABOUT 440 political prisoners might be released by today following the intervention of United Nations special envoy Mr Cyrus Vance, according to the African National Congress.

ANC general secretary Mr Cyril Ramaphosa told a Press conference yesterday that a delegation of the organisation met Government officials on Tuesday to discuss political prisoners.

### Recommendations

Vance had lunch with State President Mr FW de Klerk at Union Buildings yesterday after 10 days of meetings with organisations from the Left and the Right.

He returns to New York today and is expected to give his recommendations to UN secretary-general Boutros Boutros Ghali in terms of Resolution 765 on South Africa.

# Kriel details probe progress as third prisoner

A THIRD death in police custody was reported this week as Law and Order Minister Hernus Kriel denied pathologist Dr Jonathan Gluckman's claims of government indifference to reports of the killing of detainees by policemen.

Ambrose Xola Macakathi, 30, was found hanging from a cell window at the Protea police station in Soweto yesterday. He had allegedly torn his pillow into strips, which he used to hang himself. Police said no foul play was suspected at this stage.

On Wednesday a suspect fell to his death from the eighth floor of a Hillbrow block of

flats, while allegedly leading police to an accomplice. Another suspect died at the Vosloorus police station on Sunday.

Kriel yesterday listed the progress made in investigations into seven deaths in custody mentioned by Gluckman, but said only in two cases had findings been made by an inquest. These findings were being reviewed by the attorney-general.

Kriel said in another case — the death in detention of Daniel Mokgalaka on November 1 last year — two policemen had already been charged with murder and their trial would be heard on August 25.

BIDAY 31/7/92

STEPHANE BOTHMA

The decision of the attorney-general was being awaited in the alleged murder in detention of Duke Sene, who was arrested on January 15 this year on a charge of resisting arrest. A murder docket was opened and submitted to the attorney-general on May 26, Kriel said.

Three cases — the deaths of Joseph Koetz on January 18, Simon Sieema on May 14 and Simon Mthimkulu on July 15 — were still being investigated and evidence would be made available to the attorney-

in a week is found dead

general as "quickly as possible"

On the two inquests, Kriel said Columbus Maqobo was arrested in Vanderbijlpark on a charge of armed robbery on July 23 last year. On the way to a magistrate, where Maqobo was to make a voluntary statement, he complained of a pain in his chest and died shortly afterwards.

A state pathologist could not find external signs of assault or injury and could not determine the cause of death. The magistrate who conducted a formal inquest could not make a finding and the docket was referred to the Transvaal attorney-

general

Only then did an attorney representing the family of Maqobo contact the attorney-general with claims he had evidence that Maqobo had been assaulted.

"Four months have elapsed since the inquest, and despite repeated requests statements have still not been given to the attorney-general by the attorney," he said.

The second inquest — where a finding was made that Armstrong Yisake had committed suicide by hanging himself with a belt on August 22 last year — had

□ To Page 2

## Kriel

BIDAY 31/7/92

253 From Page 1

been reopened by the attorney-general.

In the case of Yikase, Gluckman had performed a second autopsy at the family's request. His findings were sent to their lawyer. Only after the formal inquest was concluded and Gluckman informed of the finding, was Gluckman's post mortem report made available to the state, said Kriel.

"It is now up to the attorney-general, in the light of further evidence, to decide whether the inquest should be reopened."

About Gluckman's claim that authorities did not pay attention to his requests to look into the death of detainees, Kriel said after receiving an SAP report on the cases

mentioned by Gluckman, he decided to have a more comprehensive investigation launched into deaths in police custody since January 1 1991.

As a result of this, and further investigations which exceeded Gluckman's original requests, an unavoidable delay resulted which gave him the impression that proper attention was not given to his request.

Kriel said this wider investigation would be completed shortly. He invited Gluckman to bring forward other cases.

Last night the Johannesburg Bar Council called for an immediate public inquiry into Gluckman's allegations.

1. AUG 1992



REPUBLIEK VAN SUID-AFRIKA  
REPUBLIC OF SOUTH AFRICA

# Staatskoerant Government Gazette

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Vol. 325

PRETORIA, 31 JULIE  
JULY 1992

No. 14201

## PROKLAMASIE

*van die*

*Staatspresident*

*van die Republiek van Suid-Afrika*

No. 81, 1992

WYSIGINGSWET OP AANGELEENTHEDE RAKENDE KORREKTIEWE DIENSTE EN TOESIG (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **1 Augustus 1992** as die datum waarop artikels 5, 7, 14, 16, 17 en 20 van genoemde Wet in werking tree

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Pretoria, op hede die Sewe-en-twintigste dag van Julie Eenduisend Negehonderd Twee-en-negentig

**F. W. DE KLERK,**  
Staatspresident

Op las van die Staatspresident-in-Kabinet

**A. J. VLOK,**  
Minister van die Kabinet

485—A

## PROCLAMATION

*by the*

*State President* (253)

*of the Republic of South Africa*

No. 81, 1992

CORRECTIONAL SERVICES AND SUPERVISION MATTERS AMENDMENT ACT, 1991 (ACT No 122 OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix **1 August 1992** as the date on which sections 5, 7, 14, 16, 17 and 20 of the said Act shall come into operation

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-seventh day of July, One thousand Nine hundred and Ninety-two

**F. W. DE KLERK,**  
State President

By Order of the State President-in-Cabinet

**A. J. VLOK,**  
Minister of the Cabinet

14201—1



**ANALYSIS** HRC analyses deaths in police custody

~~253~~

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31/7/92

Sowetan

# 'System encourages custody deaths'

## DEATHS IN DETENTION

1963	2
1964	2
1965	2
1966	3
1967	2
1968	2
1969	7
1971	2
1976	13
1977	13
1978	1
1980	1
1981	2
1982	2
1983	2
1984	3
1985	2
1986	4
1987	3
1988	2
1990	3



Graphic by M. Nkhomo

P.T.O



By Ruth Bhengu

**T**HE POWER GIVEN TO police by detention without trial legislation was a sure recipe for torture and for the inevitability of deaths because of such torture, the Human Rights Commission said yesterday

While the Government is still reeling from top pathologist Dr Jonathan Gluckman's disclosure that more than 200 prisoners were killed by the police in custody, the HRC said it was not surprised

According to the HRC's records, there were 73 deaths in detention without trial during the years 1963 to 1990 and a further 57 deaths in custody from 1984 to the present

The Commission said "Our records show that nearly 50 percent of all deaths in detention occur within the first week and that a large number of these deaths took place in mysterious circumstances, notwithstanding that half of them were declared by the inquest courts to be suicides

"The police culture engendered by the system of apartheid is such as to hold black lives in low regard, and throughout the police force, not only within the ranks of the Security Police, there is an attitude which justifies the use of torture and other brutal methods carrying a high risk of death, in waging a war against a perceived enemy"

### Culture will not change

The HRC said this culture would not change until minority rule was abandoned and the police force was transformed from an instrument of oppression to a body that served and protected the whole population

The commission commended Gluckman for his "courageous action in speaking out on this important issue"

Meanwhile, four people died in police custody this month. All four men had not appeared in court before their deaths. Police said all were robbery suspects

The latest person to die in police custody was a 29-year-old robbery suspect, who died in Johannesburg on Wednesday. Police said the man from Weston fell eight floors to his death at

## DEATH CELLS *Black lives are held*

*in low regard because of a police culture*

*engendered by apartheid: Sowetan 31/7/92*

~~253~~ 253

### The body count in two years

**Phiri Mbuyiselo Nicholas** - Welverdiend Police Station - 16/01/90 - died during interrogation  
**Zungu Michael** - Matubatuba Police Station - 29/01/90 - hanged with shoelaces in police van  
**Japie Andries Mataboga** - Tshepong Hospital - 23/07/90 - died in hospital after alleged assault  
**Masuku Petrus** - Welkom - 05/09/90 - died soon after arrest  
**Tsoene Enoch** - Transkei - 25/09/90 - found dead in a cell  
**Mbulawa Eugene Thokozane** - Leratong Hospital - 13/07/90 - died in hospital after alleged assault  
**Mogashoa Solly** - Phalaborwa - ?/07/91 - died after he was allegedly assaulted by Lebowa police  
**Maqoma Cornelius** - Sebokeng - 23/07/91 - died a few hours after arrest  
**Masilo Peter** - Sharpeville - 23/07/91 - died after police used force allegedly to effect an arrest  
**Aaron Mahlangu** - Belfast - July 91 - police reported he died of diabetes after a struggle at the police station  
**Three unnamed individuals** - Hazyview Police Station - 25/08/91 - shot by police during struggle in the police station  
**Mtsha Thandile** - Punzana (Ciskei) - 12/09/91 - reported to have hanged himself  
**Thaele Peter** - Odendalsrus - 26/09/91 - reported to have hanged himself after quarrelling with police  
**Ngwedu Khumbuni** - Jeffrey's Bay - 15/11/91 - reportedly hanged himself, though it is claimed he was seen badly beaten before his death  
**Cardinal Frederick** - Nordersetting - 23/11/91 - found dead after he was reportedly assaulted  
**Senne Duke** - Baragwanath Hospital - 15/01/92 - died at the hospital after he was allegedly assaulted at the Moroka Police Station  
**Koetz Joseph** - Sharpeville - 25/01/92 - died after he was allegedly assaulted by policeman  
**Legwadi Tsepo** - Sharpeville - 28/01/92 - shot dead as he sat, handcuffed, in the back of a police kombi  
**Xheko Philemon** - Potchestroom - 31/01/92 - died after he was allegedly assaulted by policeman  
**Dibetso Steven** - Tomburke - Northern Transvaal - 01/02/92 - died after he was allegedly assaulted by policeman  
**Kitchen Mbulelo** - Tarkastad (Border) - 07/02/92 - died a few hours after his arrest  
**Ntombela Londi and Zondi Mbuyi** - Imbali - February 92 - shot when they allegedly tried to escape  
**Tafari Zinakele Michael** - Glen Hill Police Station - 01/03/92 - died after he was allegedly assaulted by policeman  
**Seema Samuel** - Klipspruit Police Station - 01/03/92 - died a few hours after his arrest  
**Joubert Andreas** - Graafwater Police Station (Western Cape) - 23/05/92 - found dead in a cell  
**Nkosi Reuben** - KwaDela - 09/06/92 - shot dead by member of CIS during search of his house after his arrest

a block of flats in Hillbrow

On Monday, July 26, Mr Bongani Edward Makhubela (20) of Vosloorus, East Rand, "collapsed and died" in his cell at the local police station

On July 14 the body of 19-year-old Simon Mthimkhulu of Sebokeng was discovered in the veld after he had been arrested by the Vaal police

On July 11, Mr Harris M Salukazana (46), an employee of AECI in Modderfontein, died at Hillbrow Hospital while in police custody

**See HRC Report on deaths on page 44**



# Tent jail plan

23 CT31/7/92

## SA prisons crammed over capacity

Staff Reporter

**A TENT jail on Robben Island is one of the prison authorities' plans to beat an overcrowding crisis.**

According to the Department of Correctional Services, prisons are holding 25 000 more inmates than they were designed to house, with a total prison population of 107 000.

Pollsmoor Prison was at 215% capacity, department spokeswoman Brigadier Erica van Zyl said yesterday.

But, of this overcrowding crisis the authorities were considering mass releases, she said.

### Serious crimes

Mass releases have been criticised, however, for reasons including the fact that some people jailed for serious crimes were released after serving only a fraction of their sentences.

The Deputy Commissioner of Operational Services for the Department of Correctional Services, Major-General Henk Bruyn, has said it would cost R1.8 billion to rectify the shortage in prison accommodation.

He said yesterday that tent prison villages on Robben Island were being considered as well as erecting tents in prison courtyards.

A Department of Correctional Services statement said mass release or "bursting" was "a tried and inter-

nationally accepted concept" and "more suitable" than amnesty.

President F W de Klerk's amnesty to 15 000 prisoners at the end of 1990 through to June 1991 saw 1 500 former prisoners rearrested by November 1991 for criminal offences.

The statement said "bursting implies that when the prison population reaches a certain level of occupancy, prisoners are selected for early release".

Mr Bert Slabbert, a spokesman for the Minister of Correctional Services, said building and prison extension projects were underway "We are doing everything to create space", he said, including looking at renovating old prisons, and upgrading disused schools and army barracks.

He said the high prison population was a reflection of the upswing in crime which went "hand in hand with the economic climate".

The department's statement said the prison population had risen by 9 000 in the last six months.

### Recidivists

Greater emphasis on paroling prisoners was being investigated because "we simply are not able to keep all prisoners behind lock and key for their full sentence terms", it said.

The department also said their correctional supervision project has been 93% successful. Of the 791 prisoners involved, only 7% had broken rules or reverted to crime.



**JUST MISSED . . .** South African swimming medal hope, Port Elizabeth student Peter Williams, just missed a bronze in the 50m men's sprint yesterday, sharing fourth place in 22,50 secs. The race was won by Alexandre Popov of Russia in an Olympic record time of 21,91 secs. Picture AP



# General to probe all custody deaths

STAR 3117192

Staff Reporters

(253) ~~254~~

being taken to prevent prisoners from being assaulted or mistreated in custody"

Every death in police custody will in future be probed by an SA Police general, Law and Order Minister Hernus Kriel said yesterday.

In a lengthy statement reacting to the crisis sparked by the cell death allegations of top independent pathologist Dr Jonathan Gluckman, Mr Kriel said he had also decided, in the public interest, to release details on cases highlighted by Dr Gluckman in which suspects had died in police custody.

As a result of Dr Gluckman's exposé on Sunday, members of the SA Police General Staff held in-depth discussions on Monday, and deaths in detention were given urgent attention.

Comprehensive instructions and measures existed to prevent assault or mistreatment of any person in custody.

"In future, a member of the General Staff will personally, under the command of Lieutenant-General Malan, give attention to each case of death in custody and assure himself that all orders have been strictly obeyed and that steps immediately be taken if any irregularity is suspected," Mr Kriel said

He said he had been assured that "all possible steps are

On Sunday Dr Gluckman made public a random selection of files on people whom he maintained had been killed in police custody, saying direct appeals to Mr Kriel, Correctional Services Minister Adriaan Vlok and President F W de Klerk had proved fruitless

Dr Gluckman, who has examined the bodies of about 200 people who died in custody, claimed that 90 percent of them were killed by the police

Yesterday Mr Kriel stressed that any unnatural death was "totally unacceptable" to the Government and the police and that Dr Gluckman's entreaties to the Government had been immediately acted upon

Mr Kriel said his decision to call for a comprehensive investigation into every death in detention since January 1991, and further investigations which exceeded Dr Gluckman's requests, had resulted in "an unavoidable delay" which gave the impression that proper attention was not given to the pathologist's request to Mr de Klerk

This had subsequently been explained to Dr Gluckman, Mr Kriel said

Summarising the individual cases highlighted by Dr Gluck-

man, Mr Kriel said findings had been made by an inquest in only two of the cases.

Both cases had been reopened and further evidence from next of kin was being awaited

One case was currently being dealt with at an inquest, but had been referred to the Attorney-General in view of allegations by the deceased's family

In one case, in which it had been found at an inquest that the deceased had committed suicide, further investigations were being conducted and the matter would be reviewed by the Attorney-General

In another case, two policemen had been charged with murder and the case postponed

Apart from the cases highlighted by Dr Gluckman, other cases were still being investigated and could result in inquests or prosecutions

Dr Gluckman indicated yesterday that he was in no position to supply Justice Minister Kobie Coetsee with the requested list of inquests, which he regarded as inadequate

He was responding to an invitation by Mr Coetsee to supply a full list of prison death inquests which the pathologist regarded as contentious



Dr Jonathan Gluckman an "incremental horror" led him to speak out about what he had seen

# An ethical cry from the heart

STAR 31/7/92

253

STAR 31/7/92

Something other than politics prompted Dr Jonathan Gluckman's appeal for action to check police brutality, writes  
**JO-ANNE COLLINGE**

**P**ATHOLOGIST Jonathan Gluckman, who has caused the Government untold discomfort by disclosing that his files contained weighty evidence of police torture, speaks precisely into the telephone receiver "Incidentally, I'm a great supporter of the State President". The reaction of the interviewer at the other end of the line in the United States is unknown. What is clear to The Star reporter, seated in Dr Gluckman's office, is that something other than politics prompted his impassioned appeal in the media

for action to check police brutality against those in custody. The 77-year-old expert has performed or observed more than 200 autopsies at the request of lawyers and families who suspect that the police caused the death of their loved ones.

Asked what drives him to this specialisation he answers: "No body else is prepared to do it". The evasion in this answer is betrayed by the terms in which Dr Gluckman speaks of the damage he has seen wreaked on the bodies he inherits for examination "it's just uncontrolled savagery," he snaps, adding that an "incremental horror" prompted him to publicise the contents of his files.

These plain, emotive words are the kind he used when he turned to President de Klerk

some months ago in a bid to end physical abuse in custody. The actions speak of a deeply moral and intrinsically conservative man who will do his utmost to make the system work before resorting to the unorthodox.

Indeed, he has been repeatedly asked why he waited so long before "going public". Dr Gluckman proceeded from being a senior partner in a highly successful general pathology laboratory in an ever-more specialised direction, honing in on forensics.

Although he combines his role of consultant pathologist with that of executive director of Medical Rescue International, he can fairly be described as a "morbid anatomist", he concedes with an unexpected smile. Colleagues point to Dr Gluckman's vital interest in the ethics

of his profession and his concern with the questions of socialised medicine.

Dr Gluckman was a co-founder of the Medical Services Plan, the first medical assistance scheme in SA targeted at those who could not afford to buy medical care directly.

Perhaps best known for his involvement in the Steve Biko inquest, Dr Gluckman has demonstrated an ongoing concern for the treatment of detainees, at one point urging district surgeons to refuse to administer to detainees if proper treatment was made impossible.

But there has never been any doubt that the sympathy Dr Gluckman shows for detained patients stems from ethical and human rights considerations. Politically, he was miles apart from the United Demo-

cratic Front whose members crammed the cells in the 1980s.

When the Harare Children's Conference of 1987 called for the international isolation of doctors who collaborated in repression and for only the "alternative" professional bodies to be recognised internationally, Dr Gluckman hit back in the name of the Medical Association of SA, defending its development of a code for the treatment of children in detention and branding the "alternative" medical association as "a small medico-political body more directed towards the undermining of the medical profession".

Abrupt in his speech ever-ready to challenge a concept or rephrase a question, there is yet something extra-scientific in Dr Gluckman's vision of medical

practice. At a graduation ceremony at Wits University, shortly before he became Masapo president in 1975, he reflected how medical insurance had encouraged the money-making propensity of doctors.

"From being a group of professional men inspired by a sense of vocation and idealism we seem to have become a group of people involved in the universal rat race," he said. "We have lost our collective soul."

Few pathologists speak publicly of the soul. Even fewer decorate their walls with photographs of the key players in the inquests of detainees. Or with vivid oil paintings they have created. Dr Gluckman does all of these. And promises to write his memoirs on retiring. They will be most enlightening. □



## NEWS IN BRIEF

### BIDAY 31/7/92 SABC strike settled

THE dispute at the SABC with the Media Workers' Association of SA had been resolved, the SABC said in a statement in Johannesburg yesterday.

The SABC agreed to a minimum wage of R1 300 a month with effect from October 1991 and a 15% across-the-board increase effective from June 1.

### News focus for CCV

CCV TV is to launch a news focus programme, Newline, which kicks off on Sunday night with an interview with ANC president Nelson Mandela and a look at mass action.

Executive producer Phekwan Mashiloane said it would replace the Scoop programme on certain nights of the week.

### ET persona non grata

THE Namibian cabinet had declared AWB leader Eugene Terre'Blanche persona non grata in that country, the information ministry said in Windhoek yesterday.

Terre'Blanche offended the government last week by saying in a NAMBC TV interview that parts of SA and Namibia should be set aside exclusively for whites.

### BIDAY 31/7/92 Tent town jail (253)

AN ACCOMMODATION shortage may lead to prisoners occupying tents on Robben Island. This was announced in Cape Town yesterday by the deputy commissioner of operational services for the Department of Correctional Services, Maj-Gen Henk Bruyn.

# Inflation 'set for substantial fall'

BIDAY 31/7/92

ECONOMIC growth this year will be the worst of the current recession, but further cuts in interest rates and a substantial fall in inflation can be expected, says Old Mutual chief economist Dave Mohr.

Speaking in Johannesburg yesterday, Mohr said he expected SA's gross domestic product to fall by at least 1.5% this year, and there was a real risk that the recession would spill over into next year.

"The greatest risk is that consumer and business confidence may be further jeopardised by the combination of political uncertainty, lingering violence and industrial unrest.

"Consumers may use any increase in disposable income to redeem debt rather than raise spending. Companies may further trim their workforces and curtail investment to an even larger extent than currently envisaged," Mohr said.

The possibility of some external shock — a sharp fall in the gold price, sluggish world economic recovery and accelerating capital outflow — could not be ruled out.

However, Mohr remained "cautiously optimistic" that a mild cyclical recovery would take hold next year. Although the Budget had not contained any net tax relief for individuals, greater willingness by government to finance the Budget deficit through borrowing, not through in-

HILARY GUSH

creased taxes, would support the economy, he said.

As the world economic recovery picked up, domestic exports would benefit in terms of volume and price. A slower rate of destocking and an easing in inflation would also have a positive effect on local cyclical recovery.

Mohr said hard-pressed consumers could look forward to additional interest rate cuts over the next 18 months. "Low money supply growth will probably continue during the rest of the year, leaving room for a further lowering of interest rates."

The Reserve Bank's policy of maintaining positive real interest rates would, however, prevent rates falling below the prevailing inflation rate. Prospects for a continued fall in inflation were encouraging, although sharp increases in food prices remained a major obstacle. Mohr cited last year's introduction of VAT as the most important reason for an acceleration in food inflation.

Examining the effect of drought on food prices, Mohr said the price of meat had dropped 5% since the beginning of the year, while fruit and vegetable prices had risen sharply. As meat had a larger weight in the index, the effect of the higher fruit and vegetable prices had been almost entirely neutralised by the decline in the price of meat.

## Masterbond inquiry invites evidence



# Man found hanged in Soweto police cell

By Guy Jepson 31/7/92

Yet another suspect has died in police custody since independent pathologist Dr Jonathan Gluckman went public at the weekend with allegations that police were killing detainees

The Soweto police said Ambrose Xola Macakathi (30) was found "hanging from a cell window" at the Protea police station at 8 am yesterday

A police spokesman said Mr Macakathi had been arrested on Tuesday in connection with a murder

Investigations revealed that Mr Macakathi's pillow had been torn into shreds and was used in the hanging. No foul play was suspected

He said a post-mortem would be held soon and Mr Macakathi's family had been advised that a private pathologist could

attend.

● On Wednesday, robbery suspect Victor Manuel (29) fell four floors to his death in Hillbrow when he attempted to escape, police said.

On Sunday, a 20-year-old man suspected of stealing a firearm "collapsed and died" at the Vosloorus police station

● Ethical cry from the heart  
- Page 11

# Former boxer crusades for society's 'lowest of the low'

w/maw 317-618192

*Ex-boxer, convict and 'breker' Robbie Lombard has dedicated himself to a higher cause: protecting the rights of South Africa's prisoners.*

By **GAVIN EVANS** and **GRANT KRAY** (253)

**R**OBBIE LOMBARD is not the kind of guy one would expect to find in an office daubed with hammers and sickles and plastered with African National Congress posters

The broken nose, the Harley Davidson "lummy", the walk, the talk would look more in place at the rightwing watering holes of Johannesburg's poor-white deep south, where this 28-year-old former armed robber-cum-professional boxer first cut his teeth as a street fighter of note in the early 1980s

But Lombard, together with his colourful leader, Golden Miles Bhudu, and a handful of other ex-cons and associates have a very different mission to build a non-racial organisation to fight for the rights of South Africa's 100 000-plus prisoners and to improve conditions in the country's over-crowded jails

Nearly four years after his release from jail for a conviction of armed robbery, he is one of a small group of former prisoners and their family members preparing for today's launch of the South African Prisoners' Organisation for Human Rights

According to Bhudu, who served nearly five years for housebreaking and theft, the seeds of the movement were sown in Modderbee Prison four years ago with a series of "go-slows", hunger strikes and "nakedness protests" These were inevitably accompanied by beatings, isolation and the refusal of parole

Soon after his release in 1991, a chain-clad Bhudu marched through the streets, creating a memorable image that put his campaign in the public eye. One of the volunteers he attracted was Lombard, who was a middleweight boxer plying his trade with some success under the guidance of Willie Toweel

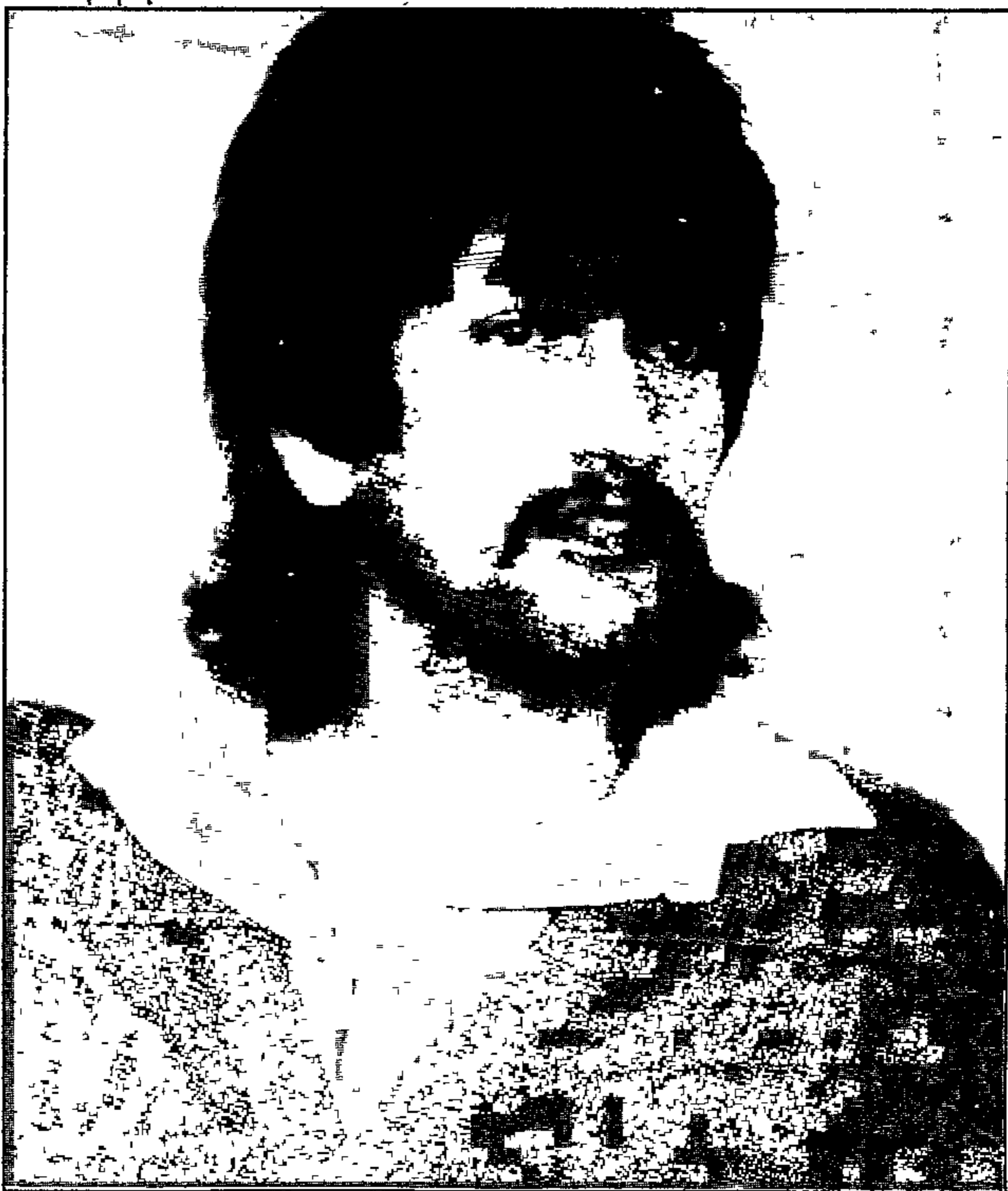
Perhaps ironically, the two men are now working from the offices of the warders and policemen's union, Popcru They have little in the way of funds and resources, but already they've received more than 1 000 letters from prisoners and their families

Their main thrust has been to pester the government, prison authorities, attorneys general and lawyers to take up the cases of prisoners, to expose their plight in the media It was Lombard who first alerted *The Weekly Mail* to the existence of an Afrikaner Weerstandsbeweging "traditional weapons factory" in Leeuwkop Prison last week, after receiving several tip-offs from prisoners and warders there

Lombard's decision to embark on his current path was a direct result of his experiences in seven South African prisons

Ending up in the "cooler" was pretty much the expected thing for a 21-year-old from what he calls the "white oppressed" suburb of Claremont, though the route he chose was slightly unusual after a series of armed robberies, "I decided to give myself up to the police, because of my conscience, and I pleaded guilty" He was sentenced to four years in prison

His formidable reputation as a boxer and a



**Pugilist on a mission ... Robbie Lombard's current path was the result of his experiences in prison**

Photo. KEVIN CARTER

"breker", and the fact that he had several southern suburbs buddies in prison, saved him from the rough treatment and sexual assault which are *de rigueur* for many new young prisoners

"I had friends there, and after I had knocked two of the top guys' heads off and won the prisons light-heavyweight championships, they left me alone," he says

The warders, however, were a different story and he soon came into conflict with them "It really started at Kroonstad, where there was a group of warders who would give prisoners dagga and money, let them out to 'steal' from their homes and then claim on the insurance and reclaim their belongings later I reported this and was victimised

"They transferred me all over the place to make it more difficult to contact witnesses and tried unsuccessfully to get me declared a schizophrenic In the end, the case never came to trial and I was released on parole after three years and three months — I think because they didn't want any more trouble from me"

He says that in all the prisons he was sent to, the warders were easy to bribe "If you've got enough money you can get anything you want, from dagga to an escape Even if you're a rapist, if you've got the money you can get out, no problem"

Among the black inmates, the Big Five gang specialises in maintaining close relations with the warders, says Bhudu "In exchange for privileges or extra food, they will inform on fellow prisoners and assault prisoners who are out of line

"When juveniles come in, the Big Five will usually get hold of them first, though The 28s gang also specialises in homosexuality The juveniles become the wives of the members If

they resist, they are raped It doesn't matter how tough they are

"The other gangs are The 26s, who want money in prison, and the Airforce Three and Four gangs, who organise escapes"

Lombard says most of the white warders he encountered were open about their rightwing affiliations and that many were AWB members "They are a closed group, and they make life very difficult for the few who aren't rightwing"

Bhudu goes further, saying that white warders openly displayed their AWB membership cards "Some of them used to actually show us their cards There was nothing secretive about it None of them wanted to mix with the black warders and they stayed in separate premises, which were as different as Houghton and Soweto"

Both men laugh at statements by the Department of Correctional Services that apartheid is being eliminated among prison inmates

"They say that Sun City (Johannesburg Prison) is integrated because black and white prisoners are there together. But what they don't mention is that they live on different floors, have a different mess and separate recreation areas

"In about April this year, a general from the prisons' headquarters visited Krugersdorp Prison So the prison organised a black and white soccer match among the prisoners But as soon as the general left, the ball was taken away and that was the end of racial mixing there," says Lombard

It is this type of tokenism which the new organisation is hoping to end Among its aims are organising prisoners and their families, and bringing an end to racial segregation, overcrowding and "maltreatment and abuse of prisoners"

And though they're operating from an ANC-decorated office, Bhudu makes it clear that "we'll continue fighting for these rights under a future government — ANC, Pan Africanist Congress, or whatever"

This "higher cause" — protecting the rights of the "lowest of the low" in society — has become an all-consuming passion for Lombard "I'm still thinking about making a comeback in the boxing ring I think I could do okay But right now, this fight is more important," he says.



## Correctional Services Dept responds

*W/May 3/12 - 6/8/92*  
THE Department of Correctional Services has responded as follows. "This expostulation of the ex-prisoners appears to be an obvious attempt to propagate the launching of the so-called SA Prisoners Organisation for Human Rights. Some of the allegations are totally unfounded whilst others are generalisations or gross exaggerations.

"The Department of Correctional Services is satisfied that all prisoners are treated in a humane and professional manner. Furthermore any misconduct or allegation of mis-

conduct by any member such as assault, bribery, etc, are properly investigated and dealt with, either departmentally or by means of investigation by the SA Police. Therefore we are more than willing to investigate any allegation substantiated by detail such as names, places and dates, etc. (253)

"In the final instance this department is convinced that the existing channels are more than adequate to deal with any complaints and sees no need for such an organisation to get involved in matters in this regard."



# Pathologist reveals deaths in African police custody

Guardian [unclear]

31/7-6/8/92

253

ANOTHER scandal involving South Africa's security forces rocked President F. W. de Klerk's government on Sunday as the country's leading pathologist gave details of deaths in police custody

Dr Jonathon Gluckman, who examined the murdered political activist Steve Biko, opened his files to the South African Sunday Times, in a "desperate bid to stop the killings"

"I can't stand it any longer," said Dr Gluckman, who revealed that in his office he had more than 200 files of postmortems he had performed on blacks who had died in detention. He was convinced that 90 per cent of these were killed by police. "This is straight forward murder by police," he said

Dr Gluckman's revelations came as a further blow to the police force already reeling from harsh criticism

by an independent British expert, Dr Peter Waddington, last week, of their "woefully incompetent" handling of the investigation of the Boipatong massacre in which more than 40 people died

Dr Gluckman said he had discussed the deaths with the minister of law and order, Hernus Kriel and the minister of correctional services, Adrian Vlok. He had also written to President de Klerk twice in the past eight months

Dr Gluckman released five post-mortem reports which he said were randomly selected from his files. They included a man who died of a brain haemorrhage and was found hanging from his cell. The doctor believes he was dead before he was hanged.

He said he had decided to go public following the death of a Sebokeng youth, aged 19. Simon Mthimkulu was arrested by police two weeks ago and found dead in the veld 12 hours later

According to affidavits compiled by human rights lawyers, Mthimkulu had been beaten and tortured by police. A policeman allegedly picked up a huge rock and threw it several times at Mthimkulu's ribcage. Dr Gluckman said his findings were entirely consistent with the injuries described

by the witnesses.

"This is a 19-year old boy. Not charged with an offence," he said. "I get sick at heart about the whole affair. It goes on and on"

A spokesman for Mr Kriel said that an investigation into every death in police custody in the past two years had been ordered following Dr Gluckman's claims. "We regard this matter very seriously," Mr Kriel's spokesman said.

Dr Gluckman told the Sunday Times that his impression was that "the police are totally out of control. They do what they like."

Dr Waddington, in his report on Boipatong, found the police operation during the massacre and in the subsequent inquiries had been bedevilled by a failure of leadership.

"Contingency planning was inadequate and non-commissioned officers were left at the scene of a

rapidly unfolding disaster to make fateful decisions"

"Command has been notable by its absence for much of the time; junior officers have not been adequately debriefed and lessons have not been learned"

Dr Waddington found that if the obvious failures of the investigation were in any way representative of policing, then they suggested that "the SAP is an unaccountable police force. The difficulties encountered by this inquiry team in uncovering the most routine aspects of the police response and investigation suggested systems do not exist for either internal or external accountability"

Dr Waddington did find that "amidst all this gloom and negative appraisal", there was no evidence of police complicity in the massacre. "Indeed, all the evidence suggests a genuine desire to identify perpetrators and prosecute them."

The report notes the number of strategic and practical deficiencies in policing which point to "serious incompetence"

These include the tactic of lining police officers up "in front of hostile crowds, unprotected and holding a lethal weapon in their hands, which seems to be a recipe designed for over-reaction".

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PUBLIC SECTOR-GOVT. - PRISONS

1992

NOV. — DEC.

# NEW PRISONS GENERAL ERIKA HAS GOT WHAT IT TAKES TO GET AHEAD

SHE can stare down the toughest criminal ... but don't ask the first woman general in the prisons service to get into a lift.

Brigadier Erika van Zyl, 50, climbs nine flights of stairs at least twice sometimes four times each weekday rather than risk her life in Mr Otis's invention

She has never been trapped in a lift, but has a fear of being stuck in one. This means she climbs a lot of stairs. The exercise accounts in part for the brigadier's trim figure and the fact that she looks at least 10 years younger than her age.

## Graduate

A modest woman, Brigadier van Zyl is somewhat embarrassed by all the fuss over her promotion to major-general, which takes effect on December 1. But a large bunch of red roses in her ninth-floor office high above Pretoria's Church Street testifies

By CAS St LEGER

that the appointment is a popular one (253)

Since the second day she was in uniform, the Nigel-born, Western Transvaal-reared brigadier did not have a second of doubt over her career choice.

On the first, back in 1962, she wasn't entirely sure she'd done the right thing.

Reporting for duty at Pretoria Central Prison, the 20-year-old Pretoria University social-sciences graduate knocked boldly on the heavy wooden door

She was greeted by a loudly ringing bell and a couple of starchy majors on parade who expected to find a senior officer.

Only commanding officers knock twice, she learnt. Rookies rap once only.

Her first assignment was supervising the prison laundry.

"I didn't know what was expected of me. The prisoners looked me up and down because they could see I was new. I was very scared.

## Legal

"That night I got home and told my mother it was awful. I told her I would not last inside a prison."

But the rookie decided to stick it out.

In March 1964, Brigadier van Zyl became the first assistant head of the newly completed Kroonstad Women's Prison. Within a few months, at the age of 23, she was promoted to head of the prison, a post she held for 11 years.

As a general, Erika van Zyl will be Assistant Commissioner, Sports Services, and will be in charge of

public relations, work study, legal services and computerisation.

While appreciative of the advantages her promotions have brought, she regrets that each one has removed her a little more from the prisoners.

"When I walk into a women's prison, I feel at home, I feel I belong."

She has been married for 26 years to General Braam van Zyl, Northern Transvaal regional commissioner with Correctional Services. They have no children but are passionate about their two pet Maltese poodles, Rags and Cookie.

In her 30 years with the prisons service, Brigadier van Zyl has seen a number of reforms, including giving women a choice of bright, floral dresses instead of drab khaki.

## Silence

A reform she would like to see implemented more often is correctional supervision. She believes it would go a long way to alleviating chronic overcrowding in South Africa's prisons but, more importantly, it would allow the convicted felon to remain with family and contribute to society.

On the touchy subject of mass releases of prisoners, the general-to-be maintains a wary silence.

But she is happy to give her views on the equally controversial subject of children behind bars.

"Children do not belong in prison. The answer is to find alternative places of safety and I'm glad a committee is looking into the situation and seeking a better solution to the problem of juvenile offenders."

# CALLED

# her

This nuanced approach would not wash with the American right, which, egged on by MI, worked tirelessly to have Unita — and Renamo — become major beneficiaries of the Reagan Doctrine.

A key ally in MI's endeavour, Crocker says, was



# Death trio to be freed

By AYESHA ISMAIL

THREE of the longest-serving political prisoners are to be freed by November 15, according to the ANC

The prisoners, Patrick Maginda, Desmond Majola and Dickson Madekane, all of Oudtshoorn, were sentenced to death in September 1986 for killing a community councillor

Their sentences were commuted in 1990 to life imprisonment.

Their legal representative, Mr Essa Moosa, cannot understand why they are still in prison

"Mr Justice Lategan, the trial judge, said that the murder of community councillor Mr Patrick Marenene had been politically inspired"

ANC legal representative Mr Matthew Phosa said that all political prisoners identified by the ANC and the government would be freed by November 15 this year as agreed in the Record of Understanding

He said the ANC had 240 prisoners on its list but those qualifying for political status still had to be identified

"We do not want another Lucky Malaza episode"

The three Oudtshoorn men had already been identified

16 NOV 1992

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## PROKLAMASIE

*van die*

*Staatspresident*

*van die Republiek van Suid-Afrika*

No. R. 121, 1992

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,  
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **1 November 1992** as die datum waarop—

- (a) (i) artikels 38, 41 (b), 45 en 47 van genoemde Wet (hieronder die Wysigingswet genoem);
- (ii) artikel 41 (a) van die Wysigingswet, in soverre dit paragraaf (h) by artikel 276 (1) van die Strafproseswet, 1977 (Wet No 51 van 1977), voeg, en
- (iii) artikel 42 van die Wysigingswet, in soverre dit artikel 276A (1) in die Strafproseswet, 1977, invoeg,

in werking tree ten opsigte van die gebiede van die landdrostdistrikte Aberdeen, Clanwilliam, Ellisras, Fouriesburg, Messina, Namakwaland, Potgietersrus, Schweizer-Reneke, Soutpansberg, Standerton, Thabazimbi, Virginia, Vredenburg, Vredendal, Walvisbaai, Waterberg, Waterval-Boven en Wesselsbron, en

- (b) artikel 41 (a) van die Wysigingswet, in soverre dit paragraaf (i) by artikel 276 (1) van die Strafproseswet, 1977, voeg, in werking tree ten opsigte van die gebiede van die landdrostdistrikte Amersfoort, Bethulie, Britstown, Carnarvon, Colesberg, De Aar, Delareyville, Fauresmith, Hanover, Hopetown, Kenhardt, Koffiefontein, Kuruman, Phalaborwa, Philipstown, Postmasburg, Prieska, Randfontein, Richmond (K), Trompsburg, Victoria-Wes, Vryburg en Westonaria

## PROCLAMATION

*by the*

*State President*

*of the Republic of South Africa*

No. R. 121, 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT, 1991 (ACT No 122  
OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No. 122 of 1991), I hereby fix **1 November 1992** as the date on which—

- (a) (i) sections 38, 41 (b), 45 and 47 of the said Act (hereinafter referred to as the Amendment Act),
- (ii) section 41 (a) of the Amendment Act, in so far as it adds paragraph (h) to section 276 (1) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), and
- (iii) section 42 of the Amendment Act, in so far as it inserts section 276A (1) in the Criminal Procedure Act, 1977,

shall come into operation in respect of the areas of the Magisterial Districts of Aberdeen, Clanwilliam, Ellisras, Fouriesburg, Messina, Namakwaland, Potgietersrus, Schweizer-Reneke, Soutpansberg, Standerton, Thabazimbi, Virginia, Vredenburg, Vredendal, Walvis Bay, Waterberg, Waterval-Boven and Wesselsbron; and

- (b) section 41 (a) of the Amendment Act, in so far as it adds paragraph (i) to section 276 (1) of the Criminal Procedure Act, 1977, shall come into operation in respect of the areas of the Magisterial Districts of Amersfoort, Bethulie, Britstown, Carnarvon, Colesberg, De Aar, Delareyville, Fauresmith, Hanover, Hopetown, Kenhardt, Koffiefontein, Kuruman, Phalaborwa, Philipstown, Postmasburg, Prieska, Randfontein, Richmond (C), Trompsburg, Victoria West, Vryburg and Westonaria

ET 2/11/72

## Two arrested after cell death

Crime Reporter 13

TWO men were arrested after their cellmate — a man arrested for allegedly being drunk in public — was found dead in a Mitchells Plain police station cell yesterday.

A police spokesman said a man in his 50s — who had not yet been identified — had been found dead in a cell he was sharing with two other men. His head had been battered.

Police have opened a murder docket.



CT 3/11/92  
**Demo jailed**

**PRETORIA.** — Three protesting members of the SA Prisoners Organisation for Human Rights were arrested here yesterday (253)

The former prisoners, Mr Robert Lombard, Mr Golden Miles Bhudu and Mr Eric Theron, demanded a commission of inquiry to investigate the deaths of people in police custody. — Sapa

## Hunger strike

CT 3/11/92  
TWENTY inmates of the Kroonstad Prison have been on hunger strike since Wednesday, apparently in protest against their transfer from the overcrowded Pollsmoor Prison, the Department of Correctional Services has confirmed. (25)

In all, 263 prisoners had been transferred, a spokesman said. — Sapa.

policemen were deplorable

# 10 companies go bust every working day

**GERALD REILLY**  
PRETORIA — Ten registered companies or close corporations were liquidated every working day for the first eight months of the year, reports the Information Trust Corporation (ITC). *6/10/92 4/11/92*

ITC CEO Tony Leng said most were small organisations, but there were also large companies among the casualties. This was obviously one of the root reasons for the country's continued and worsening unemployment situation.

Leng said so far this year 1 592 liquidations had occurred, an increase of 28% compared with last year.

There was little hope, he said, of an improvement in the distressing situation while interest rates and inflation remained at current levels.

In the first seven months of the year 2 627 individuals were sequestered — the highest figure ever recorded and an increase of 21% over the same period last year.

Leng said most retailers were having a torrid time, with consumer confidence at an all time low.

day, said he bore his assassin's "guilt" because of "fatal misfortunes," he said. "Between a third of a quarter of the normal

# Business bid to ease Natal crisis

**WILSON ZWANE**

BUSINESS had become involved in negotiations with the ANC and Inkatha in a desperate bid to find solutions to the deepening crisis in Natal, an ANC official said yesterday.

ANC southern Natal official Bhekeli Cele said ANC regional leaders, Inkatha and business representatives were engaged in low-profile negotiations aimed at removing obstacles to a meeting between ANC president Nelson Mandela and Inkatha leader Mangosuthu Buthelezi. Cele said the ANC's three Natal regions were opposed to a Mandela-Buthelezi meeting until the resolution of certain problems, including the bar on ANC members using school buildings in KwaZulu-controlled areas for political meetings, and the withdrawal of Inkatha from several local dispute resolution committees.

Natal-KwaZulu regional dispute resolution committee chairman M C Pretorius refused to comment on the business/ANC/Inkatha negotiations. He said the talks were delicate and to comment could jeopardise the process.

Meanwhile, last night's meeting of the national peace committee's executive was postponed until tomorrow because ANC officials could not attend as they were travelling to Natal to work on defusing tensions.

Our political staff reports that hundreds of Natal servicemen are being called up to help stem the violence ravaging the province.

# Strydom's actions do not 'defy parole conditions'

**STEPHANE BOTHMA**

dom from killing again. Strydom issued a six-page document to journalists in Strydom Square on Monday night, stating that the Wit Wolwe organisation expected a written reply to its demand to meet the "illegal government" to negotiate "the achievement of our demands".

The ANC said in a statement that it had been government's decision to accept that Strydom's "heinous crimes" were committed in defence of apartheid and fell within their definition of a legitimate political act.

"Having done so, the government will also have to accept full responsibility for any future atrocities Strydom might commit," the ANC said.

The DP said "This fiasco underscores the DP's opposition to random, and now secret, indemnification of persons guilty of heinous crimes, misrepresented as political acts."

"Wit Wolf" Barend Strydom's issuing of a list of political demands in Pretoria's Strydom Square — where he gunned down seven people in 1989 — did not contravene his parole conditions, the Correctional Services Department said yesterday.

Strydom said on Monday night that the "illegal" government should resign and meet him within 30 days or face "action".

A Correctional Services spokesman said the mass murderer's parole conditions did not prevent him making news statements. The threat of "action" did not necessarily imply force or the commission of any crime, the spokesman said.

However, the ANC yesterday called on government to take the necessary legal steps to prevent Stry-

# HOW MUCH





REPUBLIEK VAN SUID-AFRIKA  
REPUBLIC OF SOUTH AFRICA

# Staatskoerant Government Gazette

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Vol. 329

PRETORIA, 4 NOVEMBER 1992

No. 14388

## GOVERNMENT NOTICE

### DEPARTMENT OF CORRECTIONAL SERVICES

No. 3090 253 4 November 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT (ACT No. 122 OF  
1991)

I, Adriaan Johannes Vlok, Minister of Correctional Services, hereby determine in terms of section 49 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), that the functions of the institutional committees and the release board, established under the Prisons Act, 1959 (Act No 8 of 1959), before the latter Act was amended by the said Correctional Services and Supervision Matters Amendment Act, 1991, shall, in respect of the areas of all Prisons which fall within the Magisterial Districts of Amersfoort, Bethulie, Britstown, Carnarvon, Colesberg, De Aar, Delareyville, Fauresmith, Hanover, Hopetown, Kenhardt, Koffiefontein, Kuruman, Phalaborwa, Philipstown, Postmasburg, Prieska, Randfontein, Richmond (CP), Trompsburg, Victoria West, Vryburg and Westonaria terminate as from 1 November 1992 excluding the function of the Release Board contemplated in section 64 (1) (b) of the Correctional Services Act, 1959 (Act No 8 of 1959)

**A. J. VLOK,**  
Minister of Correctional Services  
69993—A

## GOEWERMENSKENNISGEWING

### DEPARTEMENT VAN KORREKTIEWE DIENSTE

No. 3090 4 November 1992

WYSIGINGSWET OP AANGELEENTHEDE  
RAKENDE KORREKTIEWE DIENSTE EN TOESIG  
(WET No. 122 VAN 1991)

Ek, Adriaan Johannes Vlok, Minister van Korrektiewe Dienste, bepaal hierby ingevolge artikel 49 van die Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), dat die werksaamhede van die inrigtingskomitees en die vrylatingsraad, ingestel kragtens die Wet op Gevangenis, 1959 (Wet No 8 van 1959), voordat laasgenoemde Wet deur genoemde Wysigingswet op Aangeleentehede rakende Korrektiewe Dienste en Toesig, 1991, gewysig is, ten opsigte van die gebiede van alle gevangenis wat binne die landdrostdistrikte Amersfoort, Bethulie, Britstown, Carnarvon, Colesberg, De Aar, Delareyville, Fauresmith, Hanover, Hopetown, Kenhardt, Koffiefontein, Kuruman, Phalaborwa, Philipstown, Postmasburg, Prieska, Randfontein, Richmond (KP), Trompsburg, Vryburg, Victoria-Wes en Westonaria val, met ingang van 1 November 1992 beëindig word, uitgesonderd die werksaamheid van die Vrylatingsraad beoog in artikel 64 (1) (b) van die Wet op Korrektiewe Dienste, 1959 (Wet No 8 van 1959)

**A. J. VLOK,**  
Minister van Korrektiewe Dienste.

14388—1

Prisoner <sup>(253)</sup>  
of 5/11/72  
found dead

POTCHEFSTROOM — A prisoner serving a six-year jail term for theft has been found dead in his cell here

The Department of Correctional Services said the man was found dead in his communal cell on Tuesday. He had multiple chest and neck stab wounds, "most probably" inflicted by fellow prisoners.

He was rushed to hospital, but was confirmed dead on arrival.

His name will be released as soon as his relatives have been notified — Sapa

# Oudtshoorn three to go free soon?

Political Staff CT 5/11/92

SOUTH AFRICA's longest-serving political prisoners — three Oudtshoorn men jailed in 1986 for the murder of a local councillor — could be freed soon.

They could be released before November 15 in terms of the agreement reached between the government and the ANC on October 26 in the Record of Understanding.

The government undertook in the agreement to resolve the political prisoner issue by November 15, but said since then that additional legislation, in terms of the controversial Further Indemnity Bill, was necessary.

The three men are Desmond Majola, 35, Patrick Mangindam, 29, and Dickson Madikane, 33.

They were found guilty of the murder of a community councillor, Mr Patrick "Big Boy" Marenene, in 1985 and given life sentences. (253)



# Campaign to keep young offenders out of prison

253

M.G. SINGH

**TOS WENTZEL**  
Political Staff

THE Cape provincial administration is co-operating with the Department of Correctional Services in a campaign to keep young people out of jail.

Mr Themba Nyati, MEC in charge of social welfare in the administration, said his department had established seven "places of safety" for juveniles.

These rehabilitation centres, erected at great cost, were designed to be as comfortable as possible.

They were not fully occupied at present and the provincial administration was working with the Departments of Correctional Services and Justice to ensure no juvenile was kept in a cell or in jail.

An additional centre might be built in the East London metropolitan area where juvenile offenders were on the increase.

The administration was also giving attention to alcohol and drug problems among juveniles in squatter areas and townships in the Cape.

Many children were in precarious situations as a result of the harmful

results of apartheid as well as the selfish actions of some radical political leaders.

The administration was trying to help rehabilitate children, many of whom belonged to a "lost generation" of ill-prepared and highly politicised youngsters.

The emphasis was not on handouts but on rehabilitation.

Mr Nyati said that although South Africa was not a welfare state, the state did accept responsibility for those who were unable to fend for themselves.

At the same time voluntary welfare organisations played a vital role in providing welfare services.

The provincial administration, which controlled black pensions and welfare services, concentrated on practical preventive measures to help individuals to improve their own welfare.

It was striving to improve the quality of life of many, against the difficult background of illiteracy and backwardness, poverty, unemployment, unsanitary residential conditions and shortages of housing and other basic facilities.

Welfare boards had been established in the three regions of the Cape and members of these boards who rendered voluntary services had been trained.

A staff of social workers was being built up, but there was still a shortage because many black social workers preferred working in commerce and industry.

Auxiliary social workers were also being trained.

The administration had established and subsidised 91 creches and dealt

with 13 000 foster care cases for which private supervision services were provided.

In the field of black pensions, much progress has been made.

When his department started in 1985 monthly black pensions were R85 and were paid only every two months. Now the pensions were R295 and paid monthly. About R29 million a month was spent on black pensions in the Cape.

It was now hoped that pension parity for all race groups would be achieved in the next Budget.

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**BUSINESS DAY, Thursday, November 5 1992**

# Kriel to reply to Gluckman's claims

3/10 AM 5/11/92  
**STEPHANE BOTHMA**

LAW and Order Minister Hennis Kriel would reply in the next few weeks to allegations by independent pathologist Jonathan Gluckman that alarming numbers of detainees were dying at the hands of policemen, the department said yesterday.

More than 180 prisoners have died in detention since January this year.

Kriel was still in the process of studying Gluckman's claims and files, but several interim measures had been taken to prevent and investigate deaths in detention, Law and Order spokesman Capt Craig Kotze said yesterday.

In the meantime, Gen Louw Malan had been appointed to investigate

every death in detention and to report immediately any possible irregularities to the Minister, Kotze said.

In addition to 12 former magistrates having been appointed since July to monitor detainees in police custody, 20 former police generals had also been appointed to visit police cells at any time, he said.

"These measures and the agreement reached with the International Red Cross to visit any prisoner at any time all form part of the Minister's programme to monitor deaths in detention," Kotze said.

The fact that the Minister had not yet replied to Gluckman's claims did not mean that no action had been taken, he said.

Kotze said police regulations on the detention of suspects had also been tightened up.

Meanwhile, Sapa reports that a prisoner serving a six-year jail term for theft has died in the Potchefstroom Prison.

The Correctional Services Department said yesterday the man had been found dead in his communal cell on Tuesday. He had multiple chest and neck stab wounds, "most probably inflicted by fellow prisoners". The death is being investigated.

# Stabbing, hanging in

# prison cells

So we fan 5/11/92  
Prisoners die in custody: (253)

**By Tsale Makam and Sapa**

TWO more prisoners have died in police custody in different prisons in the past two days

Mr Frans Lekwete was found dead hanging by his belt in his cell at the Pretoria Central Prison on Tuesday night.

He was serving a six-year sentence for house-breaking and theft.

Another man, also serving a six-year sentence, died at the Potchefstroom Prison on Tuesday, "most probably after being stabbed by fellow prisoners", according to the Department of Correctional Services.

## Stab wounds

He was found with multiple stab wounds in the neck and chest and died on the way to hospital. His name will be released as soon as his family has been notified

Government pathologist Dr Jonathan Gluckman drew public attention to prison deaths earlier this year when he claimed police were responsible for many deaths in police custody

His claims were later denied by the Government and police



# The mad missives of B

W/M and 6/11-12/11/92

**D**ID you know that the CIA assassinated Charles de Gaulle and President Abdul Nasser and may have killed Hendrik Verwoerd? That PW Botha is a Freemason? That the Rand Afrikaans University promotes communism?

Racist mass murderer Barend Strydom thinks so — and makes it clear in a series of chillingly off-the-wall letters written in the run-up to his 1988 killing spree in central Pretoria, copies of which are in the possession of *The Weekly Mail*.

Numbering more than 100, and directed at targets as diverse as Ronald Reagan (spelt "Reagun"), the Kremlin, the South African Publications Board and the "Minister of Indians", the letters provide clues to the peculiar brand of fanaticism that made Strydom kill and this week demand the deportation of African National Congress president Nelson Mandela and South African Communist Party chairman Joe Slovo

Written from Posbus 1216, Nigel, in a childlike scrawl, and ending with the salutation "Boere groete", the letters suggest a man radically out of touch with reality. After his highly controversial release from prison last month, top criminologist Irma Labuschagne called into question his sanity, adding that he "was not a safe person out of prison".

In one of two letters in Afrikaans to the Kremlin, he tells the "Moscow Communist Party" that the Boers are tired of them trying to take over the ZAR (the old Transvaal Republic) for their "Satanic purposes". He also asks why only the "Jewish church" has freedom in communist states.

"The Boer people are now tired of your sick intimidation," he warns.

Reagan is asked for help in fighting to the death "the capitalists under Rockefeller and the communists" because both the CIA and the KGB want to see Christians destroyed.

In other letters:

● Former president PW Botha is accused of freemasonry, and the freemasons of "murdering people to protect their secrets".

● Hotel magnate Sol Kerzner is accused of "being busy with the

*Mass-murderer Barend Strydom wrote some curious letters to world leaders, which reveal a twisted, child-like mind*

By **JAN TALJAARD**

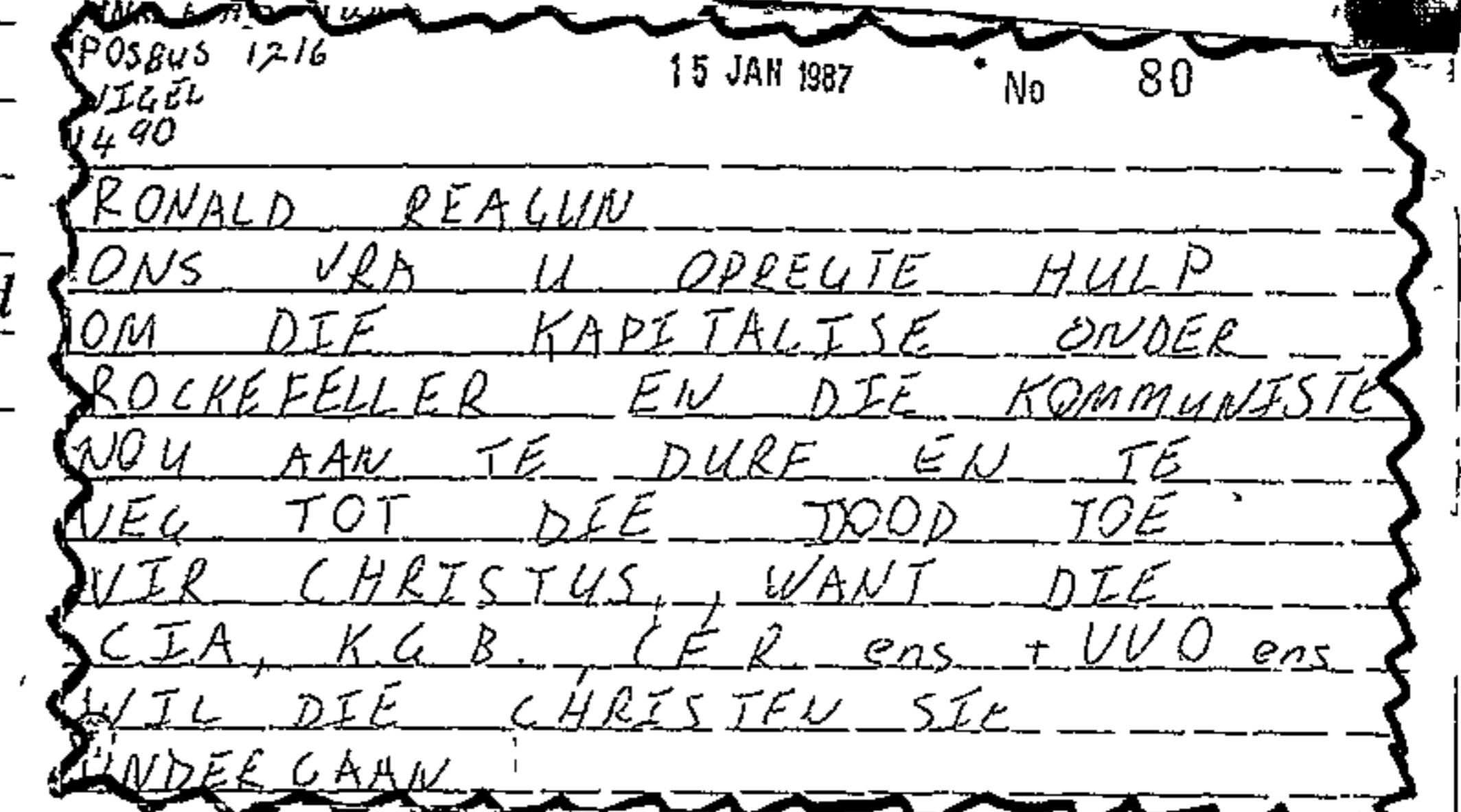
legions of the anti-Christ and Satan" and urged to become a Christian and to show "pure Boer films"

● The "Minister of Indians", addressed as "you heathen", is told to get out of the way of the ZAR and the "Republic of Freedom" before it is too late.

● Armscor is berated for manufacturing ineffective ammunition and employing "unreliable foreigners"

● The rector of RAU is told that his university is deliberately promoting communism through its rag magazine, *RAU Tjol*

In a rambling missive to the "Head of national intelligence", Strydom says he has written to all the homeland leaders and the Swazi king calling for them to occupy one country rather than many small states, leaving the



Petitioning the president ... Strydom's letter to Ronald Reagan

rest of the country for whites

"Instead of negotiating they sent the security police to warn me to limit my freedom as a Boer in my own land," he complains

On Monday this week, Strydom staged a "press conference" on Strydom Square in Pretoria — the site of his killing spree — at which he nervously read from a six-page "Witwolwe" document which threatened unspecified action if certain demands were not met

These included the deportation of Mandela and Slovo, the restoration of the Boer republics and the subsidisation of farmers in drought-stricken areas for another five years

Strydom offered no apologies for what he did four years ago, referring to the shooting of innocent black passers-by as "The Battle of Strydom Square" and a justified "attack on the enemy"

In the same political circumstances, he would do it again, he said

# Widow <sup>(253)</sup> forgives her husband's killers <sup>(253)</sup>

SOUTH 7/11-11/11/92  
By Quentin Wilson

"FREE the Bongoletu three," is a familiar demand from people in Oudtshoorn who want amnesty for those jailed in connection with the necklacing of a community councillor in 1986

But there's a twist.

The widow of the Bongoletu councillor, Mrs Florence Marenene, also wants them free.

In a gesture of reconciliation, Marenene said those who killed her husband, Mr Patrick "Big Boy" Marenene, should be released from Brandvlei prison in Worcester and allowed to join their families in Bongoletu

Speaking from her Bongoletu home, Marenene said she would go so far as to welcome her husband's murderers into her house

"Like Jesus, who died on the cross for all our sins, those three have suffered enough for everything that has been done," Marenene said.

"I will be happy if they are released. It has been a long time and they should be forgiven — even if they did kill my husband, although I am sure that some of them didn't," she said.

Mr Patrick Manginda, Mr Desmond Majola and Mr Dickson Madikane were sentenced to death on September 20, 1986 for the murder of Marenene. The sentences were later commuted to life imprisonment. A juvenile who was also found guilty served a five-year sentence

"I pray for their release often. This is the first time anybody has asked me how I feel. Neither the courts nor the police ever bothered to find out. God must have sent SOUTH to Bongoletu, I think things will change now," she said.

The 43-year old Marenene said her 14-year marriage had been "the most important thing" in her life and she would not marry again.

"I could never do it. I will never be able to love anyone else but even so, his murderers would still be welcome in my house. It is time for this community to unite," she said.

In 1986, a year marked by state repression, Bongoletu was practically a war zone. In the face of the government's "total onslaught" approach, activists fought back and often town councillors were targets of attack.

Mrs Marenene said her husband "hated his job because of the danger, but was forced to do it because of financial reasons".

The juvenile, who has served his prison term and is back in Bongoletu, accepted Mrs Marenene's hand of friendship and hoped he would soon be joined by his co-accused

"I hold nothing against Mrs Marenene. Although we had our problems in the past, she was, after all, my Sunday school teacher," he said after visiting her home where they re-united.

The Oudtshoorn ANC branch is campaigning for the release of the three.



# Jail deaths keep going up and up!

C/P Nov 8/11/92

253

By DAN DHLAMINI

THE brutal murder of a Transkei citizen in the Potchefstroom Prison this week has raised the death toll in SA jails to 152 between January and September.

This was confirmed this week by Department of Correctional Services spokesman Lt-Col J Eksteen, following a City Press inquiry.

## Confirmed

Eksteen said from January 1 until September 30 1992, 131 sentenced and 21 awaiting-trial prisoners have died in prison.

Denying allegations by pathologist Dr Jonathan Gluckman that most deaths in custody were caused by police, Eksteen said cancer and heart-related diseases were common in the majority of deaths.

Despite the fact that the deceased died on Tuesday, Eksteen said his department could as yet not confirm that his next of kin had been notified.

But City Press has learned from reliable sources that the dead man was Vincent Wani, 43, a Transkei citizen who was serving six years' imprisonment for theft.

Wani, who before his

arrest and subsequent six years' imprisonment, used to work as a security guard in Potchefstroom, was stabbed several times in what is believed to have been a prison gang fight.

According to Eksteen, the man would have qualified for unconditional release on October 3 next year.

His death follows that of Frans Lekwete, whose limp body was this week found hanging by his belt, in his Pretoria Central Prison cell.

Two weeks ago, Paul Pule Kgosana, 29, of Kanaana township, who was serving 18 months for dagga, was shot dead inside his locked cell at Orkney police station in the western Transvaal.

## Activities

Responding to City Press inquiries about gangsterism in the prisons, Eksteen said the policy was to warn all prisoners not to participate in gang activities.

He said cells and prisoners were thoroughly searched for weapons on a daily basis.

Eksteen rejected the allegation that warders encouraged gansterism in prison.



# Blueprint was not meant to aid Unita, says expelled Cleary

SITimes 8/11/92

FORMER Foreign Affairs official Sean Cleary, who was this week expelled from Angola, denied that he worked on behalf of the South African government or Unita while he was in Luanda.

Mr Cleary was thrown out after Angolan press attaché Jorge Marais charged him with providing Unita with "logistical and political support when the rebel movement threatened to resume civil war".

The accusation revolves around a policy document Mr Cleary drew up on solutions to the present crisis.

But in an extensive interview this weekend, Mr Cleary said the offending blueprint was not meant to undermine the government but offer suggestions to both parties on resolving tensions.

He said he had presented his suggested strategy plan to all parties involved in the conflict as well as to foreign observers in Luanda.

In the document, he blamed the Angolan crisis on the lack of joint political control of the electoral process.

By HEATHER ROBERTSON

vimbi 11 days ago, when he suggested proposals for resolving the electoral dispute.

"I cannot say that I have influence over Dr Savimbi, I merely suggested to him possible peaceful solutions to the conflict."

Mr Cleary was expelled from Luanda after the Angolan Minister of Interior called him to a meeting to discuss certain unspecified "illegal actions" he was involved in.

"I waited for five hours for a meeting that did not take place. I was not told what the illegal actions were but was instructed to leave Angola on the first flight out," he said.

He flew back to South Africa on a Safair flight with several other refugees, landing at Waterkloof on Friday.

There have been widespread allegations that his Midrand-based political consultancy Strategic Concepts — which assists associates in Europe and the US in identifying investment opportunities in southern Africa — is a front company for military intelligence.

Mr Cleary denied this yesterday.

"Strategic Concepts is a private company and is not funded by any government department or foreign agencies," he said.

## Cavalier

The company is paid for consultancy services in scenario work and socio-political evaluations for a range of companies.

Mr Cleary said he left Foreign Affairs after 15 years service in 1985 because he felt South Africa was too "cavalier" in its dealings with other countries.

Deputy director-general of Foreign Affairs Mr Derek Auret said Mr Cleary had not worked for Minister Pik Botha since he left eight years ago.

Mr Cleary said he was not sure that South Africa could play a decisive mediating role in the Angolan conflict.

"The amount of time that some government officials can devote to mediation in Angola will probably not be enough to mesh with the Angolan parties' own pressures and time tables," he said.

Mr Cleary has also been accused of undermining Swapo during the run-up to elections in Namibia.

At the time he was employed to run the South African transitional government backed Transcontinental company, which promoted the Democratic Turnhalle Alliance parties internationally.

## Denial

This week Mr Cleary admitted to disseminating anti-Swapo propaganda on atrocities in their detention camps.

But he denied that he set up a foreign lobbying body, Strategic Network International, to discredit Swapo in Europe.

More recent reports have speculated that Mr Cleary may try to link up with Renamo to undermine the Frelimo government when elections take place in Mozambique.

Mr Cleary said he had been invited by the Mozambican government in May to discuss conflict resolution in the region.

## Collapse

The document suggested that unless the Angolan government accepted joint control of the country's key ministries, the country would collapse into civil war once more. It argued that the police and media should be controlled jointly by Unita and MPLA.

"Aspects of my document were discussed by the parties before the fighting broke out on Saturday," said Mr Cleary.

"I did not mean to impose my views on the situation. It was just a discussion document."

"The reality is that Angola is a major tragedy. I have nothing to gain from the present conflict. In fact, I have everything to lose because I have business interests in the country."

"Unita is fighting against its own interests by resorting to arms."

Mr Cleary admitted that he had had close ties with Jonas Savimbi since the early 80s when he was director-general of Namibia. He last spoke to Dr Sa-

# Person hits at IFP

SITimes 8/11/92

Official Bruce Anderson wrote an affidavit denying gun running before he signed an affidavit saying to the IFP.

Anderson wrote from his mother's understanding the press in South Africa speculations about my deportation. British intelligence agent, I was IFP.

By CHARMAIN NAIDOO

Ulundi for various meetings, and we met at rallies."

Mr Buthelezi also claimed Mr Anderson had "a long criminal record."

The Sunday Times knows of at least 20 criminal convictions dating back to 1962, with the most recent being 1982, which include fraud, theft, forgery, and cocaine possession.

## Dirty

Mr Anderson said "It is no secret that I had a drug problem when I was younger. The IFP investigated me thoroughly before I was elected to be on

# NEWS ROUND-UP

## Police in hunt for killer kids

POLICE have warned that Soweto children — some as young as 12 — are carrying guns and killing people "for thrills". The warning comes after increased cases of hijackings involving children.

Colonel Tieme Halgryn said the police were concerned about the trend. "It's a very serious situation. These children are highly dangerous and don't hesitate to kill," he said.

Col Halgryn urged the public to report anyone seen carrying an illegal firearm. "We will act immediately because these guns are used to hijack and kill innocent people."

"The sharp increase in hijackings by children is largely due to easy availability of firearms. They feel they are in control when they are armed. This, they feel, gives them access to other people's property."

## 48 prisoners to be freed

THE government and the ANC have agreed to the release of 48 more political prisoners by November 15.

After weeks of tedious negotiations in terms of the Record of Understanding, the two sides have whittled down an original list of 500 who are claimed to be political prisoners.

Among those rejected for release are prisoners guilty of rape.

## Taxi men die

TWO taxi owners were shot dead in the East Rand township of Kwathema yesterday, raising fears that the feud between taxi associations in the area would flare up again.

Mr Johannes Tshabalala, a member of the Springs Taxi Association, was fatally wounded in the neck and head.

Mr Frans Molsela was shot at by unknown gunmen armed with AK-47 rifles.

# CCB deal

SITimes 8/11/92

From Page 1

down the gauntlet to the government in a document entitled The Handling of the Financial Disbandment of the CCB by the SADF. Copies of the document — sent to top government officials, including President de Klerk — also demanded the appointment of an independent committee to deal with the agents' claims "before the CCB skeletons come out of the closet, and in particular, before a new government assumes power."

The agents said they had lost confidence in the SADF's "steamroller approach" and warned that if the government continued to ignore their demands, information about a series of "extremely sensitive issues" would be leaked to the media as part of a carefully designed plan to embarrass President de Klerk and the government.

To emphasise the gravity of their threat, the agents pointed out that "this is already happening with revelations about Inkatha funding."

A spokesman for the agents said information about government funding of Inkatha rallies "was never leaked from within the inner circles of the SAP, but came from people inside the SADF."

The first salvo in the battle between the CCB and the government was fired in March last year. A group of agents sought an urgent hearing in the Pretoria Supreme court on their breach of contract claim amounting to more than R1.5-million from the government.

The court ruled that the matter was not urgent, although legislation was pending in parliament to indemnify former Defence Minister Magnus Malan and the SADF against claims by dissatisfied CCB members.

The agents — including two women — claimed that the SADF owed them nearly R14 million in outstanding medical aid benefits, leave pay and pensions.

In February this year, the auditor-general's report revealed that the CCB's R3-million pension fund had been paid over to a member of the organisation by an insurance company, and that "the member insists on certain indemnities before paying the money over to the SADF."

On June 4, Defence Minister Gene Louw said the cabinet had decided at its meeting the day before that "unfinished matters" regarding the CCB should be referred to the ombudsman. This followed a request by Mr Verster that CCB agents be allowed to give evidence to parliament's Joint Committee on Public Accounts, which was turned down by the chairman, Dr Francois Jacobs.

On October 3, President de Klerk announced in Gazankulu that the government would bring legislation before parliament granting amnesty to those who had committed politically motivated crimes but had not yet been charged or sentenced.

On October 12, the inquest into the murder of Dr David Webster opened in the Rand Supreme Court, and parliament convened for a short session.

Three days later, a letter signed by Dr Janne Roux, director-general in President de Klerk's office, assured Joe Verster that the SADF had arranged for the state to pay his legal costs at the Webster inquest.

The following week, the Indemnity Bill was defeated in all three houses of parliament, and President de Klerk took the unusual step of referring it to the President's Council for approval.

This was given on October 30 — the same day on which Mr Verster agreed to testify at the Webster inquest, in camera.

However, when the Rand Supreme court convened last Monday, Mr Verster's legal representative informed Mr Justice Michael Stegmann that his client had gone abroad, and



# Racist killer Strydom gives the government 30 days or else

**BY JOHAN RETIEF**  
MASS murderer Barend Strydom, given a dressing down by Correctional Services Minister Adriaan Vlok, will this week disclose details of his threats if the government does not meet his demands.

He told City Press: "I shall talk to you this coming week about actions that I plan to take if my 'reasonable' demands are not met by the government. My colleagues in the Wit Wolwe must however first give me permission for those actions."

Strydom last week un-

expectedly disclosed his intention in an interview with City Press, three days after giving the government a month to respond to his demands.

Strydom refused to give details about his planned "actions" at his "media conference" last Monday.

Among his demands was the resignation of the government, the deportation of ANC President Nelson Mandela and SACP secretary Joe Slovo, and a lowering of the petrol price. Vlok this week sum-

moned Strydom to his office to tell him his recent actions made no contribution towards reconciliation and peace in SA.

"Strydom's behaviour is viewed in a very serious light," a spokesman for the Department said after the meeting, which was also attended by Strydom's father and wife.

"Strydom's demands were not discussed at all," the spokesman said.

Asked by City Press if he would kill blacks again, Strydom laughed and said he took an oath not to resort to violence

again.

However, a prominent Pretoria psychologist, whose name cannot be disclosed for professional reasons, called the credibility of Strydom's oath into question.

"It looks like Strydom does not have the potential to be self-critical and to learn. The possibility that he will kill blacks again is therefore very real."

The psychologist said it was appalling that Strydom chose to hold the media "conference" at the same place (Strydom

Square) where he killed six blacks.

"Although Strydom appears to be very sure of himself, there is a definite uncertainty and fear beneath his bravado.

"This fear makes him search for ideological encouragement, which in turn stimulates emotional immaturity. If he does get support, he will be tremendously encouraged. This could be fatal."

Meanwhile the ANC has called on the government to act against Strydom and expressed fears

that the leader of the Wit Wolwe could be planning another massacre against blacks.

"For the sake of all South Africans who want to see an end to death and mayhem, and probably for Strydom's own sake also, the necessary legal steps must be taken to prevent him from killing again," said an ANC statement.

The ANC also charged that the government had freed Strydom from life imprisonment to placate white rightwingers against the advice of the

psychologist who had treated Strydom.

Government spokesman Dave Stewart denied this allegation, saying that the release of political prisoners cannot be confined to one part of the political spectrum.

"The purpose of the release of political prisoners is to try to promote national reconciliation and to further the negotiation process.

"The government is however very concerned about some of Strydom's statements and is monitoring the situation carefully," Stewart said.

According to a spokesman of the Department of Correctional Services, they can only act against Strydom if he breaches any of his five parole conditions.

Leon van der Merwe, officer commanding of the Ystergarde, the military wing of the AWB, said his organisation had nothing to do with Strydom's actions, and refused to comment.

"Strydom was formerly a member of the AWB, but resigned," said Van der Merwe.

# New row over prison deaths

By THEMBA KHUMALO

A NEW controversy has erupted over the circumstances surrounding the death of six prisoners who allegedly died from suffocation at Barberton Prison last year.

The prisoners are alleged to have set their cell on fire to demand their release in line with the State President's three-month amnesty for first offenders in July last year.

The row between the Department of Correctional Services and the Prisoners' Association for Human Rights (Paso) came after David Dilato, a former Barberton inmate who was released in July, said he saw warders assaulting the deceased and trampling on them.

Dilato made an affidavit to an attorney who works for Lawyers for Human Rights in Colesberg in the Cape.

He said a group of prison warders sprayed the affected cell with teargas and dragged unconscious prisoners out while assaulting them with truncheons.

Later some of the injured prisoners were transported to hospital, but the six were left behind.

His story was corroborated by nine other prisoners who recently smuggled out a letter to Paso in which they claimed to have been in the cell that was set alight.

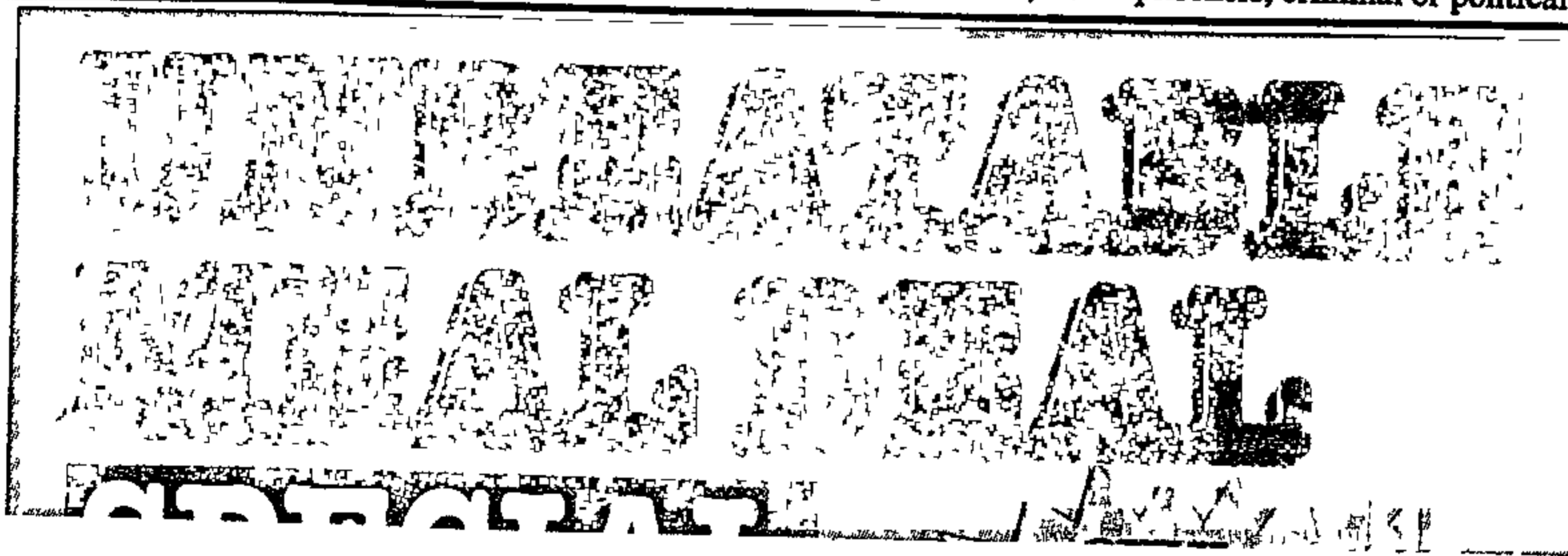
The prisoners who died were Kenneth Khumalo, Joseph Makwane, John Mahlale, Siphso Lubisi,

John Mkhotoshwa and Paulos Molepe.

A statement by the Department of Correctional Services this week said a post mortem report stated the six died from suffocation and that no signs of assault were found.

Paso president Golden Miles Bhuda said their efforts to highlight the plight of prisoners were frustrated by political organisations and human rights bodies who treated the matter lightly.

He said: "Quite often letters received from desperate criminal prisoners end up in the files of these organisations because their writers are not political prisoners. But we will not give up the fight for all prisoners, criminal or political."





Call for wider  
deaths probe

JOHANNESBURG  
The SA Prisoners Organisation for Human Rights (Sapohr) has called for the appointment of a multi-party commission of inquiry into deaths in custody instead of the proposed probe by government-appointed officials.

Sapohr chief executive officer Mr. Golden Miles Bhudu said probes by government appointees would be meaningless due to their government links. — Sapa

## Safe detention centres sought

PRETORIA — A government working group tasked with seeking alternative, safe detention centres for awaiting trial youths has submitted a progress report on its findings, according to Deputy Local Government and National Housing Minister Mr Glen Carelse (25).

Mr Carelse said a final report is expected on November 30, adding that in recent weeks detained youths were sent to places of safe custody that were previously under-utilised.

The government is aware of the vulnerability of awaiting-trial youths in prisons and is keeping them apart from adult prisoners, he added — Sapa

Worried minister expects report from investigators within weeks

# 2700 children in SA prisons

(253)  
FRG 10/11/92



**Staff Reporter**

**SOUTH AFRICA** has nearly 2 700 children in jail, it was disclosed today.

The 2 656 children are aged between 14 and 18. There are a further 6 485 inmates between 19 and 22.

Disclosing the figures, Correctional Services Minister Mr Adriaan Vlok said the government was "extremely concerned" about the number of children in prison and had formed a commission to examine the problem.

The commission was led by his deputy, Mr Glen Carelse and included representatives of 12 government departments and local authorities, Mr Vlok said at Worcester prison.

Its final evaluation and recommendations were expected by the end of the month.

A Weekend Argus investigation last month found evidence that thousands of children awaiting trial were being held in jail, and Mr Carelse said then "Prison is no place for children. As soon as I have that report I will take it to the cabinet, which will take it further."

Mr Vlok drew a distinction today between convicted children and those awaiting trial.

"The biggest problem concerning children in custody centres is on the unsentenced youths, and in their regard the Department of Correctional Services is strictly on the receiving end," he said.

"We have to accommodate them temporarily in anticipation of their appearances in court."

"When a youth is arrested and lands up in prison as an awaiting trial prisoner, he becomes part of our problem, regardless of the fact that we do not have any solutions."

The situation with convicted juveniles was different. "These young people are my department's responsibility and we look after them with the greatest care," said Mr Vlok.

His department was proud of its record in dealing with sentenced children, which included special treatment programmes. As far as possible such offenders were kept in special juvenile institutions.

"We do not have sufficient facilities but we are doing everything possible to increase our capabilities to handle and treat these youngsters."

"We agree that a prison is not the ideal place for a juvenile to be but in certain cases juveniles can certainly be a threat to society."

The minister also said a controlled earlier release programme for selected prisoners to ease overcrowding did not mean thousands of inmates would be released at once.

There are 26 000 more prisoners than South African jails were built for, and Mr Vlok said this had serious implications for finance and manpower, but Correctional Services had no intention of releasing them all.

Instead, selected prisoners whose release dates had already been approved would be freed a few months earlier.

The programme aimed to release between 6 000 and 7 000 prisoners at a rate of about 1 000 a month.

The programme would not be implemented this year but could be applied early in 1993.

11/92  
253

2 700 jailed  
children  
a disgrace

Political Staff

THE disclosure that South Africa had nearly 2 700 children under the age of 18 in jail was a national disgrace, the Democratic Party said yesterday.

The Minister of Correctional Services, Mr Ariaan Vlok, said at Worcester yesterday that he was "extremely concerned" about the number of children in prison. He said there were 2 656 children between 14 and 18 in jail, and a further 6 485 people between the ages of 19 and 22.

In a statement the DP urged Mr Vlok to free as many children as possible in his programme of controlled releases of prisoners.

## Man found dead in cell

JOHANNESBURG — A man was found dead in the Brixton police station cells here yesterday afternoon, Witwatersrand police spokesman Captain Eugene Opperman said.

He said members of the Brixton Murder and Robbery Unit detained the unidentified man early yesterday morning in connection with armed robbery and attempted murder.

“Police found him hanging from a torn piece of blanket about noon yesterday,” he said — Sapa



Up to 7 000  
prisoners (253)  
to go free  
Political Staff

BETWEEN 6 000 and 7 000 prisoners are to be released next year, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

The releases depended on a decision to be taken after consultation with the police and attorneys-general, he said at a medal parade in Worcester.

The "controlled earlier release programme for selected prisoners" included prisoners whose release dates had already been approved so that they could be released earlier.

Prisoners convicted of violent crimes would not fall within this programme.

# AIDS epidemic 'at crisis levels'

KATHRYN STRACHAN

THE AIDS epidemic had reached crisis proportions in SA, but health authorities had failed to respond effectively, a Baragwanath Hospital doctor said recently.

Haematology Department head Prof Alan Fleming told the Township Aids Project that SA was seven years behind other African countries in the spread of the epidemic, but, he added, health authorities had wasted the "period of grace".

Fleming said more than 4% of women in antenatal clinics were HIV positive and the epidemic had now reached the stage where figures would increase dramatically.

The only effective responses to the epidemic locally had been the national surveillance programme and the universal screening of blood. Important measures which were presently not in place included AIDS information and education centres in black townships, and a national strategy for health care delivery.

This was essential because the predicted numbers of the sick would overburden the existing health care system.

Fleming said government had established its AIDS training and information centres only in locations where they would serve almost exclusively the white population.

The highest priority should have been given to an AIDS educational programme in primary and secondary schools, he said.

# Budget problems behind jail releases

BUDGETARY difficulties had prompted government to announce the early release of 7 000 prisoners during the first six months of 1993, Correctional Services spokesman Lt Bert Slabbert said yesterday.

Correctional Services Minister Adriaan Vlok announced yesterday that the prisoners — none had committed violent crimes such as rape and murder — would be released at a rate of about 1 000 a month.

Slabbert said the prisoners would be drawn exclusively from those whose release had already been approved by the Prisons Release Board.

He did not elaborate on the extent of the department's budgetary difficulties, but said the freeing of the 7 000 prisoners would not "solve the problem on its own".

Other mechanisms had to be developed to deal with the overcrowding of prisons, which would, according to the department's figures, still hold 19 000 prisoners too many.

Sapa reports Vlok will consult police before finally authorising the releases.

Prisoners already selected for release would be given their freedom a few months earlier to ease the overcrowding.

"I want to make it clear that this process of additional releases will definitely not be implemented during the remainder of this year.

"We foresee that it could be applied

RAY HARTLEY

during the first half of 1993," he said. Vlok said the question of imprisoned children would be addressed urgently.

There were 2 656 convicted juveniles between the ages of 14 and 18 years in prison, and 6 485 between the ages of 19 and 22 years, he said.

Meanwhile, government and the ANC are expected to meet today to draft a final list of political prisoners who will be released by Sunday in terms of agreements they have reached.

A short list of 48 prisoners, 10 of whom had been disputed by Vlok, had been drawn up for discussion at the meeting, ANC legal department official Matthew Phosa said yesterday.

He said additional motivation had been faxed concerning the 10 disputed prisoners and there were "a few" other names that could still be added to the list.

The release of the 48 would bring the total of ANC-aligned prisoners released this year to 339, with 141 being released prior to the September summit on violence and 150 as a result of the record of understanding agreed on at the summit, Phosa said.

Originally, the ANC submitted a list of 520 political prisoners for release.

Slabbert said a process of identifying further political prisoners with other political parties would begin in weeks.

# SA told to do more for health

KATHRYN STRACHAN

THE spending of 6% of GNP on health in SA was a great achievement, but considering that SA's GNP was about seven times higher than China's or Sri Lanka's, SA still had a life expectancy of less than 80% of those two countries, says a health expert.

Speaking at a conference of the National Association of Pharmaceutical Wholesalers in Bophuthatswana yesterday, the head of the University of the Western Cape's School of Pharmacy Peter Eagles said SA's lower life expectancy could be attributed to the unequal distribution of health resources locally.

To improve health care significantly and to eliminate poverty over the next few decades, SA would need an annual economic growth of about 10%.

Since that was impossible, attempts would have to be made to improve health

care provision by other means — particularly in the field of pharmacy.

The training of health professionals in SA had almost no bearing on the health needs of the country.

It had also not taken into account the emergence of a massive peri-urban settlement and its implications for health, Eagles said.

There was an urgent need for more information on factors such as access to sanitation and water supplies, and the disadvantages of rapid urbanisation. Innovative new health promotion strategies focused on those who exhibited "risk-taking behaviour" — violence, alcohol and substance abuse, and unsafe sex — were also needed, he said.

# ANC acts against rogue elements

ADRIAN HADLAND

INDIVIDUALS claiming to be members of the ANC in the Vaal Triangle had ignored the policies and mandates of the organisation and were involved in violence, rapes, killings, harassment and extortion, it was announced yesterday.

At a news conference in Vereeniging, regional leaders of the ANC, Cosatu and the SACP, and civic representatives, said a code of conduct "to end all undisciplined acts" would be developed by the end of the month.

A monitoring committee was created to end conflict between organisations in the region, facilitate reconciliation and draw up a binding code of conduct.

An ANC PWV region statement said rogue members had "found their way into legitimate community structures such as the self-defence units", where they had caused havoc, chaos and dissension.

This situation had been exploited by "criminal elements", the statement said. Primary blame for the escalation of violence, however, was placed at the feet of government.

"Through its low intensity conflict strategy, the state has unleashed a number of proxy forces to visit violence on our people in an attempt to undermine and discredit the ANC in particular and the democratic movement in general," the statement said. "We distance our organisations from acts of criminality meted out against members of the community by elements who claim membership of the ANC, SACP and Cosatu."

# France to host management trainees

GAVIN DU VENAGE

THE French government would host six South Africans on a two-week visit to France, French embassy cultural councillor Georges Lory said yesterday.

The six are top participants in the French government's joint management development programme, which it co-sponsors with the Paris Chamber of Commerce and Industry, and several SA organisations including Nafcoc, the Urban Foundation, the Black Management Forum and Clive Acton and Associates.

Since the programme was launched in 1985, French financial involvement has risen to R600 000, and this year eight additional bursaries were given to participants from non-profit organisations such as Operation Hunger.

Participants from SA companies study towards a diploma which leading French

business schools, including the Paris School of Business and the European School of Management, endorse and award.

Lory said the increased involvement was a result of the positive results achieved so far, and that a recent survey of more than 300 candidates had shown that 74% had received promotions and advanced in their jobs.

Each year participants received training from senior professors drawn from French and local academic institutions.

Surveys had shown that trainees were instrumental in building bridges between management and the shopfloor, and had improved management quality in general, said Lory.



# news in brief

## Report on deaths an error <sup>(253)</sup>

POLICE will continue to provide the Press and public with information on deaths in custody, Law and Order Ministry spokesman Captain Craig Kotze said yesterday. *Sowetan 11/11/92*

Referring to a report in a Johannesburg daily newspaper which claimed the contrary, he said the report occurred as a result of a misunderstanding between the newspaper and police public relations officials. Kotze denied that Commissioner of Police General Johan van der Merwe had issued a statement saying such information would not be provided.

## 'Bolo Punch' to be buried

SOWETO boxing promoter and businessman Mr Isaac Nkumane, who died after a short illness at his home in Mofolo last week, will be buried in the Avalon Cemetery today.

"Bolo Punch", as he was affectionately known, is the father of former *True Love* editor Pearl Luthuli.

He is survived by his wife Christine, three daughters, two sons and 10 granddaughters. A memorial service will be held at his home at 3 Roodepoort Road, Mofolo North, from 11am.

## Problems referred to DRC

PROBLEMS leading to the non-payment of rent and the discontinuation of services in Mokgophong township near Naboomspruit have been referred to the Dispute Resolution Committee. *Sowetan 11/11/92*

The decision was taken after the Naboomspruit Town Council and the local business community refused to meet the Mokgophong Civic Association, which had asked the Transvaal Provincial Administration to organise a meeting to resolve the current water and electricity crisis in the area. Supply to the township was cut following a three-month boycott.

## ANC branch chairman dies

THE CHAIRMAN of the ANC branch in Bulawayo, Zimbabwe, Mr Marcus Sekano (70), died of a heart attack on Sunday. Sekano went into exile in Zambia in 1962 and became chairman of the northern Copperbelt branch of the ANC, a position he held for 20 years until he moved to Harare in 1984. He is survived by his wife Juanita and six children. *Sowetan 11/11/92*

## Council 'acted in bad faith'

POWER was cut off in Tokoza on the East Rand yesterday and community organisations have blamed the local town council, accusing it of acting in bad faith. This follows a statement last week by the town clerk, Mr Herman Combrink, that power cuts in the township were "imminent" because the council was experiencing problems with the "very low and inconsistent" payments by residents. *Sowetan 11/11/92*



## Police studying detention deaths

Political Staff

THE police would continue supplying reports on the deaths of people in detention, a Law and Order spokesman said yesterday (253)

He said a report that these reports would be stopped was "a misunderstanding".

ST 11/11/92  
Allegations by pathologist Dr Jonathan Gluckman regarding deaths in detention were being studied, he said

## Cell death: SAP queried

PRETORIA — Lawyers for Human Rights yesterday refused to accept police statements that a suspect who died in police custody on Tuesday just over eight hours after his arrest had hanged himself.

Instead, LHR official Mr Ahmed Motlala said yesterday it concluded Mr Shadrack Modiakgotla died after being tortured by members of the Brixton Murder and Robbery Unit. (253)

A police spokesman said anyone with information about the death should contact the police — Sapa.

# Govt: ANC prisoner releases final soon

Political Staff  
THE government believes the release of ANC political prisoners will be finalised before the November 15 deadline agreed upon with that organisation last month.

The government and the ANC agreed in the Record of Understanding, signed on Oc-

tober 26, that the issue would be resolved by Sunday

President F W de Klerk maintained, however, that the matter could not be resolved until the Further Indemnity Bill became law

Government spokesman Mr Dave Steward said yesterday "Our objective is to deal with

all the cases by November 15"

Although the members of the National Council of Indemnity — Mr Justice M Steyn (chairman), Mr Justice H Moll and Mrs Justice R Solomon — were only named on Wednesday and would meet today for the first time, he believed it

would be possible to meet the deadline

Correctional Services spokesman Lieutenant Bert Slabbert said a statement was likely today regarding the prisoners still to be released

The ANC submitted a list of 535 political prisoners, but many of these had been re-

leased and in about 130 cases no records could be found

Government spokesman Mr Marius Kleyvnhans said no date had yet been set for the government/ANC 'bosberaad'

Both sides had agreed that the November 22 date, given in Spain by ANC leader Mr Nelson Mandela, was tenta-

ET 13/11/92  
### 253



'It's not the numbers, but the conditions'

# Children in jail: Vlok criticised

■ Counting the number of children being held in South African jails is just not good enough and should be the least of the government's concerns, children's rights activists claim.

## DI CAELERS

Weekend Argus Reporter

THOUSANDS of children are "damaged for life" in jails while the government busies itself compiling statistics.

This was the response of children's rights activists following a statement this week from Correctional Services Minister, Mr Adriaan Vlok, who revealed that 2 656 youngsters between the ages of 14 and 18, and a further 6 485 aged between 19 and 22, were being held in jails.

The activists accused Mr Vlok of ignoring "perhaps the most vulnerable of those youths who are being detained".

"Does his failure to provide any figures for the children who are eight, nine, 10, 11, 12 and 13 years old mean that they are not being considered at all?" they asked.

A Weekend Argus exclusive report last month revealed that thousands of children who had not been found guilty of crimes, were being held in jails and police cells in harsh and threatening conditions.

The University of the Western Cape's Community Law Centre said its real concern was not the exact number of children in prison, but the fact that children, and

primarily black children, continued to be held at all.

A joint statement from the centre's director, advocate Mr Dullah Omar, and senior research fellow of the Children's Rights Project, Ms Michelle Morris, said the Department of Correctional Services had released "at least four differing statements" in the past three weeks disclosing the actual number of children awaiting trial in prison.

"The government has spent weeks conducting endless and unproductive headcounts while thousands of children are still being raped, beaten and morally and psychologically damaged for life in horrific prison conditions.

"From the range of numbers a single department has released in the last few weeks, it appears that the only thing the government is concerned with is the exact number in prison."

Senior Nicro social worker Ms Rosemary Shapiro said that no matter how many statistics the police or Correctional Services came up with, the fact remained that no child should be held in prison awaiting trial.

"Who says detention without trial is over? It may be unlawful but there are children being held in prison cells waiting for their fate to be decided."

In his statement Mr Vlok said the situation was different for convicted juveniles and those awaiting trial. Convicted juveniles were his department's responsibility "and we look after them with the greatest care". Awaiting trial prisoners became part of his problem, "regardless of the fact that we do not have any solutions".

Reacting to these comments, Cape Town Child Welfare Society

ARG 14/11/92  
director Mr Alan Jackson said this led him to believe Mr Vlok was concerned more with the conditions in prisons than the fact that there were children being held at all.

"Our chief concern is that there are children in prisons at all. We don't want them there.

"Differentiating between these two sets of children is in effect admitting that there are no services for children awaiting trial in prisons, which in itself is a crime," he said.

Mr Vlok came in for a further tongue-lashing from the Community Law Centre over the government commission formed to examine the problem which Mr Omar and Ms Morris branded a "closed door committee seeking temporary solutions".

The search for recommendations and legislative changes, they said, must start in the alleys, among the gangs and in the schools.

"The search must be centred in the communities and families where these children belong. We must move out of the stuffy boardrooms and cold courtrooms and establish investigative headquarters and youth advocacy networks in neighbourhoods."

They said the young people in Pollsmoor, Brandvlei and other jails belonged to families and communities and not to the State.

"Although lawyers and governments may have a role in the search for a more just manner of caring for children in trouble, they do not have a monopoly on the solutions for these children."

Mr Jackson said street children should not be forgotten either and that organisations working to improve their situations should be involved in any negotiations.

## 42 prisoners to go free (253)

FORTY-TWO prisoners will be released this weekend in line with the government/ANC Record of Understanding reached on September 26.

This was announced by Correctional Services Minister Adriaan Vlok on Friday night. The releases will take place on or before today.

Altogether 153 prisoners have already been released. *Apr 19 1992*

In terms of the agreement, prisoners who qualify for release are those "who had committed crimes with political motivation and whose release could contribute to reconciliation and peace".

Vlok also said in his statement the National Council on Indemnity needed additional information on the circumstances of 22 other prisoners before reaching a final recommendation on whether or not they qualified for release.

The council, comprising representatives of the Departments of Correctional Services and Justice, the police and the ANC, met this week.

Of the prisoners to be released, five had been sentenced to life imprisonment and 19 had been sentenced to prison terms of 10 years and longer.

# Prisoner out

## but not free

S/ Times [Cape metro] 15/11/92

15/11/92 By AYESHA ISMAIL (253)

ONE of South Africa's longest-serving political prisoners said on his release yesterday he planned to visit the widow of the community councillor he killed — to thank her for calling for his release.

Mr Patrick Maginda and two co-accused, Desmond Majola and Dickson Madekane, all of Oudtshoorn, were sentenced to death in September 1986 for the killing of community councillor Mr Patrick Marenene.

Their sentences were commuted in 1990 to life imprisonment.

Mr Majola and Mr Madekane were released from Brandvlei Prison in Worcester yesterday.

Speaking minutes after his release from Pollsmoor Prison yesterday morning, Mr Maginda said he was thankful to all the people who had campaigned for his release.

"When I go home I will visit Mrs Marenene as I believe she also called for our release despite us being convicted of killing her husband," he said.

The three are among more than 200 political prisoners identified for early release by the government and the ANC as agreed in the Record of Understanding.

Mr Maginda said he was happy to be free and excited to be reunited with family and friends in Bhongolethu.

"I am out, but I'm still not free. People say changes have taken place in South Africa, but there is still a lot to be done before we achieve our freedom."



# HIV prisoner dies after fire in cell

By AYESHA ISMAIL (253)

A PRISONER infected with the HIV virus died of burn wounds in hospital last week after setting his cell alight at Pollsmoor Prison.

Shane "Pietie" Maans, also known as Tom Kelly, died in Somerset Hospital on November 5 after spending more than two weeks in hospital, the Department of Correctional Services have confirmed.

Maans, who was serving three years for theft, recently wrote to newspapers highlighting the plight of prisoners suffering from Aids or HIV-infected.

In a letter published in a weekly newspaper on October 10, he accused gay activists and Aids support groups of discrimination.

"It seems that only people with a certain social standing qualify for help," he wrote (S Times Cape Metro).

Maans was cremated and buried this week. A reliable source at Pollsmoor Prison said this week that Maans had complained to him that the medication AZT had not been given to him on request because the prison authorities had said it was too expensive.

## Problems 15/11/92

"Tom told me that white gay prisoners were given AZT which is believed to slow the progress of the disease," the source said.

He believed Maans set his cell alight to draw attention to the problems he was experiencing in prison.

A relative told the Sunday Times that Maans's family was still puzzled by his death.

"He used to write to me often. In a recent letter he said he was experiencing hell at Pollsmoor but did not explain why."

A spokesman for the Department of Correctional Services, Lieutenant-Colonel Barry Eksteen, confirmed Maans's death and said the department and the police were investigating.

He said all prisoners received medical treatment of a high standard.

"Prescriptions by district surgeons and specialists, including the medication AZT, are strictly adhered to by qualified medical staff."

"The allegation that certain medication is limited to a specific race group is devoid of all truth."

## Factors

Col Eksteen said that to assist in the identification of Aids cases, a variety of factors have been identified with the Department of Health to serve as criteria to identify prisoners who should be regarded as falling within the high-risk category.

Blood tests are taken by qualified nursing staff employed by the Department of Correctional Services.

All confirmed sufferers and carriers of the disease are segregated with regard to their sleeping quarters to prevent possible further contamination.

Col Eksteen said 28 prisoners at Pollsmoor were HIV infected but none had full-blown Aids.

# Woman visitor 'raped in prison toilet'

By AYESHA ISMAIL

A YOUNG Woodstock woman was allegedly raped by a prisoner at Pollmoor Prison last week after visiting her husband there.

The woman, who cannot be identified, said she was lured into a toilet in the visitors' waiting room by a prisoner who had asked her whether she could deposit money into his bank account. 1511192

He had accumulated it by doing favours for people.

"Because I knew him from my visits, I agreed.

"I asked him for the money and the card in the waiting room but he said he could not give them to me there, as the warders would see.

"He walked into the toilet saying he would give me the account number there. Once we were in the toilet he just went mad."

The woman said she reported the matter to a warder who took her to the colonel on duty.

"The colonel asked whether I wanted to lay a charge, but I refused. I did not want to go through the trauma of long court appearances. I just wanted to forget what happened."

She said the colonel told her the prisoner would be moved to another section to ensure that the incident was not repeated.

It is believed that the prisoner, a former traffic officer, is due for release soon

## Complaint

A spokesman for the Department of Correctional Services said he could not confirm the incident as the woman did not lay a charge.

"We invite her to lay a charge with the SAP and also a complaint with the head of Pollsmoor Prison so that the matter can be investigated," he said.

● A Hout Bay man, aged 35, was arrested in connection with the rape of a 54-year old woman in Scarborough early yesterday morning.

Police said the man allegedly entered the house through an open window and raped the woman twice

Neighbours called police after the incident and the man was arrested in the Koggelfontein Nature Reserve a kilometre from the house minutes later.

The man is expected to appear in the Simons Town magistrate's court on Monday.

The woman, who has lived alone in Scarborough for 11 years, said the man had held a knife to her throat and threatened to kill her.

The woman was admitted to the False Bay Hospital with serious internal injuries and will be tested for Aids.

## 42 prisoners freed

THE Government at the weekend released 42 prisoners in terms of the Record of Understanding agreed upon between the Government and the African National Congress on September 26

*Sowetan 16/11/92*  
The releases follow the controversial passing a few days ago of the Further Indemnity Act (253)

The Act permits the release of long-term prisoners whose crimes were politically motivated - *Sapa*



# Govt frees 42 prisoners

Own Correspondent

JOHANNESBURG — Altogether 42 political prisoners were released at the weekend in terms of agreements reached between the ANC and the government in September, Correctional Services spokesman Lieutenant Bert Slabbert said yesterday.

The Record of Understanding, achieved at a recent summit between the parties, set yesterday as the deadline for the release of prisoners identified by the government and the ANC.

Lieutenant Slabbert said it had been decided not to release the names

of those freed, although the ANC was "free to do this if they so wish".

The latest releases bring to 333 the number of prisoners released this year, with 141 being released before September's summit agreement and a further 150 shortly afterwards.

The release of political prisoners from other organisations such as Azapo, the PAC and Inkatha are still to be discussed between these organisations and the government.

Three of those freed were jailed for activities relating to a South African Railways and Harbour Workers' Union strike in 1987, Sapa reports.

## More political prisoners freed

RAY HARTLEY

6/10/92 16/11/92  
253  
FORTY-TWO political prisoners were released over the weekend in terms of agreements reached between government and the ANC at a summit in September, Correctional Services spokesman Lt Bert Slabbert said yesterday.

The summit's record of understanding set yesterday as the deadline for the release of prisoners.

Slabbert said a decision had been taken not to make public the names of those released, although the ANC was "free to do this if it so wishes".

The latest releases bring to 333 the number of prisoners freed this year.

The ANC originally submitted a list of 520 potential political prisoners.

The release of political prisoners from other organisations such as Azapo, the PAC and Inkatha is still to be discussed jointly between the organisations and government in the coming weeks.

Three of those released at the weekend were imprisoned for illegal activities relating to a SA Railways and Harbour Workers' Union strike in 1987, Sapa reports. The union expressed satisfaction at their release, but said it believed other political prisoners remained behind bars.

Investigations into the legitimacy of the political nature of crimes committed by the 150 prisoners released in September were continuing, Slabbert said.

● See Page 2

# Exiles' body calls for aid

**LLOYD COURTS**  
THE National Co-ordinating Committee for the Repatriation of Exiles is expected to appeal to government for assistance in the repatriation process.

A committee spokesman said yesterday a lack of government participation was having an adverse effect on the programme

In a statement the committee said about 14 000 returned exiles and former political prisoners were registered, while about 6 000 were still outside SA

The committee's funds were frozen after it was found that R300 000 had been embezzled

The committee's policy allowed individual returns to be given a loan of up to R6 000, payable within 18 months at an interest rate of 18%  
Twenty percent of the total was given to the returnee as a grant.

The ANC has also called on government to take responsibility for the funding of the repatriation programme, after repatriation centres in the Cape were forced to close because of a lack of money.

# 'Barnard boasted he killed Webster'

**SUSAN RUSSELL**

was shocking that people could be shot dead in the street like a dog. He answered that he (Webster) was a dog.

According to Smit, Barnard then said "Tannie, when the police heard of the shooting they immediately said it was Ferdi Barnard because he is the only person who could shoot so accurately out of a moving car"

Barnard then made the remark about the bullet.

Smit told Barnard to stop talking nonsense and he laughed, she said.

She also testified that Barnard would walk into the company's offices and laughingly tell female employees they were afraid of him because he had killed people

"He was not ashamed to admit it," Smit said "He said on many occasions that he was a murderer."

Barnard also told her about an album in which he kept pictures of the bodies of those he had killed.

Smit said she never saw the album, although Barnard had told her he would show it to her one day.

She told the court she and her family had been intimidated by Barnard and his relatives before her son gave his evidence

Smit added that Barnard talked a lot of nonsense and claimed to have done many things he had not. To this day, she added, she did not believe he killed Webster.

# Ramodike vows to fight corruption

**LEBOWA** Chief Minister Nelson Ramodike vowed yesterday to take appropriate steps to end the massive incompetence and corruption in his government unearthed by the De Meyer commission.

He said these steps would involve punishment for offenders and measures to prevent a recurrence of the situation. His cabinet had appointed a management committee to deal with the commission's recommendations, and letters had been sent to affected departments.

Ramodike said government ministers could not escape responsibility for their departments' activities. The incompetence of any minister would be measured or evaluated according to the seriousness of the case in his department.

Defending his own position, Ramodike reiterated that he had taken the initiative to have irregularities investigated. Rounding on seconded officials from Pretoria who were exposed during an earlier internal investigation, Ramodike said some seconded officials were even given sanctuary by the central government "when we discovered the extent of their involvement and wanted to take appropriate action against them"

He said the NP continued to feed the homelands with incompetent seconded officials who had come only to further the idea of apartheid without real regard for sound financial management. — Sapa.

# 22 in jail hunger strike protest

**RAY HARTLEY**

**TWENTY-TWO** prisoners who claim to have been jailed for political crimes have been on hunger strike since Sunday at Leeukop Prison, north of Johannesburg, in protest against the failure of the authorities to release them

Forty-two prisoners were released over the weekend in terms of agreements reached between government and ANC negotiators in September.

A well placed source said the striking prisoners included six Numsa members imprisoned for the killing of a scab labourer, an Umkhonto we Sizwe member jailed for attempted murder, a self-defence unit member and a necklance murderer.

Col Danie Immelman last night confirmed the hunger strike

The hunger strikers had been informed

253



# 'Christmas cars' for govt officials

SOUTH 14/11 - 18/11/92

By Karen Williams

THE HOUSE of Representatives, which plans cuts in coloured education to save money, has gone on a spending spree — buying luxury cars for officials

Their "Christmas car" splurge cost the cash-strapped department hundreds of thousands of rands, according to a source in the House of Representatives

Most of the cars were destined for the Department of Education and Culture (DEC), which has come under fire for plans to retrench school teachers as part of a rationalisation programme.

The House of Representatives (HoR) was tightlipped on the issue this week.

"It is a once in a lifetime happening that we buy cars," said Mr George Holloway, spokesperson for the HoR

"There are no new appointees and so we have not bought any cars recently. We

will also not be buying them in the future - there is no money," Holloway said

However, a source within the HoR provided extensive information

"Since April this year the department has bought about 10 cars," he said

Most of the cars were top of the range BMWs, although some Mercedes Benz's were purchased, the source said

The government's Treasury gives money to the House of Representatives (HoR) which buys the cars with cash

HoR officials with different designations are 'graded' differently, with car allowances varying accordingly

"Directors qualify for an R87 000 car, while chief directors have more, usually over R100 000," said the source.

Ministers, as well as ministers' representatives qualify for the luxury car perks.

Called "Christmas cars" by government office workers, the luxury cars form part of officials' service benefits.

Every four years, top officials get new cars

Four of the 10 cars bought this year were for former Labour Party ministers who joined the National Party

Despite exhaustive attempts to contact the DEC for comment, they did not respond by the time of going to press.

The South African Democratic Teachers' Union (Sadtu) slammed the department for "bad housekeeping" and "mismanagement of funds".

"We are questioning their priorities in spending. Teachers have become the first casualties of the budget cuts, not the bureaucrats," said Sadtu regional chairperson Ms Vivian Carelse.

In August last year the HoR bought 13 new cars for officials

• The DEC came under fire earlier this week when it was revealed that they spent R20 760 at Club Mykonos where they held a two-day meeting to discuss teacher retrenchments

## NEWS IN BRIEF

SOUTH 14/11 - 18/11/92  
**Men held for cell death**

TWO MEN, aged 18 and 24, have been charged with killing a man in a Mitchells Plain police cell two weeks ago.

Mr Mogamat Jessop Majiet, 45, had been arrested for being drunk and disorderly. He was found dead in his cell the next morning.

The two men will appear in the Mitchells Plain Magistrate's Court on November 20.

## Union targets Sanlam

THE PAPER, Print, Wood and Allied Workers Union (Ppwawu) is stepping up its campaign for the reinstatement of 2 000 Sappi workers retrenched in April. The union will stage a march in the city on Saturday and will hold picket demonstrations in the coming weeks.

Ppwawu believes Sanlam is responsible for the retrenchments.

Sappi is part of the Gencor group, which in turn is owned by the insurance giant.

## Boost for hostels

WESTERN Cape hostel dwellers received a boost this week when the Cape Provincial Administration gave more than R23 million to the Hostel to Home Co-ordinating Committee (HHCC).

According to an HHCC spokesperson, Mr Welcome Zenzile, the money

## NEWS IN BRIEF

SOUTH 14/11 - 18/11/92  
will be used for first phase of upgrading migrant labour hostels in Langa, Nyanga and Guguletu

## Child rape arrest

A TWO-YEAR-OLD Swellendam girl, who was allegedly raped on Saturday night, is still receiving treatment Grooteschuur hospital

A 34-year-old man, believed to be the common-law husband of the baby's mother, will appear in court this week on charges of attempted rape and attempted murder.

Reverend Bruce Duncan, director of Safeline, said. "We have to realise that communities must be educated to prevent similar cases. How many more babies have to suffer?"

## 'We want free houses'

LANGA RESIDENTS marched to Cape Provincial Administration (CPA) offices in Goodwood last Saturday to demand the disbanding of the Ikapa Town Council

Residents allege that the Ikapa Town Council has failed "to attend to people's needs"

The residents are demanding that houses which had been rented in the area for years be given to them free of charge

They also want a hospital and more high schools

## Release delay

(253)  
angers ANC

of 21/11/92  
THE ANC warned yesterday that it would be "a fundamental breach" of the Record of Understanding if 22 identified political prisoners were not released.

The Record of Understanding had made no provision for referring identified political prisoners to the new National Council on Indemnity, the ANC said.

A Correctional Services spokesman said yesterday a joint ANC-government committee formed after the Record was signed had the power to evaluate cases but not to effect releases. — Political Staff, Sapa



# Killers plan peace mission

By Quentin Wilson

**A**FTER five years on Death Row and one year in prison for the murder of a town councillor in 1986, the "Oudtshoorn Three" are looking to make a fresh start in their lives

Among the 46 political prisoners released last week, Mr Patrick Maginda, Mr Desmond Majola and Mr Dickson Madikane plan to start putting their prison trauma behind them by meeting the widow of their victim, Mrs Florence Marenene - and to thank her for campaigning for their release

Marenene, who spoke out in support of their release in SOUTH AFRICA recently, said her husband's murderers "had suffered enough for their sins" and would be welcome in her house if freed

Outfitted in new civilian clothes, the three ANC members said they appreciated Marenene's "gesture of reconciliation" and would visit her when they return to the Bongoletu township in Oudtshoorn

"She is not our enemy," Maginda said, "She is our friend and we would like to thank her personally for her support"

The three said after meeting Marenene they want to spend time quietly with their families recovering from their prison ordeal

When asked about his five years on Death Row, Maginda could only look down and fidget with his hands while whispering slowly "My God, I am not sure whether I will ever be able to properly explain what that place is like."

After a pause, Maginda added that he was convinced that it was "surely worse than hell"

"They never tell you when you are going to hang," he said, "They just come to your cell and inform you that they intend to kill you in six days time" I spent five years waiting for that moment



**FREE AT LAST:** Released Oudtshoorn political prisoners, from left, Dickson Madikane, Desmond Majola and Patrick Maginda want reconciliation

"There can't be a place anywhere like Death Row, it must surely be worse than hell.

"I don't want to talk about it anymore but really, the death penalty must be abolished in South Africa - no person, no matter what they have done, should be exposed to that kind of barbarism"

Majola said he was not ready yet to talk about his experiences in jail, and Madikane said he had "turned to God in prison for emotional support"

Both Maginda and Madikane said they were always confident of being released when their death sentences were commuted to life imprisonment in May last year

"So many people have been campaigning for our release for all these years. I didn't know exactly when it would happen but I was sure we would be released because of all the

pressure," Maginda said

"After President De Klerk made his announcements in 1990, I kept on hoping and reassuring myself that I would be released because this wasn't just a crime, my case was a politically motivated case"

Maginda said Mr Patrick "Big Boy" Marenene, the town councillor who was necklaced, "was responsible for many of the deaths and detentions of Oudtshoorn comrades" while he was alive

Although the three still believe that Marenene's death was warranted in terms of the political situation at the time, they all pledged full support for a current negotiated settlement to the country's problems

"I believe that in South Africa, we can all live together peacefully without apartheid. The time is right for talking instead of fighting," Maginda said

● According to Mr Matthew Phosa, an ANC representative on the joint committee set up between the government and the ANC to determine which prisoners to be released, there are still about 30 prisoners behind bars whose cases are still being reviewed.



# Hunger Striker, Critical

SITimes 22/11/92

By HEATHER ROBERTSON

**A PRISONER is in a critical condition after being on a hunger strike for 46 days in protest against racism and corruption at Diepkloof Prison and an alleged broken promise of remission of sentence.**

In a letter sent to the Sunday Times from Ward 10 at the Coronationville Hospital in Johannesburg, Steven van den Berg said:

"I am prepared to die for my right to be with my wife and kids. If they can release murderers like Shange and Barend Strydom then they can release me and thousands of others as well."

Van den Berg, who is serving a seven-year sentence for theft of a security vehicle containing R1,8-million, embarked on his hunger strike on October 5 with fellow-inmate Peter Coetzee. He was admitted to the hospital from Diepkloof three weeks ago, but early last week was transferred to the

Leeuwkop prison hospital near Kyalami. Both prisoners claim they were promised remission of sentence for exposing smuggling rackets and assaults of prisoners at Diepkloof. Coetzee, who is serving five-and-a-half years for armed robbery, claims he was allowed to have sex with his girlfriend in prison.

One of Van den Berg's claims is that a warrant officer who was in charge of the kitchen stole a portable TV and radio from a prisoner. The same warder was paid R150 by a prisoner in

charge of the milk and sugar so that the prisoner could smuggle freely.

Coetzee claims that while he was at Frankfort Prison in 1989, senior officers bought offal from a friend who was a butcher, and on days when chicken was supposed to be served to prisoners the black inmates were given offal instead while the chickens were shared by the two prison Correctional Services officers a lieutenant had him.

Democratic Party spokesman for law and order Mr Tony Leon met with Mr Adriaan Vlok, Minister of Correctional Services, on Friday to discuss Van den Berg's case.

A spokesman for the Department of Correctional Services said Van den Berg had been asked to submit his allegations but he had not done so. It appears that Mr Van Den Berg does not want to accept the fact that his possible release has been attended to at the highest level and that he will endanger his life by his actions.

"The information supplied by Mr Coetzee is still being investigated and if it proves to be invaluable he may qualify for remission of sentence," the spokesman said.

## Prisoner found hanged in cell

JOHANNESBURG. — A  
prisoner was found  
hanged in his Port Eliza-  
beth cell yesterday  
morning.

Police spokesman  
Captain Danie Marais  
said the 45-year-old man  
had been arrested on  
Saturday in connection  
with cases of house-  
breaking, theft and at-  
tempted murder.

Police are investigat-  
ing. — Sapa

ET 23/11/92

# news in brief

Sowetan 23/11/92 (253)

## Prisoner dies in police cell

POLICE in Port Elizabeth are investigating a cell death after finding the body of a prisoner hanging with a blanket tied around his neck yesterday morning.

Eastern Cape police spokesman Captain Danie Marais said the 45-year-old man had been arrested on Saturday in connection with cases of housebreaking, theft and attempted murder.

"According to prison wardens, the prisoner was seen alive during a 4am check yesterday. An hour later he was, however, found hanging from his blanket," Marais said.



## Lesotho elections off

THE general elections which were due to take place in Lesotho on November 28 have been postponed by the country's military council chairman, Major-General E P Ramaema

Ramaema, in a statement on Tuesday, cited "unavoidable delays in the preparations (affecting) the essential activity of delimiting constituencies" as the reason for the postponement. The delays meant nominations for the elections could not be completed

## 6 appointed to varsity body

NAMIBIAN President Sam Nujoma, who is also the Chancellor of the University of Namibia, has announced six appointments to the University Council

They are Dr Theopolina Tueumuna, a doctor at Oshakati State Hospital, Mr Peter Bottger, a Windhoek businessman, Mr Justice Harold Levy, a senior judge of the Windhoek High Court, Roman Catholic Bishop Bonafacius Hausiku, the Reverend Willem Konjore, a Swapo MP, and Mr George Mayambelo, an official in the Ministry of Education and Culture

## SA to sign CWC treaty

SOUTH Africa will sign the Chemical Weapons Convention, which prohibits the development, stockpiling and use of chemical weapons, in January next year, Foreign Minister Pik Botha has said

"The decision to sign the Chemical Weapons Convention in January 1993 is an expression of the South African Government's wish to participate in international non-proliferation and disarmament activities," Botha said

Although SA is party to the Geneva Protocol of 1925 and the 1972 Biological Weapons Convention, the CWC goes far beyond the Geneva Protocol which only bans the offensive use of chemical weapons - *Sowetan Correspondent and Sapa*

*Sowetan 26/11/92*

# Vlok, ANC disagree on prisoners

253  
8/11/92  
The book on the release of ANC political prisoners has been closed, Correctional Services Minister Adriaan Vlok said yesterday. But the ANC disagrees.

Speaking in Kroonstad at a passing-out parade for prison warders, Vlok said 195 ANC prisoners of a list of 536 had been awarded their freedom.

But ANC spokesman Carl Niehaus said there were still 22 ANC prisoners in jails who had been identified by both the ANC and Government as eligible for release.

They have not been released yet due to the intervention of the new council in terms of the Further Indemnity Act, which we reject because it was a development that came after the Record of Understanding," he said.

The September 26 Record of Understanding agreement between the Government and the ANC provided for the release of outstanding political prisoners, said Niehaus. Now the Government was using the contentious new Act as the instrument of release.

Political Staff

# Help for Aids prisoners

W/MAIL 27/11-3/12/92  
By ALEX DODD

THE Department of Correctional Services could be confronted with a huge bill for Aids drugs, following a ground-breaking ruling in the supreme court last week

On an urgent application by a Pretoria Central Prison inmate with full-blown Aids, Cecil van Biljon, the court ruled that the department should allow the prisoner to be examined by an Aids specialist of his choice and supply whatever drugs are prescribed.

The drug most likely to be recommended is AZT, which costs between R40 000 and R100 000 a year for a single patient. According to the department, there are 215 HIV-infected prisoners in South Africa and 12 with full-blown Aids.

However, it is unclear whether the department or the patients themselves will foot the bill. Department spokesman Colonel DJ Immelman said "The undertaking given at the supreme court was only to allow access to prisoner Van Biljon to a medical examination by a consultant of his choice."

(253)  
Van Biljon's attorney Craig Snoyman believes payment is the responsibility of the state. "These people are in the custody of the state, therefore it is the state that must bear the cost," he said.

He also stressed that the ruling by Mr Justice J Mahomed was "ground-breaking. It will make the next person's application easier," he said.

Van Biljon, whose condition deteriorated into full-blown Aids in April this year, is suffering from white sores in his mouth, blisters in his ears, swollen glands, weight loss and sweating and vomiting.

To date, he has only received the standard treatment allotted to other prisoners who complain of weight loss or those who do gym — vitamin supplements of the kind readily available at supermarkets.

According to Dr Steven Miller, one of South Africa's foremost experts in the research and treatment of Aids, AZT is internationally recognised as the standard care for people with HIV infection, meeting specified clinical and immunological criteria.



# March to highlight plight of children in jail awaiting trial

DI CAELERS

Weekend Argus Reporter

253

A MARCH to highlight the plight of children in jail will be held in the city centre on Monday

A joint effort by 30 Cape Town organisations, the procession of children and adults will draw attention to the recently publicised harsh and threatening conditions under which thousands of children are being held in jails

Children's rights activists have also succeeded in getting trial dates set in the next two weeks for at least 26 children awaiting trial in Pollsmoor Prison

The march will highlight the Christmas deadline for the release of the children called for recently by the University of

Western Cape's Community Law Centre, Nicro and Lawyers for Human Rights

A Weekend Argus exclusive last month revealed that as many as 4 000 children were incarcerated, many of them with no mattresses to sleep on, no clean clothes, half an hour's exercise a day and no access to social workers. They were often assaulted and sodomised

A spokesman for the organisers of the march said it would begin at the Salesian Institute in Somerset Road, move along Riebeeck Street, right into Adderley Street, left into Darling Street and end outside the Cape Town Magistrates' Court

A statement would be presented to police asking them to take

care of the children during the holiday period

The spokesman said child-care activists had expressed the fear that there would be an upswing in police action against street-children in anticipation of the influx of holidaymakers

Meanwhile, Ms Michelle Morris, senior research fellow of UWC's Community Law Centre's Children's Rights Project, told Weekend Argus trial dates had been set during the next two weeks for the 26 children they knew about in Pollsmoor Prison

"Correctional Services has told us there are 26 children left in the prison although we are sure there are more. In Westville Prison in Durban alone there are 350 children," Ms Morris said

ARC 28/11/92

# Fears for life of hunger striker

A PRISONER at Pretoria Central Prison, entering his 50th day on hunger strike, was reported as "conscious and lucid but in very bad condition" by Democratic Party MP Tony Leon, who visited him late yesterday

Leon said he feared for the life of Steven van den Berg, who is serving a seven-year sentence for the theft of a security vehicle. He said he had appealed to Van den Berg to abandon his hunger strike

"His condition appeared very bad to me, he is very weak and is suffering blackouts as well as a kidney condition," Leon told Saturday Star "If he doesn't stop I don't think he'll last

STAR  
28/11/92  
more than three days I pleaded with him with all my strength"

This is Van den Berg's second hunger strike. The first was in early October with fellow inmate Peter Coetzee. The two claimed they were entitled to remission after they had "exposed" corruption at Diepkloof Prison where they had been held. Both prisoners claimed they had been promised remission, which Van den Berg is now accusing the prison authorities of having reneged on.

Van den Berg told Leon he felt that if people like Barend Strydom, Kwazulu policeman

JOE LOUW (253)

Khetani Shange and Robert McBride who had "committed villainous acts" could be released, then he and other prisoners should be set free

Leon said he had made an urgent appeal on Van den Berg's behalf to Correctional Services Minister Adriaan Vlok as well as the Commissioner for Correctional Services, Lieutenant-General WH Willemsse

The Houghton MP said the Department of Correctional Service's head of operations, Major-General H J Bruyn, was due to visit Van den Berg at 8 am today

Van den Berg, who is the father of two small children, also has marital problems

# Popcru loses court action

## Supreme Court Reporter

THE Department of Correctional Services was not unreasonable in asking for a postponement of an application in which seven dismissed prison warders — all members of the Police and Prisons Civil Rights Union (Popcru) — seek their reinstatement, the Supreme Court found yesterday

Mr Justice D G Scott, with Mr Justice W G Thring concurring, granted the men an amendment to their papers, but ordered them to pay the costs of

yesterday's proceedings, including counsels' costs CT 28/11/92

The application was postponed to a date to be determined by the Registrar of the Supreme Court

The men are seeking an order for their reinstatement and that their salaries and benefits be paid

The men were dismissed after a strike at Pollsmoor Prison in March 1990. An application to review their dismissal is pending. (253)



# Student hungry to get out of jail

By CHIARA CARTER

A WORCESTER student teacher who is serving a three-year sentence in Brandvlei Prison has threatened to start a second hunger strike if he is not freed as a political prisoner.

Brendan Damons, 21, was convicted in August of arson following an attack on the house of a management committee member in Worcester.

He was sentenced to five years, two of which were suspended.

His co-accused, Dolf Saayman, was convicted of possession of explosives and sentenced to four years, two of them suspended.

Saayman was freed as a political prisoner in September.

Damons began a hunger strike earlier this month

but ended it when the Worcester ANC branch and prison authorities promised to look into his case.

His attorney, Mr Essa Moosa, said Damons had told him he would resume his hunger strike if he was not freed soon.

# Police confused living with dead

JOHANNESBURG — Senior pathologist Dr Jonathan Gluckman said yesterday he was "stupefied" by police claims that some of his post-mortem cases are still alive.

"The only possible explanation for this is that the police constable who was afforded the freedom of my filing cabinet photocopied its entire contents, including consultations with people who are

still alive," Dr Gluckman said.

He was responding to a report in the Afrikaans Sunday newspaper Rapport yesterday that described as untrue his claim that his post-mortems on some 200 police detainees over the past two years indicated that about 90% had been killed.

He said he had met with three attorneys-general and given them complete

access to his files. A constable had come to copy his post-mortem reports. He had shown her the filing cabinet — which also contained files on living people — and said she could help herself.

Rapport said the police report on cell deaths, now in the hands of Law and Order Minister Mr Hernus Kriek, had found that some of the detainees were in fact "very much alive" — Sapa.

CT 30/11/92 (253)

# Gluckman hits back at police on cell deaths

STAR 30/11/92

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Johannesburg pathologist Jonathan Gluckman said yesterday he was "stupefied" by police claims that some of his post-mortem cases were still alive.

"The only possible explanation for this is that the police constable who was afforded the freedom of my filing cabinet photostated its entire contents, including consultations with people still alive," he said.

He rebutted a report in a Sunday paper, Rapport, which labelled as untrue his claim that about 90 percent of the 200-odd post-mortems on police detainees over the past two years had indicated that the victims had been killed by police.

Gluckman said after his revelations regarding deaths in custody he had met three attorneys-general and afforded them complete access to his files.

"The following day, a female

constable came to my rooms and told me she had come to copy my post-mortem reports"

He showed her the filing cabinet and said she could help herself with the full assistance of his secretary, who pointed out that included in the files were a number of consultation cases involving living people. But most were post-mortems relating to deaths in custody.

Gluckman said he was ill the following day and had no idea what files were copied.

"The Minister is in the process of formulating a response," Law and Order Ministry spokesman Captain Craig Kotze said.

"Based on the information at our disposal, including information given to us by Dr Gluckman, the original allegations that policemen were out of control and were murdering prisoners in custody, left, right and centre, cannot be substantiated," he said — Sapa



**Report on prison kids** <sup>253</sup>

PRETORIA — A special report on the detention of juveniles was yesterday submitted to the government by the deputy minister of National Housing, Mr Glen Carelse

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

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PRETORIA, 1 DESEMBER 1992

No. 14445

## GOVERNMENT NOTICE

### DEPARTMENT OF CORRECTIONAL SERVICES

No. 3253 253 1 Desember 1992

CORRECTIONAL SERVICES AND SUPERVISION  
MATTERS AMENDMENT ACT, 1991 (ACT No 122  
OF 1991)

I, Adriaan Johannes Vlok, Minister of Correctional Services, hereby determine in terms of section 49 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), that the functions of the institutional committees and the release board, established under the Prisons Act, 1959 (Act No. 8 of 1959), before the latter Act was amended by the said Correctional Services and Supervision Matters Amendment Act, 1991, shall, in respect of the areas of all prisons which fall within the Magisterial Districts of Barkly-East, Elliot, Indwe, Maclear, Prins Albert and Wodehouse, terminate as from 1 December 1992, excluding the function of the release board contemplated in section 64 (1) (b) of the Correctional Services Act, 1959 (Act No 8 of 1959)

**A. J. VLOK,**  
Minister of Correctional Services

## GOEWERMENSKENNISGEWING

### DEPARTEMENT VAN KORREKTIEWE DIENSTE

No. 3253 1 Desember 1992

WYSIGINGSWET OP AANGELEENTHEDE RAKEN-  
DE KORREKTIEWE DIENSTE EN TOESIG, 1991  
(WET No 122 VAN 1991)

Ek, Adriaan Johannes Vlok, Minister van Korrektiewe Dienste, bepaal hierby ingevolge artikel 49 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), dat die werksaamhede van die inrigtingskomitees en die vrylatingsraad, ingestel kragtens die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), voordat laasgenoemde Wet deur genoemde Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991, gewysig is, ten opsigte van die gebiede van alle gevangenis wat binne die landdrostdistrikte Barkly-Oos, Elliot, Indwe, Maclear, Prins Albert en Wodehouse val, met ingang van 1 Desember 1992 beëindig word, uitgesonderd die werksaamhede van die Vrylatingsraad beoog in artikel 64 (1) (b) van die Wet op Korrektiewe Dienste, 1959 (Wet No 8 van 1959)

**A. J. VLOK,**  
Minister van Korrektiewe Dienste.

## 'End amnesty process soon'

PRETORIA — The political indemnity process should end as soon as possible to clamp down on crime and reaffirm the credibility of the courts, deputy Minister of Justice Mr Danie Schutte said here yesterday.

He said 4 639 uMkhonto weSizwe members and others who had undergone military training before October 9, 1990, had been indemnified by November 19 this year, and 5 188 had been indemnified for leaving the country illegally.

Sapa CT 1/12/92 (53)



# Police 'accentuate crisis'

DURBAN — Natal's political crisis was accentuated in areas under the KwaZulu Police jurisdiction, Legal Resources Centre (LRC) attorney Howard Varney told the Goldstone commission yesterday.

The commission, which is inquiring into the ongoing violence in the province, is on the second day of its sitting.

Varney also referred to a August 13 report compiled by the LRC, entitled "Application for Inquiry" on the role of the KwaZulu Police in Natal. The report was submitted to the commission.

From the LRC's evidence, he said the conflict would never have reached endemic proportions had the KwaZulu Police acted "energetically and impartially".

The failure to act impartially had led to a lack of faith and trust on the part of ordinary citizens, Varney said.

He said the relatively low success rate in criminal investigations conducted by the KwaZulu Police had led to many people believing that it was better to take the law into their own hands.

He cited the most serious allegations against the force as

- Harassment and intimidation;
- Collusion with Inkatha vigilantes;
- Disruption of political activity; and
- Failure to assist complainants and to

investigate matters

Varney believed thousands of people from KwaZulu townships would welcome the return of the SAP. But, he said, this was more of an indictment against the KwaZulu Police than a change of heart by residents towards the SAP.

He recommended a single structure to unite the SAP and the KwaZulu Police.

The hearing proceeds tomorrow.

Meanwhile police said at least two people died in political violence in Durban on Monday. A man was shot in Ntuzuma and a woman was shot in Umlazi.

UN special envoy Tom Vraalsen said in Johannesburg yesterday that he would accept in writing regional dispute resolution committees' views on the violence if they were unable to meet him in person.

Given the time constraints of his visit to SA, he would accept submissions in writing so that he could take them into account in his report to UN Secretary-General Boutros Boutros-Ghali.

Vraalsen urged all relevant parties and organisations to resume multiparty talks as soon as possible, saying unacceptable acts of violence like those which occurred last weekend should not be allowed to frustrate efforts towards peace — Sapa

## Cell deaths report to be released 'soon'

STEPHANE BOTHMA

said in Pretoria (253)

THE extent of the investigation launched to establish the "true facts" about deaths in police detention had delayed the release of results by Justice Minister Hernus Kriel, police said yesterday.

Reports of all cell deaths since January last year — requested by Kriel in July when independent pathologist Jonathan Gluckman claimed detainees were continuing to die at the hands of policemen — were received by the Minister in October.

"The reports have already been received and a thorough study made of them," a police spokesman

said in Pretoria. "The delay in the release of the results (of the reports) can be ascribed to the massive investigations launched to establish the true facts."

The results would be made available to the public soon, he said.

Since Gluckman claimed on July 26 that he had evidence that the killing of detainees and suspects by policemen had continued at an alarming rate, more than 20 people have died in custody.

About 140 cell deaths have been reported since January.

Law and Order Ministry spokesman Capt Craig

Kotze said on Monday that although Kriel's response to Gluckman's claims and to the reports on cell deaths were in the process of being formulated, "initial allegations made in this regard are not all substantiated".

Sapa reports a 26-year-old man held on two charges of assault tried to commit suicide in the Paarl police cells yesterday, police said.

When police did their rounds they found the man with his blankets tied around his neck. He was semi-conscious and was treated at the police station before being taken to a district surgeon. He made a full recovery.

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CT 3/12/92  
**Popcru 'boils':  
Call to mediate**

THE Western Cape Regional Dispute Resolution Committee has been asked to mediate between Popcru and the Department of Correctional Services amid fears that frustrated Popcru members could turn to armed violence to draw attention to their grievances. (23)

"Things are boiling in Popcru (Police and Prisons Civil Rights Union)," a senior source in Popcru said in Cape Town this week. — Sapa (23)

### Five still on hunger strike (23)

SCHWEIZER-REINEKE — Five men in police custody, all Ipelegeng Civic Association officials, yesterday entered their sixth day of a hunger strike after being arrested on Thursday last week when demonstrators dumped buckets of faeces outside the municipal offices of Ipelegeng township

ET 4/12/92



## Wit Wolwe claims 'viewed seriously'

PRETORIA. — The Commissioner of Correctional Services, Lieutenant-General Willie Willemse, said yesterday that "unsubstantiated" claims by the Wit Wolwe of murder, assault and theft by members of his department were being investigated.

The allegations were viewed in a "serious/light" and would be referred to the police if necessary.

General Willemse was reacting to a letter sent to Sapa, apparently by the Wit Wolwe, claiming that a prisoner had been killed and another assaulted by warders at Pretoria Central Prison. *CT 4/12/92*

The letter, which did not identify the prisoners, said the Wit Wolwe suspected departmental officers had stolen state property for private use and demanded an independent investigation into "irregularities" in the department. — Sapa *(253)*

# Smear attempt predictable **Gluckman**

DR JONATHAN Gluckman is not surprised at reports that the police response to his claims of brutality in cells — still to be released officially — will charge that some of the prisoners the pathologist alleges were murdered are still alive

"I expected an attempt to discredit me," said Gluckman, who caused a storm in July by publicly charging that police were respon-

sible for 90 percent of the deaths he was required to investigate through post-mortems. "But the crucial issue remains the same. It has just gone on and on and on after the revelations"

After Gluckman's disclosures, Law and Order Minister Hernus Kriel ordered an investigation into all deaths in police custody since January 1991. The report has

been submitted to Kriel in police custody were still alive and that report's contents were others had died of natural causes, including heart failure. Gluckman this week said the report would show that some of those who allegedly died constable to his office to

copy his files, initially removed for safekeeping. "I had all my files in the Biko case stolen and I didn't want to lose any more," Gluckman said.

"I do the odd consultation case on people who are still alive. My secretary pointed out to the constable which ones were irrelevant, but she contacted the investigating officer who said 'take the lot! I don't know what was included, but what strikes me is that they never called me back to seek clarification on this'"

The officer supervising the examination of Gluckman's files, Colonel J F de Beer, was unavailable for comment. Law and Order Ministry representatives were still "formulating our response"

Kriel's tardiness in responding to the allegations — made when Gluckman first met the Minister in February — has sparked criticism

In August, Kriel appeared to pre-empt the findings of the investigation, saying "My own opinion is that any death in custody is regrettable. But to come to the conclusion that these deaths are through police brutality, that I am not prepared to accept"

Until the report is

published it will be impossible to test the police verdict of "natural causes" for most of the deaths — save in the instance of a detainee who "drowned in a swimming pool"

This case clearly refers to Bethuel Maphumulo who, in December 1990, heard he was a suspect in a robbery case and gave himself up for questioning

Police said Maphumulo had tried to escape while handcuffed, and in an ensuing struggle had fallen into the swimming pool at Protea police station and drowned. Gluckman's post-mortem found that the cause of death was "multiple injuries. The demonstration of fracture of the hyoid bone is highly suggestive of manual strangulation"

An inquest on Maphumulo's death will be held on January 14. It has already been the subject of a dispute between the Department of Justice and the family's lawyers, who unsuccessfully challenged the decision to hold the inquest in front of a magistrate. They argued that Kriel's promise to submit all custody deaths to a "judicial inquest" required the matter to be heard by a judge



WHEN I see a person with Aids outside prison and the hell they go through, I can only imagine what it must be like for prisoners who are infected

So says Gail, who sat at the bedside of a badly-burnt 27-year-old with Aids, in the intensive care ward of Somerset Hospital last month

The man, prisoner Toni Kelly, died in the hospital from burns suffered after setting his Pollsmoor cell alight two weeks earlier

Before he took this drastic step he wrote to SOUTH, appealing for help

Kelly said he and other prisoners with Aids were being discriminated against

"It seems only people with a certain social standing qualify for

# Inmate's last cry for help

South 5/12 - 9/12/92

Shortly before prisoner Toni Kelly started a protest that ended as a fatal blaze in his Pollsmoor cell, he wrote to SOUTH to complain about his medical treatment as an Aids-sufferer in jail **REHANA ROSSOUW** reports

help," his letter read "What about HIV cases in prisons and particularly those who are gay (like me)? How many times did I seek help, without getting a response?"

Without elaborating, Kelly said he had been "knocked over my knuck-

les" by prison warders for a letter printed in SOUTH

"I appealed for help! Not hostility!" he noted

Kelly said he requested AZT, a drug used as standard care for people with HIV infection, but was told it was too expensive

Gail befriended Kelly through the Aids Support and Education Trust (Aset)

Aset secretary Mr John Pegge, commenting on the death, said "The nightmare of a prison environment is not conducive to living one's full potential with HIV infec-

tion, disease and Aids

"Non-governmental organisations can't just walk into prisons and provide assistance to people with HIV as the DCS has its own policy for the treatment of such persons

"It is true what Toni said in his letters — prisoners with Aids experience paternalistic and patronising attitudes from would-be care-givers and helpers

"This has devastating consequences on their low self-esteem and their struggle to live with the virus for as long as they can"

Pegge said people with Aids in prisons were denied access to multi-disciplinary team care. They needed self-help groups, social work, psychological intervention, spiritual care and a host of medical specialities

## 'Drugs are too costly'

South 5/12 - 9/12/92

PRISONERS do not have the right to Aids-delaying drugs nor to condoms in South African prisons

Yet if trends persist one in 15 prison inmates will be HIV-infected by 1995

At present, there are officially 215 HIV-infected prisoners in South Africa and 12 with full-blown Aids

Last month, the Rand Supreme Court ruled that the Department of Correctional Services (DCS) should let a prisoner be examined by an Aids-specialist of his choice, and supply whatever drugs are prescribed

The DCS refused to comment on the ruling, and may appeal against it. Meanwhile, the DCS says there is a "minimal indication" that the AZT drug delays the multiplication of the Aids virus

AZT costs R483 a bottle and a minimum of one bottle a month is prescribed

According to the DCS, "within a year or so there will be approximately 1 000 new Aids cases a month. If AZT was to be administered to each of these patients, costs would run into the region of R1 500 000 a month"

Meanwhile condoms are not available in prisons as male homosexual sex is a criminal offence

At a seminar recently, Major Rika Greyling of the DCS said "Self-admitted homosexual persons may be accommodated in separate sleeping quarters on their own request"

"Prisoners are also regularly warned against homosexual practices. Strong disciplinary steps are taken against all prisoners who commit such acts," Greyling said

HIV-positive prisoners slept separately, but participated in daily prison life, she added

### How AIDS makes you sick.

Your body is protected by an immune system which is made up



of white blood cells. These white cells kill the germs and viruses that make you sick

So white blood cells help to keep your body healthy

The AIDS virus or the Human Immunodeficiency Virus (HIV), lives in

Some behaviour patterns also place you in danger of becoming infected. These include having sex with more than one partner, sex without a condom if you are not in a mutually faithful relationship, and alcohol and drug abuse

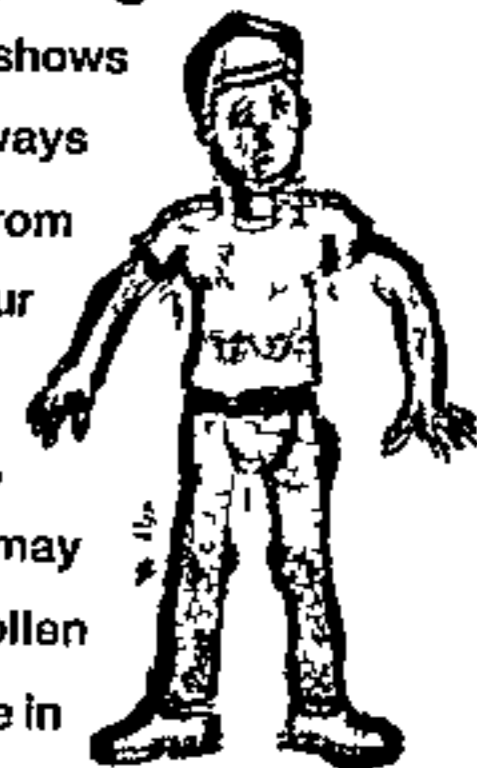
### How you cannot get AIDS.

Rumours concerning many other sources of HIV infection are rife. It is

### Symptoms and early signs.

HIV infection shows in a number of ways

You may suffer from prolonged fever. Your glands, especially those in the neck, armpit and groin may be continually swollen. Sometimes a change in mental behaviour, like forgetfulness



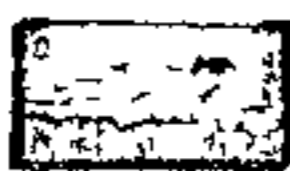
# The plain and simple truth about AIDS.

blood and other body fluids. It attacks the white blood cells and destroys them. So your body is unable to fight germs and viruses. You can have AIDS for a long time before you become sick. But there is no cure for AIDS so the virus destroys the immune system and the person with AIDS eventually dies from diseases like TB, Pneumonia or any other opportunistic infection

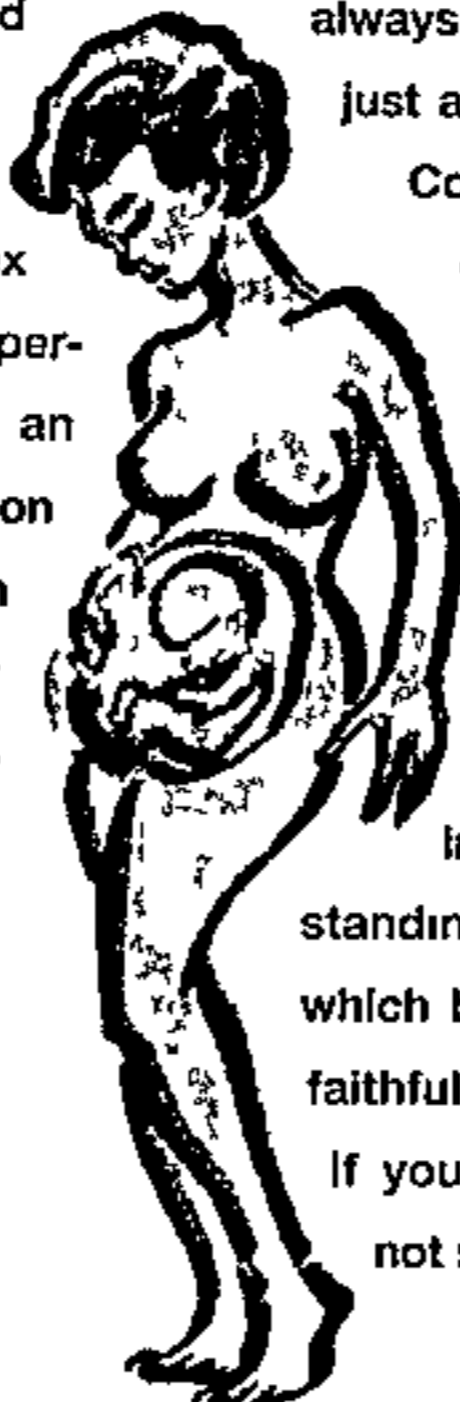


### How you can get AIDS.

The AIDS virus is spread in three main ways. You can get it from having



unprotected sex with an infected person (female or male). Or an infected mother may pass it on to her new born or unborn baby. Sharing needles for intravenous drug use also exposes you to AIDS



important to realise that you cannot get AIDS from kissing, masturbating, playing a contact sport like rugby or soccer, telephones, toilet seats, sneezing, mosquitoes, eating food prepared by persons with AIDS or sharing a communion cup



### How to prevent AIDS.

We all know the surest way to prevent AIDS is to abstain from sex, but as this is not always practical, here are just a few suggestions. Consider the risk



carefully before you have sex. Limit your sexual partners - casual and short-term sexual relationships without condom usage is regarded as high-risk behaviour

Ideally you should be involved in a long standing relationship in which both partners are faithful and uninfected by AIDS. If you're a habitual drug user do not share needles



and confusion, is an indication of HIV infection. Other signs are persistent diarrhoea, loss of more than 10% body weight and sometimes even TB (Tuberculosis)

Remember these signs and symptoms are not only found in people with HIV infection. They can also be caused by other conditions

Should you have any of these symptoms you should consult your doctor or clinic

### Want to know more?

For more information contact the nearest Regional Office of the Department of National Health and Population Development, the nearest AIDS Training and Information Centre (ATIC) or phone Lifeline-AIDS Line toll-free at 0800 012 322

All enquiries will be handled in absolute confidentiality



AIDS. Don't let it happen.



# Popcru threatens armed protests

South 5/12 - 9/12/92.

(253)

MEMBERS of the Police and Prisons, Civil Rights Union (Popcru) say they may take up arms to draw attention to their grievances

To avert such a development, the Regional Dispute Resolution Committee has been asked to mediate between Popcru and the Department of Correctional Services

"Things are boiling in Popcru here at Pollsmoor, in Johannesburg and elsewhere in the country," a senior source in Popcru said in this week.

"Members feel that the changes in the country have no impact on Correctional Services. There are people who are on the point of considering violent action

"They are saying they have been given military-style training, they have access to firearms, and they know how to use them

"They are refusing to be controlled by those at regional or national level in the union"

The union has approached the regional dispute resolution committee asking that it talk to prison authorities at Pollsmoor, Mossel Bay and Worcester

"The department does not want to talk to us. They would rather talk to Barend Strydom," he said

The source said it appeared the authorities were deliberately victimising Popcru members

The secretary of the Western Cape Dispute Resolution Committee, Mr Steve Olivier, confirmed that the matter had been referred to the committee.

The basic dispute was over the fact that the union was not recognised and was therefore not able to meet the authorities, he said

There was also a dispute about union members who had been fired or downgraded

Normally the committee would not take up a labour dispute. However, concern had been expressed that people were frustrated and that this could lead to violence

The committee's chairman, Professor Jaap Durand, was consulting with the parties involved and trying to get more information — Sapa

## Jailed kids: Action soon?

JOHANNESBURG — The government is urgently examining a report on detained children and juveniles and a plan of action may soon be made public, Correctional Services Minister Mr. Adriaan Vlok said yesterday.

He said at a news conference at Leeuwkop Prison Farm north of Johannesburg that his deputy minister Mr. Glen Carelse had submitted the report at the end of November.

He said there were 951 sentenced children (under 18) and 538 awaiting trial children in prison.

— Sapa

(23) CTS/12/92

# Growing up

Clips 6/12/92

By MOSES MAMAILA

PRISON was never meant to be for children, observed a 16-year-old convict held at the Leeuwkop prison north of Johannesburg. The teenager, who called himself Sipho, said that despite the intensified propaganda by the authorities that conditions have drastically improved in juvenile cells, there were still officers who brutally assaulted and ill-treated prisoners. He said prison warders assaulted convicts with open hands and bashed them against walls "for no apparent reason and seem accountable to no one for their actions".

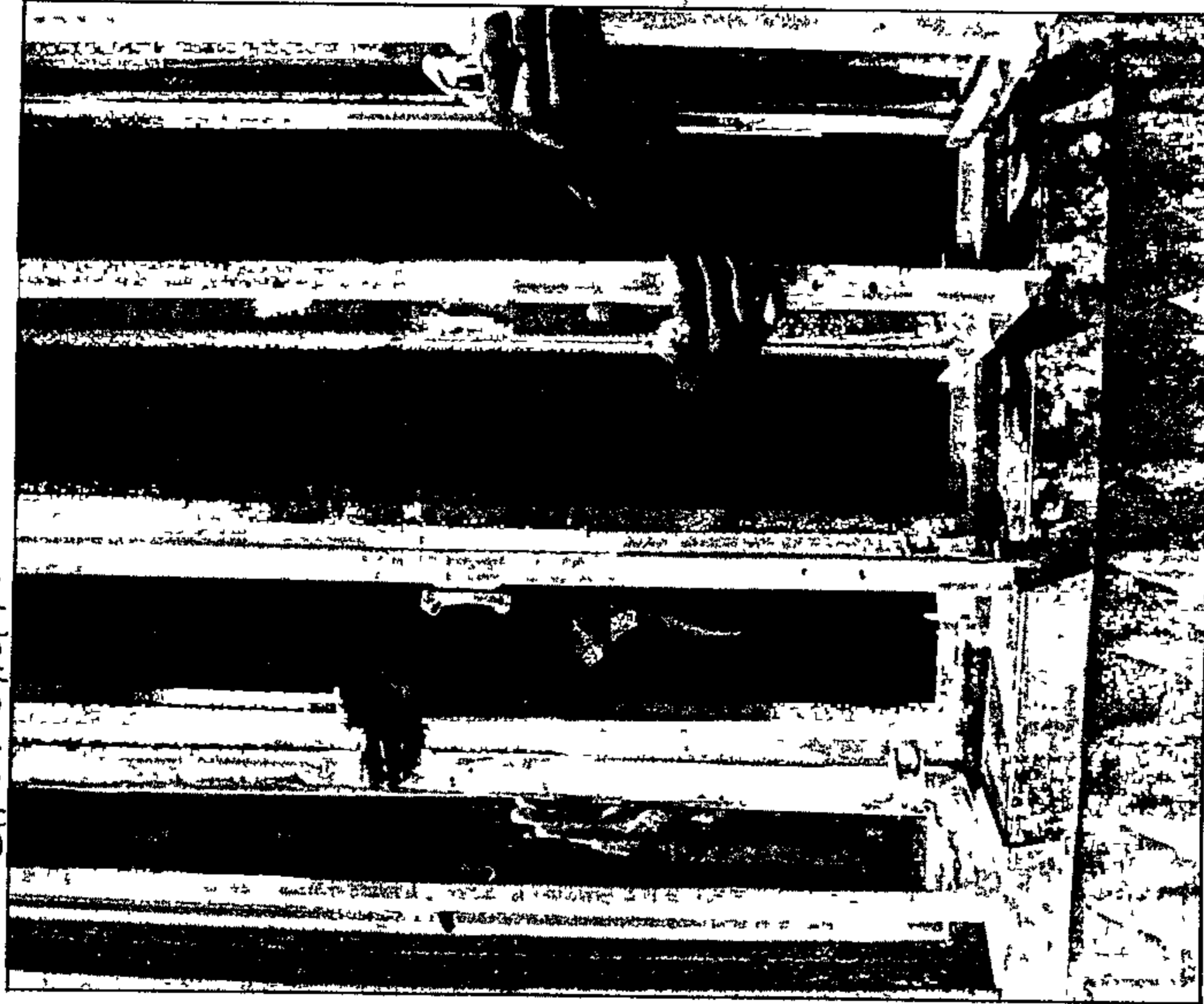
The boy - who was speaking to City Press during a visit by the Correctional Services Minister Adriaan Vlok and the press on Friday - quickly changed his tune to that of praising the prison services when a white official came near.

But when the white official walked away he repeated his claims and said that there was no point in him complaining as he had to report his problems to the same people who sympathised with his tormentors.

"What I can tell you is that prison was never meant for children like me," said the boy, who was convicted for stealing.

Most children spoken to were convicted of robbery, housebreaking or theft and were serving jail terms ranging from one to six years.

A few others had committed serious crimes - like rape and murder - but appeared to be even less prepared to spend years in jail.



# behind bars

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WASTED YOUTH ... Juvenile detainees at Leeuwkop prison airing their cell (left) while a young inmate (above) sits pensively on his bed. PHOTO: VLADIMIR KHUZELE

ber 20, we had a total number of 951 sentenced children under the age of 18 in detention.

"With regard to awaiting trial children, 538 children under the age of 18 were in detention on November 20," Vlok told reporters.

Responding to reports that the vast majority of children in detention were black, Vlok said the composition of the population was such that non-whites were in the majority.

## Kids' plight is being probed by govt - Vlok

Asked how many white children were being held, Deputy Commissioner of Development Programmes Maj-Gen Buks Jordaan said he could not give figures as they no longer classified people in terms of their racial groups.

However, the figures stated by the minister did not include children being held in police cells through the country. According to the official records seven 14-year-olds, 34 15-year-olds, 176 16-year-olds and 734

17-year-olds have been sentenced. Vlok said his department was at the receiving end of criticism once the juveniles had been sent to jail by the courts. He also outlined various learning processes in

jail for the young prisoners, and that some were actually doing well in their studies.

The prisoners in the juvenile cells in Leeuwkop are allowed to go to the library and also play family games.

Despite all the games that are available, including soccer, the children in detention were adamant that games could be played better in reformatories and best of all at home with their parents.



# Growing up behind bars

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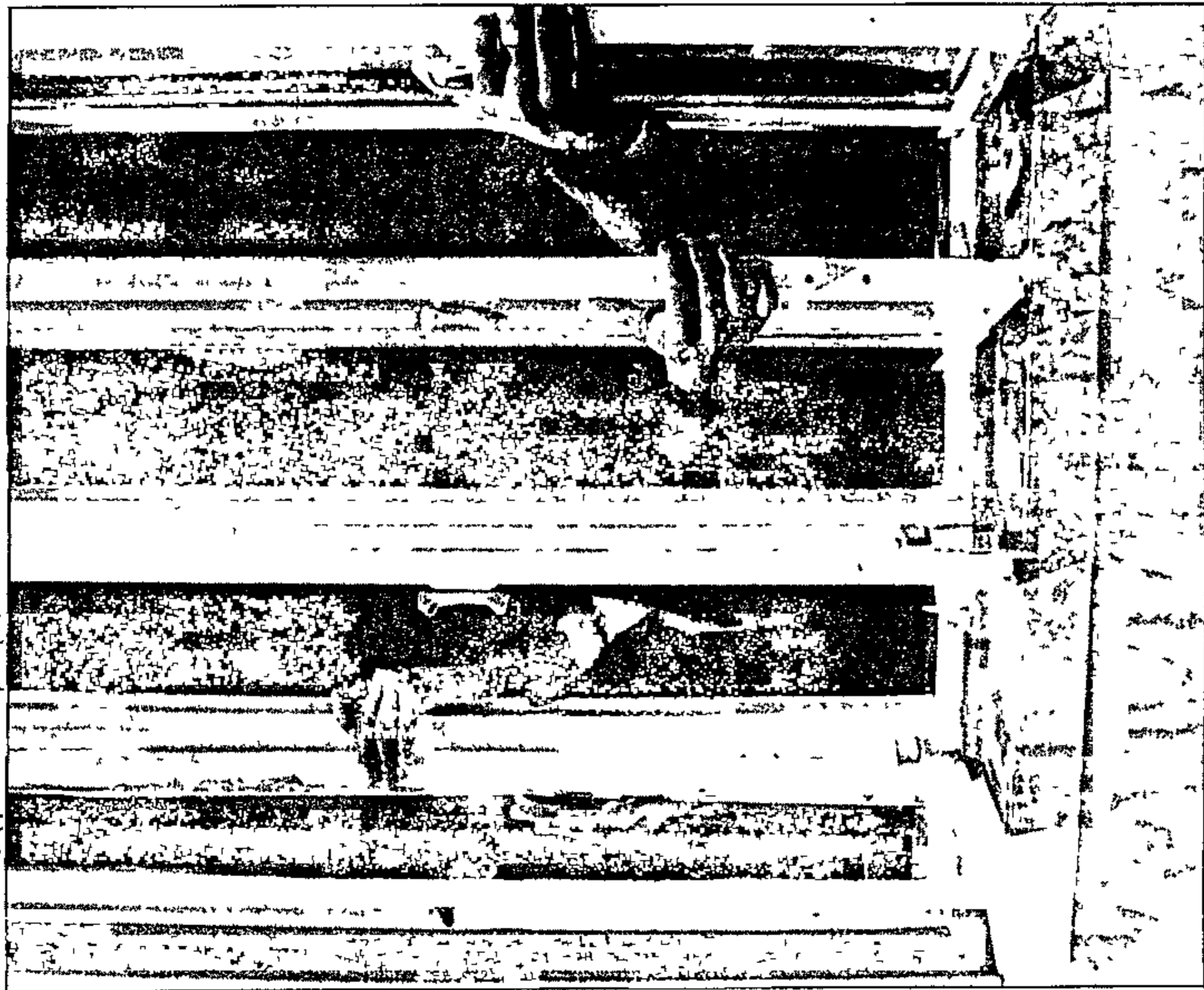
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City Press 6/12/92



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More news in MAIL ON

## NEWS ROUND-UP

# 1 300 prisoners due for release

*S/Times 6/12/92 (253)*

ONE hundred prisoners are to be released from Bophuthatswana jails on Tuesday under a general amnesty announced by President Lucas Mangope during the territory's 15th independence celebrations yesterday.

Bophuthatswana Commissioner of Prisons Major-General Cas Delport told the crowd at the celebrations in the capital, Mmabatho, that prisoners serving six months or less would be released starting next Tuesday.

The first batch of 100 prisoners would be released on Tuesday and after that prisoners would be released in groups of 20.

He said those serving more than six months would have their sentences reduced by six months.

General Delport said about 1,300 prisoners would be affected by the amnesty.



# Marching to a different drummer

Star 1/12/92



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**L**IVING in the country may seem a dream to some, but for those who transgress the law it can become a nightmare Jabulani Djudia, a 23-year-old man from Maritzburg, was allegedly such a transgressor. He was shot in the head by police during a robbery at a small bank in Kranskop, a village near Greytown.

He was admitted to Greytown hospital with a serious head injury but was later transferred to Wentworth Hospital where he underwent surgery. Three weeks later he was deemed fit to be released into the custody of the SAP.

Despite the fact that Greytown Prison has a hospital section nearby, he was held in custody at the police cells in Kranskop where he slept on the concrete, was fed an inadequate diet, had no exercise, and grew weaker by the day. The head wound began to go septic and after two weeks he began to

scream to such an extent that the district surgeon had to be called.

Jabulani was again sent to hospital where more drastic surgery was done. He emerged with a depressed fracture of the skull, which is a large hollow about the size of a tennis ball. Damage to the brain has impaired his right arm and leg.

Unbelievably, when Jabulani was released back into the custody of the SAP, they returned him to the familiar cell at Kranskop police station.

It was at this stage that his distraught family contacted Lawyers for Human Rights With Jabulani's mother and sister we drove out to Kranskop Magistrate's Court. When we arrived, I asked a police officer where I might find the prosecutor.

"I am the prosecutor," he said. Trying not to bat an eyelid I told him that I wanted to consult with my client.

"I don't know if he will be able to understand you," he said.

I explained that I had seen the medical report and that, in fact, I was intending to bring an application for my client to be sent for mental observation in order to ascertain whether he was able to understand the proceedings.

The policeman-cum-prosecutor said, "Oh, I am sure he knows what is going on."

It does not take a cross examination expert to spot that contradiction. With as much control as I could muster, I suggested that we leave that to the psychologists to decide.

Jabulani was a horrible sight, the dent in his head was shocking. He was extremely emotional, the tears jumped off his face. His mother and sister heaved and sobbed as we stood in the hot dusty yard behind the courtroom. They had brought him food and drink and he begged to be allowed

to consume it outside because once inside the cell it would be stolen by a stronger prisoner.

I went to see the magistrate in chambers to introduce myself.

We discussed the case and our application to have Jabulani transferred to a mental hospital for observation was granted, and the chapter seemed to be closed.

But urban black South Africa also holds its grim surprises, and when, three days later I telephoned to check that Jabulani had arrived safely at Fort Napier, I was informed that there was a shortage of beds and that Jabulani's name was well down the list. He would have to stay where he was until they could receive him.

By this time I was raging, and after several telephone calls to several hospitals tied up in medical red tape, no further in my submission.

Finally we got a doctor from

New Hanover to drive to Kranskop to examine the patient. His determination was that the patient was extremely weak, undernourished, suspected of having epileptic seizures and required immediate treatment at a hospital or in the hospital section of the prison.

I then decided to approach the one and only attorney practising in Kranskop, and asked him to go to court with a copy of the doctor's report to apply to have the client moved to a hospital. He was quite friendly and agreed to do so. However, he explained that he would not be able to act for the client at a trial as he would probably be called as a State witness as he was present at the time the robbery took place. By this time I could almost picture him jumping in an out of the witness box to answer his own cross examination — anything seemed possible in Kranskop.

The attorney also let slip a juicy bit of information. The policeman-cum-prosecutor whom I had met was also the same police man who had shot Jabulani in the head. Jabulani was transferred to the hospital section of the prison in Maritzburg where he was treated until he was transferred to Fort Napier Hospital. The psychiatric report is awaited. If Jabulani does have to stand trial (with his co-accused who, by the way is still in custody in Kranskop police cells) it will be in the regional court, so the knowledge and partiality of the officers of the court will not be at issue. Nevertheless, the experience shows that criminal justice is sung to a different tune in the country — and I cannot say I care much for country music. □

Ann Skelton is director, Applied Criminal Justice Project, Lawyers for Human Rights



## Man hangs himself in cell (253)

THE body of a 29-year-old unnamed Kabokwen man was found hanging in a Waterval-Boven police cell on Saturday morning, an eastern Transvaal police spokesman said. *Sowetan 7/12/92*

The man had torn his cell blanket into pieces, attached it to a bar in front of a window and hanged himself, Lt Andre van der Westhuizen said.

The man, who was arrested late last week for drunkenness, had been alone in his cell and no crime was suspected, the police spokesman added.

He said police were investigating as well as trying to trace the dead man's next of kin. - Sapa

STAR 8/12/92

# 'Warder responsible for cell hanging'

By Rochelle Gosling-Hughes

A prison warder was found responsible in the Johannesburg Inquest Court yesterday for the hanging of a Death Row prisoner, who was found dead in the corner of his cell on March 16 this year.

Magistrate Mr C J. de Lange said the Johannesburg Prison warder, Petrus Mbata, and a fellow warder, Isaac Setho, were the only two people who had access to Pheagane Sejaphala's cell and who could have been re-

sponsible for his death. Mbata emphasised in the witness box yesterday that not only he, but Setho, too, had keys to Sejaphala's cell.

When the court telephoned Johannesburg Prison to subpoena Setho, it was found he had died some time ago.

De Lange said the prisoner was found dead in his cell 25 minutes after the last visit by the two warders. He said there was no evidence of a rope or any other material with which Sejaphala could have hanged himself.

"Someone must have re-

253 moved the rope and taken it out of the cell"

The magistrate said earlier evidence by a doctor testifying for the State had indicated that Sejaphala's injuries were "consistent with hanging"

After handing down his finding, the magistrate expressed his doubt about Setho's involvement in the hanging. He believed Mbata was alone in Sejaphala's cell.

Mbata's case will be referred to the Attorney-General for a decision on a prosecution.





# Judge slams early releases

Own Correspondent

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MARITZBURG — A Supreme Court judge spoke out yesterday about the early release of sentenced prisoners, when he sentenced a young Natal policeman convicted of murder and attempted murder to 18 years in jail.

Warrant Officer Hendrik Steyn was convicted earlier this week of the murder of Mr Michael Mthethwa and the attempted murder of Mr Simon Msweli who had been wounded in a shootout with police at Sokhulu, near KwaMbonambi, on August 14.

Mr Justice Page said in passing sentence that he, like most of his colleagues, had found that sentences dutifully considered and imposed were not being served and there was no apparent justification for this.

The judge said he had to learn recently from the media that a policeman he had jailed for 18 years for two extremely serious crimes had been released after 17 months.

To prevent a repeat of this he had placed on record that the sentence imposed on Steyn must be served out in the usual way without early release.

He described the "extremely serious" crimes Steyn had committed as deliberate and cold-blooded and said he ought to have known that he could not take the law into his own hands.

# Gluckman: Kriel's claims 'bizarre'

PRETORIA. — Independent pathologist Dr Jonathon Gluckman yesterday accused Law and Order Minister Her-nus Kriel of trying to discredit him over his allegations that criminal police actions caused the deaths of police detainees.

At a press conference yesterday Mr Kriel accused Dr Gluckman of making false allegations on deaths in custody.

He alleged that of 118 case records obtained from Dr Gluckman only 34 actually died in custody and in only two of these cases were police convicted of criminal action.

In 14 cases, Mr Kriel said, the named people were not dead, but Dr Gluckman has accused police investigators of taking the wrong files.

"The minister's implication

seems to be that I mistakenly performed postmortems on living persons, which must be the most bizarre charge that has been levelled at me in a long career," said Dr Gluckman.

"I continue to nurse the concerns that almost every week people die while in the custody of those whose duty it is to protect life."

Mr Kriel said that in two of

(253) CT 11/12/92  
the cases raised by Dr Gluckman, SAP members were found guilty of criminal actions, and in two cases not guilty, six cases were suicides, eight cases are still under investigation, and in 14 cases inquests found police not responsible.

He said measures to be taken to prevent deaths in custody include a new board to be chaired by a judge.

# Thief freed after year of four-year sentence

REC-71/12/92 (253)

## Supreme Court Reporter

A MAN jailed for theft and burglary has been freed only a quarter of the way through his four-year sentence and placed under correctional supervision.

Gus Davey, 24, of George, was convicted of stealing from slain Fresno optometrist Mr Morris Zaidel and for a burglary in Stellenbosch.

Davey was cleared of murdering Mr Zaidel when the court found the State had not disproved his claim that he acted in self-defence.

He testified that a struggle ensued when he was awakened by Mr Zaidel fondling him.

He said he met Mr Zaidel while hitchhiking and went to his house several times to give him body massages.

Mr Justice Brand sentenced him to two years for stealing from Mr Zaidel's flat and two years for breaking into a Stellenbosch house.

Mr Justice Brand granted an application by Davey yesterday for his sentence to be converted to correctional supervision.

The judge said a report by the Commissioner of Correctional Services suggested that the sentence be changed. The report indicated that Davey was the type of person who would benefit more from correctional supervision than imprisonment.

He said it was heartening to see that Davey had used his year in prison in a positive way and expressed the hope that he would become the useful citizen the commissioner hoped for.

Mr Justice Brand said he was impressed during the trial by the support given to Davey by his parents and members of his community and he hoped he could depend on this support in future.

The judge changed Davey's sentence to two terms of two years each, wholly suspended for five years, and imposed one year's correctional supervision.

He confirmed an additional one-year term for theft, which is suspended for five years.



# Gluckman's offices bugged

Political Staff

253 327

STAR 11/12/92

The offices of top Johannesburg pathologist Dr Jonathan Gluckman — whom Law and Order Minister Hernus Kriel criticised yesterday — were recently found to have been extensively bugged with sophisticated equipment, Gluckman confirmed this morning.

Gluckman, who had to call in technical experts because he suspected he had been placed under surveillance, received numerous anonymous death threats after he had made dramatic allegations five months ago that police were killing prisoners in their custody.

He said bugs were found on his private line and in the

main switchboard at the office, and others were in the ceiling, in the lights and in the skirting boards.

Yesterday, responding to Gluckman's allegations, Kriel criticised the Johannesburg pathologist and released statistics showing only a handful of cases in which the police could be implicated.

Kriel provided a detailed police report with a breakdown of 118 cases obtained from files at Gluckman's offices, and said only 34 of these people had died in police custody.

According to Kriel:  
 ● In two cases SAP members were found guilty of criminal actions, and in two cases they were not guilty,

two cases were still pending, six cases were suicides, according to inquests, and eight cases were still under investigation.

● There were 14 cases in which inquests had already been finalised and in which the police had not been found responsible by the courts.

● In another 14 cases, the named people were not dead. In his reaction yesterday, Gluckman accused Kriel of trying to discredit him, and said his implication that he had performed autopsies on 14 people who were still alive was "the most bizarre charge" ever levelled at him in a long career.

He said the allegation repeated by Kriel yesterday had first been made in an

Afrikaans Sunday newspaper on November 29. Since he had spent most of yesterday giving evidence in a murder case, he had not been able to ascertain the full extent of Kriel's remarks.

Gluckman said a woman police constable who had arrived at his office had collected records of consultations from his files which had nothing to do with the deaths in custody.

"I await, with interest, details of the rest of the Minister's statements, as well as the report on which they were presumably based, all of which I assume his office will supply to me in time.

"In the meantime, I con-

● To Page 3

## Gluckman's offices were bugged

From Page 1 253

STAR 11/12/92

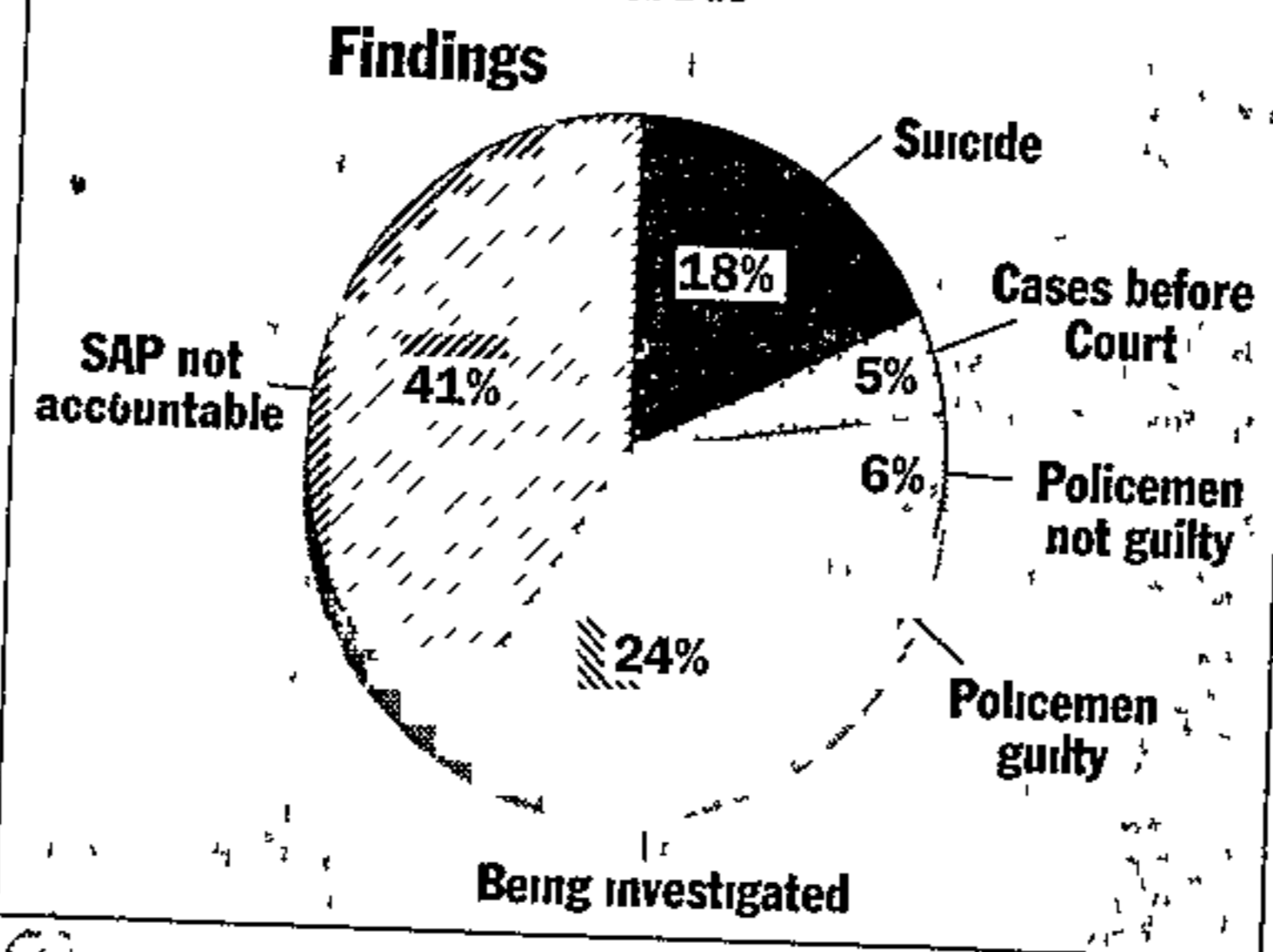
continue to nurse the concerns that prompted me to write to the State President that almost every week people die while in the custody of those whose duty it is to protect life," Gluckman said.

Although he said the perception that detainees in police custody were murdered or were dying in large numbers were false, Kriel also announced measures to prevent deaths in custody, including the formation of a Board — to be chaired by a judge — which would investigate suspected criminal actions.

He said even one death in detention due to criminal behaviour was one too many, and that it was for this reason that 20 retired generals had been appointed to conduct surprise visits to police stations.

In addition, 12 retired magistrates were acting as inspectors of people in

### Deaths in detention



### Breakdown how the SAP classifies the Gluckman cases

custody. Kriel said the International Red Cross had also been given permission to visit prisoners without prior warning, and that an investigation was being conducted to see how suicides could be prevented.

Police would also consider going through police cells to remove any object which could be used to carry out a sui-

cide, the Minister said. Gluckman, who believed he was on the receiving end of a campaign by the police and the Government to discredit him, said the bugging seemed "to fit in well" with on-going attempts to discredit him.

Apart from confirming the bugging, Gluckman declined to comment further or answer any other question this morning.

# Cell deaths claims are false Kriel

PRETORIA — Law and Order Minister Hennis Kriel has dismissed as "false" allegations by pathologist Dr Jonathan Gluckman that large numbers of prisoners were dying in police custody

Armed with a 70-page report detailing each case investigated, Kriel said police had found that the perception detainees were murdered because of the criminal actions of the SAP was untrue

Kriel said in only two of the 200 cases originally mentioned by Gluckman were SAP members found guilty of culpable homicide or murder. Two others were still before the courts

But even one death was one too many, he said, adding that an independent board would be established to investigate cell deaths and that legislation establishing such a board would be presented to Parliament early next year.

Kriel said of the 200-odd names mentioned by Gluckman, only 130 names and files of only 119 had been provided. One name was not traceable and of the 118 cases investigated, 14 were people who were not dead.

Seven people died outside SA's jurisdiction, 29 died in circumstances which had

TIM COHEN

nothing to do with the SAP, 26 as a result of police action outside custody, six in the custody of Correctional Services and two as a result of SADF action.

However, 34 of the cases supplied by Gluckman did concern people who had died in detention. Of these, six were suicides and 14 led to inquests which found the SAP not responsible.

Eight of the cases were still being investigated. In six cases SAP members were prosecuted for murder and culpable homicide. In two cases members were found guilty, two others were still to be heard and in two cases members were acquitted.

Kriel issued a stern warning to the media yesterday, saying: "Newspapers may be reminded that, in a volatile situation, they should not cry fire in a crowded theatre"

Sapa reports Gluckman said Kriel had implied he had mistakenly performed post-mortems on living people. "(This) must be the most bizarre charge that has ever been levelled at me in a long career."

Gluckman said a police constable had arrived at his office and collected records

□ To Page 2

## Cell deaths

of consultations that had nothing to do with deaths in custody

"Today, without any attempt to consult or contact me, the Minister held a Press conference at which he apparently attempted to discredit me and my complaints to the President"

Gluckman said he hoped the Law and Order Ministry would provide him with the police report containing the findings.

"In the meantime, I continue to nurse the concerns that prompted me to write to the President: that almost every week people die while in the custody of those whose duty it is to protect life."

WILSON ZWANE reports that the ANC slated Kriel's response, saying it was "unacceptable and inadequate".

ANC spokesman Gill Marcus said it should be of concern to all South Africans

that people arrested in connection with wide-ranging offences had a tendency to commit suicide shortly afterwards

For someone who had promised a thorough investigation into cell deaths, Kriel's response left much to be desired. Instead of dealing with the problem, Kriel had questioned the "integrity and professionalism" of Gluckman, she said

DP justice spokesman Tony Leon said his party would have to study Kriel's reasoning and conclusions before commenting. However, confidence in the police was bound to be restored if it was true that they were not responsible for the deaths of people in their care, Leon said

"Measures should be found to prevent people from dying under mysterious circumstances in prisons"



# Escape charge is withdrawn

By Rochelle Gosling-Hughes

Charges of escaping from custody against former Blue Light Gang member Gavin Schultz were withdrawn in the Johannesburg Regional court yesterday. His co-accused, former warder Anton Nel, was convicted of assisting an escape and on two counts of obstructing justice.

The trial of Nel (21) and Schultz was split from that of four other accused, who will plead on February 22.

Schultz appeared on Wednesday, along with Nel and his brother Marius, two policemen, Lucas Strydom (25) and Pieter Greybe (20), and Godwin Webb, who is awaiting trial on fraud charges.

Nel was convicted of helping Schultz and Webb escape from Johannesburg Prison.

Schultz is serving a 10-year jail sentence for attempted murder, robbery with aggravating circumstances and the unlawful possession of a firearm.

Nel was further convicted on two counts of

obstructing justice because Webb and Schultz were prevented from attending their hearings while out of jail.

Magistrate Mr D Smith combined several of the charges saying that forging and using forged release documents were an integral part of the main escape charge, and did not need to be dealt with separately.

Nel said in a statement when he pleaded guilty that Webb had asked him to help him (Webb) escape.

He initially refused but eventually "softened" as his parents were having marital problems and he felt his mother may need the money, he said.

Former co-accused Lucas Strydom arranged the release papers, he said.

The men escaped but a few days later Webb voluntarily returned to jail after he could not find R100 000 to pay his helpers, said Nel.

Schultz intended to go overseas and send payment from there, said Nel. He was re-arrested in Cape Town.



# Goldstone told of disciplinary action

CAPE TOWN — The ANC had undertaken to investigate fully and discipline officers or structures if they were proven to be involved in the illegal importation, distribution and use of weapons, the Goldstone commission heard yesterday

Peter Harris, for the ANC, said the organisation and its military wing Umkhonto we Sizwe remained committed to their undertakings in the 1991 D F Malan Accord which prohibited armed attacks, infiltration of cadres and material, creation of underground structures, statements inciting violence, threats of armed action and military training outside SA

The ANC recommended that a special unit comprising investigators from the ANC, Inkatha and security forces be established by the national peace secretariat to investigate illegal arms imports and that

the unit's progress be monitored regularly by the Police Board.

Louis Visser SC, for Inkatha and the KwaZulu government, asked that the commission's terms of reference be extended to investigate all illegally possessed firearms and all forms of politically-related violence, not only political violence which was also public.

He said neighbouring countries should be obliged to curb the inflow of illegal weapons from their territories through international treaties and, failing their cooperation, appeals should be made to the UN and the OAU

Earlier, Pierre Rabie, for the SADF, also called for broader terms of reference to include an investigation into "pseudo-operations", in which attackers pretended to be security force members — Sapa

# ANC officials stand accused

DURBAN — Seven men, including ANC officials from the upper south coast, appeared briefly in the Durban Regional Court yesterday in connection with the deaths of 24 people at Mpushini in the Umbumbulu area during October

South coast ANC organiser Sibusiso Darlington Magweyana, Folweni ANC chairman Elias Mkhize and three members of his committee were among the accused

The case against the seven men was postponed until February 11 — Sapa

# Warder admits helping prisoners escape

THE prison warder who helped "Blue Light" gang member Gavin Schultz and Godwin Webb, who had been convicted of fraud, escape from prison earlier this year, pleaded guilty yesterday to charges of defeating the ends of justice, forging official documents and assisting in their escape

In a confession made before a magistrate earlier this year, read out in court

**GAVIN DU VENAGE**

yesterday, 24-year-old Anton Nel admitted he and a policeman accomplice, former Sgt Lucas Cornelius, helped the men escape

Schultz and Webb had promised him R100 000 for his help and, after initially refusing to take part in the scheme, Nel had agreed.

Nel said his parents had been about to divorce, leaving his mother destitute,

and he would have used the money to support her.

Schultz's girlfriend had telephoned him to say that a policeman whose name was "Shane" would collect the two men from prison. But Shane failed to get in touch with him and Nel decided to find his own policeman. He asked Cornelius, who was stationed at the Norwood police station, to join the scheme.

Nel obtained documents

authorising the temporary transfer of a prisoner to police custody for questioning, and got Cornelius to sign them

Schultz and Webb were "transferred" on January 30. Two days later they admitted they could not pay the promised R100 000

Webb handed himself in and Schultz was arrested in Cape Town

The State withdrew charges against Schultz, who was to have stood trial with Nel, and the case was postponed until February next year, pending a psychiatric evaluation of Nel

## Lindum Reefs Gold Mining Company Limited

# We're clean - Kriel

Sowetan 11/12/92 (253) 

## ■ Minister says police are innocent:

POLICE have found themselves not guilty of the 200 deaths in custody publicised by pathologist Dr Jonathan Gluckman in July

The Minister of Law and Order, Mr Hernus Kriel, said yesterday the police had concluded their investigation into Gluckman's allegation that "the police are out of control and are murdering prisoners in custody"

Only 29 percent of Gluckman's 200 deaths, Kriel pointed out, occurred while the deceased had been in police custody. And in nine fatal cases only, members of the SAP were prosecuted for murder and culpable homicide.

The SAP report on the investigations on its own people lists Gluckman's reduced death list of 118 as follows: 14 were still alive, seven were killed in the TBVC states and Lesotho, 29 died "not in police detention or due to police action", 26 died "during police action" and on eight the SAP "cannot legally be held accountable"; in seven a magistrate could not determine "accountability", in three SAP members were prosecuted for murder and culpable homicide, while eight investigations are still underway; 34 died while in detention, six were suicides, in 14 cases police were not accountable, eight under investigation and in six police custody were prosecuted for murder, six died while in the care of the Department of Correctional Services, and two died "as a result of SADF action"



# Ball back in Gluckman's court

**JOHN PERLMAN**  
Chief Reporter

IF LAW and Order Minister Hernus Kriel is feeling a little aggrieved this morning, he may well be justified. Yesterday's newspaper headlines were dominated by news that the offices of pathologist Dr Jonathan Gluckman had been bugged and by Kriel's statement that the Government would consider cross-border raids to curb the activities of the Azanian People's Liberation Army.

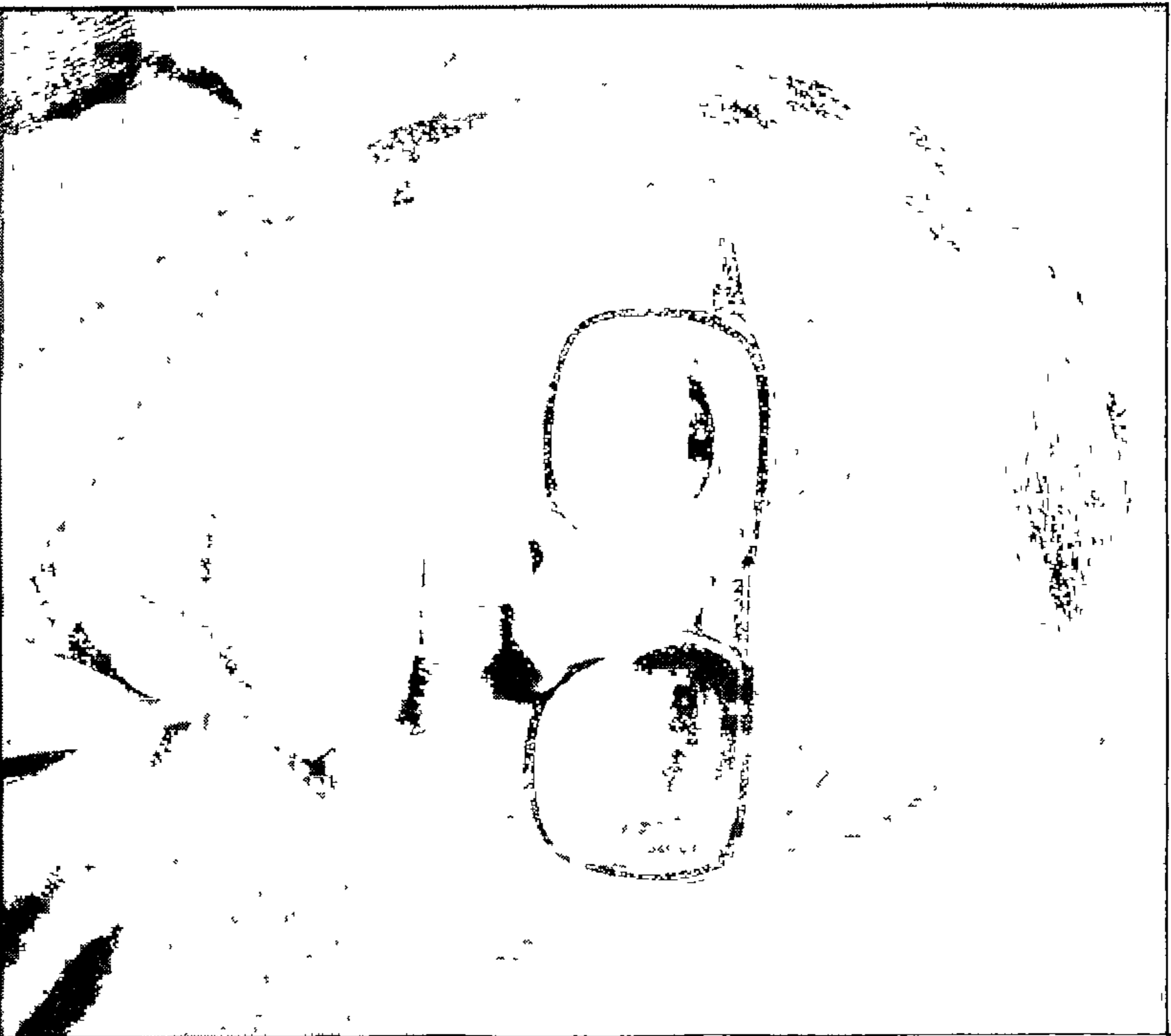
Kriel made his statement on Apla in response to a question at a press conference in the Union Buildings called to present the Minister's response to allegations of police brutality made by Gluckman in July. The real business of the press conference, Kriel's riposte to Gluckman, ended up relegated to secondary significance.

## Document

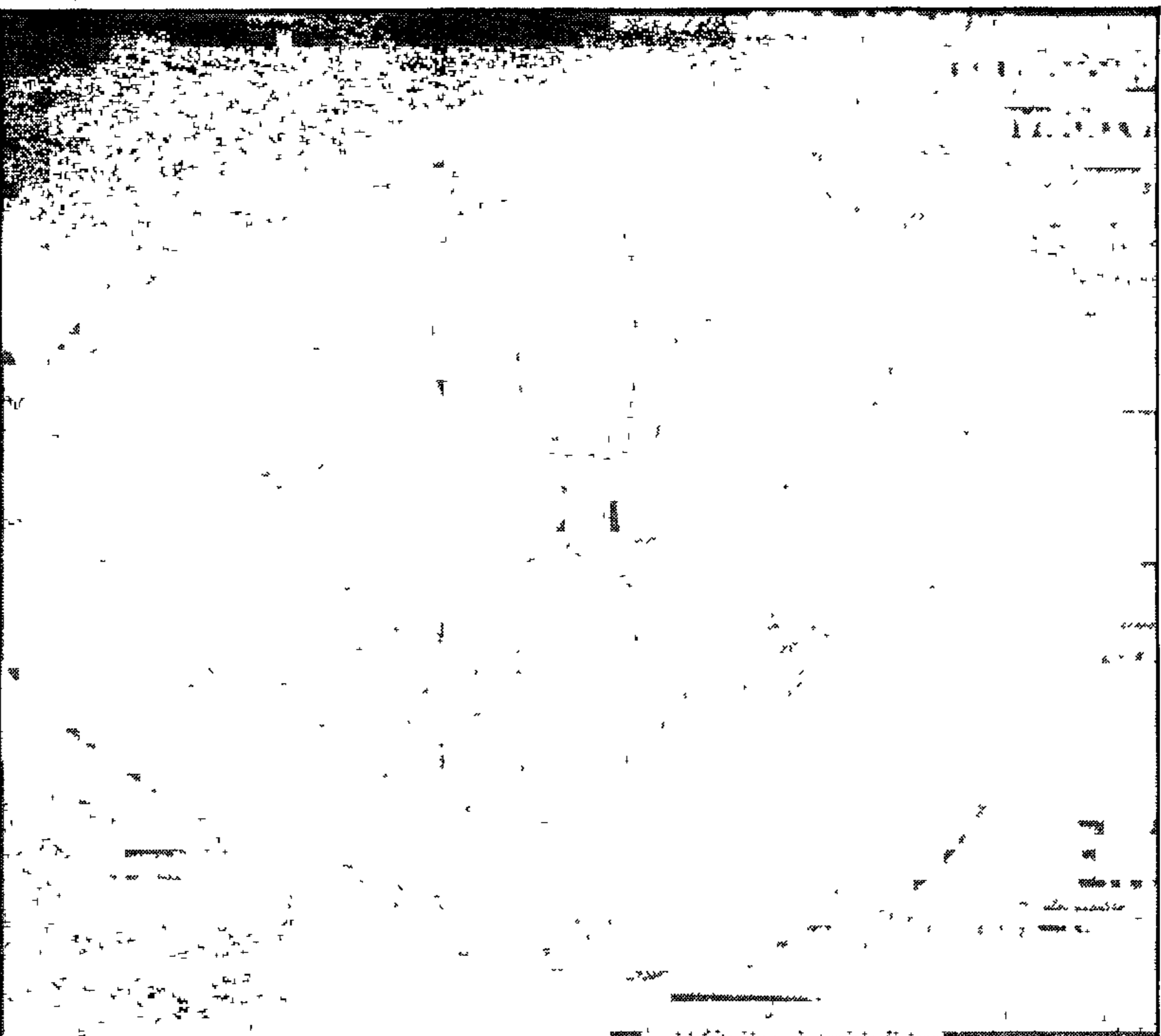
The Ministry of Law and Order has compiled an 81-page document based on an examination of 118 cases obtained from Gluckman's records. Gluckman had charged that he had more than 200 files on post-mortems he had performed on prisoners, 90 percent of whom "I am convinced were killed by the police". Kriel said Gluckman handed over just 130 names to his investigator, Colonel Jan de Beer, and was able to provide files for only 119 cases. In one of these cases, police were unable to find any information.

The ministry's investigation reached the following conclusion: 14 cases concerned people who were still alive, seven died "outside South African jurisdiction", 29 died in cases that had "absolutely nothing to do with the South African Police", 26 died "as a result of police action outside of custody", six died while in prison and two as a result of South African Defence Force action.

Kriel said 34 people, 29 percent of the cases from Gluckman's files, died while in police custody. Of these, six committed suicide — Gluckman's findings agreed with those of the State pathologist — 14



**HERNUS KRIEL:** The perception that prisoners are dying in large numbers because of criminal actions by police "is false".



**DR JONATHAN GLUCKMAN:** Claimed that 90 percent of more than 200 post-mortem cases were a result of killings by the police.

## Minister's detailed report defends SAP on cell murder claims

S71972 12/12/92

had been the subject of inquiries which had not found the police responsible, eight were still being investigated and six had led to prosecutions. Convictions were secured in two of these cases, two led to verdicts of not guilty and two cases were still pending.

Based on these findings, Kriel said the "perception that detainees in police custody are murdered or are dying in large numbers because of the criminal actions of members of

the South African Police is false". Kriel also levelled criticism at the press: "Newspapers may be reminding that, in a volatile situation, they should not cry 'fire' in a crowded theatre."

Gluckman initially responded to Kriel's report by defending his basic contention: "Almost every week, people die while in the custody of those whose duty it is to protect life," he said. But yesterday he refused to offer

any comment on Kriel's findings, which offer a strong challenge to the pathologist's allegations. Gluckman charged that bugs had been placed on his private line and in the main switchboard at his office as well as in the ceiling, in the lights and in the skirting boards. He said this was part of "the general campaign aimed at discrediting me".

Kriel's report, however, is a detailed document which will not easily be dismissed. Gluckman has al-

ready responded to the contention that 14 of the people were still alive. Last week he said police investigators had been told not to include these cases in the files they photocopied.

The seven cases which Kriel describes as "outside South African jurisdiction" include one death in Lesotho, two in Bophuthatswana, one in Venda, two in Lebowa and one in KwaNdebele. In three of these, Gluckman found evidence of

serious injury before death. The 29 cases which had "absolutely nothing to do with the South African Police" include three deaths in motor accidents, three from natural causes, and four people killed by "unknown persons" — one of them was Staelo Dhlomo, a prominent student activist, who was shot in 1988.

Other causes of death include post-natal complications, drowning in a hotel swimming pool, hand-grenade and limpet-mine explosions, and

chemical poisoning. None of the 29 deaths, Kriel said, occurred while the deceased was in police custody. Kriel found that 26 people died in the course of police action and not in custody. Eight of these were deaths "where the SAP cannot be held legally accountable" and include three people "killed while fleeing after having committed a crime" and three killed "during unrest incidents". Inquest proceedings found police not accountable in a further seven cases and police have been prosecuted for another three.

A further eight cases are still being investigated, some of which raise questions about the speed with which police act on allegations against them. One shooting incident, in which three men died while fleeing a suspected robbery, took place in December 1990.

## Suicide

Regarding the 34 deaths in custody, Kriel found that six of the prisoners committed suicide, all by hanging themselves. Another 24 were the subjects of inquests, all of which found the SAP not accountable. One of these, Themba Molofo, had various bruise and scratch marks on his body "which had allegedly been sustained before his arrest".

Another drowned in a river near Klerksdorp while pointing out a dagga stash to the police. A third, Johannes Ngalo, died of internal injuries. Ngalo was arrested after a robbery attempt, in which he had fought with the shopowner Eye-wilnesses claimed they saw Ngalo being assaulted by the police as well, but the inquest magistrate found no one responsible.

The eight cases still under investigation also raise questions about delays in these cases. One death occurred in December 1989 and another in January 1990. In one case, Gluckman's report directly contradicts the official police explanation of the death. In the other, an inquest was held without Gluckman's testimony and without the deceased's lawyers.

There are some nagging questions that remain unanswered by Kriel's report. But the Minister was asked to respond to Gluckman's allegations and he has done so in depth. The ball is now back in the doctor's court.



# Gluckman bugged

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CT 12/12/92

JOHANNESBURG. — Pathologist Dr Jonathan Gluckman, who has alleged widespread killings in police custody, said his office had been bugged in an apparent attempt to discredit him

He said the bugs had been found on his private office telephone line and in the main switchboard, the ceiling, lights and skirting boards, the Weekly Mail and Johannesburg Star newspapers reported

Dr Gluckman, who alleged in

July that police had for years killed people held in station cells, said the bugs had been found by technical experts he called in.

"It seems to fit well with the general campaign to discredit me," the Weekly Mail newspaper quoted him as saying.

Police spokesman Major Ruben Bloomberg, asked to comment on the alleged surveillance, said by telephone: "We have got no knowledge of it. We do not know who could have done it."

Law and Order Minister Mr Hernus Kriel said on Thursday an investigation into deaths in police custody had shot down Dr Gluckman's charges of widespread killing of detainees

Dr Gluckman said in a statement later on Thursday that Mr Kriel held the news conference in an apparent attempt to discredit him.

Since Dr Gluckman made his allegations public, about two dozen more detainees have died in police custody — Sapa

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# Cell deaths: top doctor hits back

S/Times 13/12/92

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**DR. JONATHAN GLUCKMAN** and senior legal counsel are to meet tomorrow to draft a full reply to Government charges that the independent pathologist made false claims about deaths in police custody.

The veteran pathologist said yesterday: "My honour is at stake and I intend to defend it"

Dr Gluckman conceded his claim that 90 percent of the deaths on his files were caused by police was "generalised" Law and Order Minister Hernus Kriel claimed this week it was only 29 percent and in only two cases were policemen convicted of murder or culpable homicide

But, said Dr Gluckman yesterday, he had from the start advised the attorneys-general investigating the deaths that the figure he had used was a guess

"Now we are playing the numbers game and that is not the point. The deaths of people in custody is the important thing," he said Dr Gluckman's response will challenge the Government's report this week on a number of fronts

● The investigators had only

**BRIAN POTTINGER** reports on the seesawing battle between Law and Order Minister Hernus Kriel and independent pathologist Dr Jonathan Gluckman

studied his register of cases since 1986 and not all his cases which number between 300 and 400,

● The investigators had mistakenly taken all his files — even those not relating to cell deaths,

● The criteria used by the police for determining who had died in custody was very narrow — by the same criteria the famous black consciousness leader Steve Biko would not have been characterised as a death in custody,

## Interrogation

● The police had hived off deaths in prisons and in independent homelands from the overall statistic although these were also clearly deaths in custody,

● Among the files referred to the police were seven for skin biopsies on people who were not dead and this had led to jokes by the police about Dr Gluckman carrying our post-mortems on live people In fact, they were biopsies undertaken as a result of

complaints by prisoners that they had received electrical torture under interrogation

Dr Gluckman's response to the police will also include a study of the 14 inquest hearings which Mr Kriel said had exonerated the police from any blame in the custody deaths

The point, said Dr Gluckman, was that inadequate investigation by the police of deaths in custody, incompetent post-mortems by some district surgeons and less than competent informal inquests obscured the real number of people dying in police custody.

Among the cases in which the police were held blameless and which would be studied were

● Joel Phoshoka was arrested as a housebreaking suspect, he later became "ill" and died on April 1, 1986 The post-mortem showed brain damage The attorney-general declined to take any steps against the police,

● Phillip Moloto was detained on December 16, 1989, as a suspect in a theft case, complained of a stomach ache, was taken for treatment, returned to his cell and died He was diagnosed as having died from a perforated bowel and various bruises and scratches were found on his body,

● On March 15, 1989, Johannes Mofokeng was arrested as a suspect in a theft case in Vereenging During interrogation he complained of pain and died The post-mortem was unable to establish the cause of death,

● Moses Gulebe was arrested on June 15, 1988, for stock-theft,

released on bail 12 days later and two days after that he died His wife claimed he had been assaulted but the post-mortem diagnosed meningitis,

● Ronnie Mutoto Letsholo was arrested on March 18, 1987, for dealing in dagga He allegedly tried to flee from the police while taking them to his hiding place for dagga, fell into a river and drowned,

● Richard Mabaso was arrested for robbery During interrogation he indicated he felt "nauseous and thirsty" He died soon afterwards The cause of death could not be determined,

## Ruptured

● Aaron Rodger Dlamini, a motor theft suspect, was interrogated and indicated his willingness to point out a vehicle in a storage yard On the way to the yard he attempted to flee, was pushed to the ground by the policeman accompanying him and later died from "bruising of the heart" Nobody was held accountable for his death,

● Bonakele Johannes Ngalo was arrested on September 15, 1984, in Parys after allegedly stabbing a shop owner during a robbery attempt He was allegedly assaulted by the shop owner and then, eyewitnesses claim, by the police He died in his cell from a ruptured kidney Nobody was held accountable for his death,

● Hlahla Gidfrey Shongwe was arrested for armed robbery in Benoni During interrogation he asked to be taken to the toilet Once there he attacked the policeman with him, a struggle ensued and Shongwe suddenly went "lump" and died The magistrate found he had died of "strangulation" Nobody was held accountable for the death



who will challenge the Government over deaths

# Post mortem reveals dead detainee had been badly beaten

By CHARLES LEONARD

THE day after Law and Order Minister Hennis Kriel attacked Dr Jonathan Gluckman's credibility, the pathologist performed a post mortem on a man who allegedly died in police custody.

Mr Moses Nkosi, 23, was found to be brain-dead at Baragwanath hospital on December 3. Two days earlier, six policemen allegedly marched him from his Soweto home and put him in their vehicle.

Mr Nkosi's cousin, Nicholas, jumped into the vehicle with them when he heard Moses

pleading: "Don't hit me."

After they had gone a short distance Nicholas was forced out of the vehicle

Later Nicholas went to the Moroka and Protea police stations, but they had no record of any Moses Nkosi.

The next morning Mr Nkosi's aunt, Mrs Clidah Nkosi, did the police station rounds again — with no success.

She went to Baragwanath hospital that afternoon, but Mr Nkosi had not been admitted.

However, the hospital has a register list-

ing "unknowns" admitted to the hospital. A clerk said that at about 2am the police had brought in a man they said might be called Dladu (253) ~~(253)~~

Mrs Nkosi went to the ward where she recognised the patient as her nephew, Moses, who was in a coma. He died the next day. *S. Times 13/12/92*

Dr Gluckman, who conducted the post mortem on Friday, said Mr Nkosi's death had been the result of severe head injuries, and that his lips were bruised and one of his teeth had been knocked out.



# Judge gives long sentence to stop early release

*W/M out 11/12-17/12/92  
A policeman who executed two prisoners because he thought they would be released early from jail, received a hefty sentence because the judge was appalled at the early release of convicts.*

By **CARMEL RICKARD**



**T**HE continuing practice of releasing hardened criminals from jail before they serve a fraction of their sentence may have been a vital factor in police Warrant Officer Hendrik Steyn's cold-blooded execution of two injured men in police custody.

On Wednesday Steyn was sentenced to 18 years for the murder and attempted murder of two African National Congress prisoners in August this year.

The two ANC men, injured in a shootout with police during which three policemen were killed, were being taken to hospital in a bakkie when Steyn arrived. He looked at the two injured men, Michael Mthethwa and Simon Msweli, and said he had been searching for Msweli for a long time.

He redirected the bakkie driver to a plantation, ordered Mthethwa out, pulled Msweli from the back because he could not move himself, and shot them both at close range.

After the shooting, northern Natal ANC chairman Aaron Ndlovu confirmed both men had been members of a local self-defence unit (SDU). Although Ndlovu did not give other details, local community members knew them well as members of a gang involved in a number of serious incidents.

They allegedly shot down a police helicopter with an AK47, killing at least one policeman. They were also allegedly involved in a number of other murders and attacks on Inkatha in the area.

Two policemen present at the time Steyn shot the men gave evidence

of sentences properly passed by the courts, the temptation of the community to turn to self-help increases," Judge Page said. "This applies especially to officers of justice upon whom the resulting frustration perhaps has the greatest effect."

However Judge Page said this did not excuse Steyn's actions. "The courts must show that they will not tolerate such actions from the force and those who make themselves guilty will be heavily punished. If the good name of the police force is going to be restored so that the force can take its rightful place in fighting crime and administering justice this sort of behaviour must be so heavily punished that people who consider it in future will be effectively scared off."

The judge made special and repeated reference to the early release of prisoners after only a small period of their sentence had been served, saying that in many cases he and his colleagues on the bench discovered these releases were taking place with no apparent justification.

"I had to learn recently, for example, from the press that a policeman I sentenced to 18 years' imprisonment for two extremely serious crimes was released after 17 months." The judge had not been consulted. Nor was he aware of any justification for the early release.

"To prevent a repeat of this I want to place on record that the arm of this court is that the sentence I am going to impose (on Steyn) must be served out in the usual way without early release."

that they saw the "execution" However, the court discovered that Steyn's commanding officer, Empanjeni captain Joseph Erasmus, and other members of his unit, had tried to ensure the case against Steyn was unsuccessful.

The judge in the Steyn murder case, Mr Justice Neville Page, strongly criticised Erasmus and other policemen for protecting members of the force who had committed crimes.

Commenting on the behaviour of Erasmus, he said it was deplorable that a commanding officer of a unit should show such misplaced loyalty towards a member who committed a crime, that he would act dishonestly and neglect his duty to see that justice is done.

Judge Page said he was determined Steyn should not be released early as has happened with so many

other convicts.

The tendency of the prison authorities and other officials to release prisoners after they serve only a tiny fraction of their sentences was apparently a factor in Steyn's decision to execute the two ANC members

The judge alluded to what Steyn might have felt knowing that the two injured men had been responsible for a reign of terror in the area.

Msweli in particular might well have deserved the death penalty. However Steyn knew that because Msweli was a prominent political figure, his crimes could have been regarded as politically motivated, and he might well have been released without serving his sentence.

"When the confidence of the community in a judicial system has been broken down by the non-execution

# 'Report on cell deaths a failure'

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STAR 15/12/72

A report on deaths in police custody was inadequate and a full, detailed, investigation of individual cases was needed, pathologist Dr Jonathan Gluckman said last night.

The report was ordered after Gluckman alleged in July that cases he had investigated indicated that the police were out of control and were murdering prisoners in custody.

Law and Order Minister Hennis Kriel said on Thursday the report showed police could be implicated only in a handful of custody deaths and the perception that detainees were dying in large numbers at the hands of the police was false.

There were many within the police force who had no respect for the life and limb of persons in their care, Gluckman said last night.

"The Minister's report fails to show that this is not the case."

He said he had decided to go public with his allegations after direct appeals to President de Klerk proved fruitless.

Kriel said after thorough investigations into 118 of the 119 cases handed over to the police by Gluckman, only six cases involved police members who had been prosecuted for murder or culpable homicide.

Police had been found guilty in two cases, acquitted in two cases, and two cases were still before the courts. Eight other cases were under investigation.

Gluckman said last night that, judging by the contents of the police report, "hardly any time was spent on investigating the allegations made in individual cases, but much time was spent on statistical analysis of my files without due regard to the nature of the complaint"

He said he welcomed the appointment of 20 retired police generals and 12 magistrates to monitor police conduct. — Staff Reporter and Sapa.

● Number of deaths rises

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# Call on custody deaths

THE DP yesterday called for an urgent meeting between Law and Order Minister Mr Hernus Kriel and senior Johannesburg pathologist Dr Jonathan Gluckman to clear up their glaringly contradictory claims about deaths in police custody

The call came as Dr Gluckman again took the Department of Law and Order to task for failing to properly investigate violent or unnatural cell deaths

He said last night that when

writing confidentially to President F W de Klerk about his concerns earlier this year, he had expected high-ranking officers to be appointed to investigate the individual cases

"Only when nothing was done and deaths in custody continued, did I go to the press as a last resort. The minister then ordered an investigation"

However, said the pathologist, judging by the contents of the police investigation report,

(253) CT/IS/12/92  
"hardly any time was spent on investigating the allegations made in individual cases, but much time was spent on statistical analysis of my files"

● The Human Rights Council says according to its records, 117 detainees have died in police custody so far this year

It said last night it supported Dr Gluckman's opinion that the incidence of deaths in police detention was cause for alarm — Political Staff, Sapa



# Bloem man dies in cell

(253)

ET 15/12/92

**BLOEMFONTEIN** — An inquest will be held into the death of Mr Vincent van der Ross, 30, of Heidedal here, who died in the police cells at Marquard on Friday afternoon.

Police spokeswoman Captain Johlene van der Merwe yesterday said he was detained at 12.30pm on Friday for drinking alcohol in public.

She said Mr Van der Ross's wife, Wendy, was present when her husband was put into the cell.

Shortly before 3pm Mrs Van der Ross visited her husband in the cell. About half-hour later Mrs Van der

Ross and a policeman again went to the cell, only to find Mr Van der Ross hanging from a cord attached to a bar.

The 70cm-long cord had apparently been laced into Mr van der Ross's trousers. Foul play is not suspected.

● A man was found dead in the police cells in Carletonville early on Sunday, it was reported.

Western Transvaal police said the man was locked up for being under the influence of alcohol. He was visited every half-hour by policemen. — Sapa

## Three political prisoners freed

PRETORIA — Three political prisoners were released by the government this week, Lawyers for Human Rights said yesterday. (253)

They named the prisoners as M P Mambolo, Israel Makhaza and Johannes Mono

The organisation called on the government to "act speedily and in good faith" to resolve the political prisoner situation "once and for all" — Sapa

# 2 more prisoners found hanging in police cells

APCT 17/12/92 (253)

The Argus Correspondent

JOHANNESBURG — Another two have people died in police custody since Tuesday night, with men found hanging in cells at police stations in Durban and in the Eastern Transvaal.

The body of 39-year-old Walter Robertson was found hanging by his belt from the door of his cell at Wentworth police station in Durban yesterday, police said.

And another 39-year-old man, whose name will be released after his next-of-kin has been informed, was found hanging by wire from the bars of his cell in Morgenzon police station in the Eastern Transvaal on Tuesday.

A Natal police spokesman said Mr Robertson was detained on Tuesday

night on a charge of criminal injuria after his mother had lodged a complaint. He was apparently drunk at the time of the alleged offence, police said.

He was found dead about 3am yesterday. The spokesman said Mr Robertson had been alone in the cell, where he had been visited once an hour before his death.

The body of the Eastern Transvaal man was found at 7.30 pm during a routine inspection of the Morgenzon police cells.

He had been detained last Friday in connection with the theft of a power generator.

The deaths bring to 121 the total who have died in custody this year.



# Lucky <sup>253</sup> <sub>AEG 17/12/92</sub> arrested

## Under hospital guard after assault on police

**ROGER FRIEDMAN, Staff Reporter**  
MURDERER and bank-robber Lucky Malaza, released by mistake with political prisoners in September, is under police guard in hospital after allegedly resisting arrest and assaulting a policeman at his Soweto home.

His arrest for the alleged possession of a stolen vehicle yesterday comes only 10 weeks after his botched release in terms of a government/ANC agreement on the release of political prisoners.

Police swooped on his home yesterday suspecting he had a stolen vehicle, said police liaison officer Major Reuben Bloomberg.

Malaza allegedly refused them entry and a scuffle ensued.

He allegedly assaulted a policeman and police were forced to meet force with force, Major Bloomberg said.

Malaza's right elbow was injured in the scuffle and he was admitted to Baragwanath Hospital.

"His injuries are not serious and he should be discharged today and appear in court tomorrow," Major Bloomberg said.

He would face charges of obstructing the police, resisting arrest and assaulting a policeman.

In the furore surrounding his release — he was one of South Africa's most wanted men before his conviction — the government promised to take steps to return him to prison if he did not give himself up.

When he was released he had served less than three years of a 16-year term for killing a policeman and robbing a Mowbray bank in September 1987.

He was a member of the notorious Dube Gang and in a shootout outside the bank, gang leader Jabu Dube was gunned down by a police reservist.

Posing as a necklace killer, Malaza was unconditionally released on September 27 and the Department of Justice said that failing legal recourse to re-arrest him, they would consider passing new legislation during the October session of parliament.

Malaza said he would return to prison if former Kwazulu police detective and murderer Kethani Shange was re-arrested after serving only nine months of a 27 year sentence.

Malaza was not rearrested and the government did not pass new legislation.

# Lucky Malaza in court after fracas

CT 18/12/92

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Own Correspondent

JOHANNESBURG. — Murderer and bank robber Lucky Malaza was charged in the Protea Magistrate's Court yesterday with assaulting a policeman, resisting arrest and possessing stolen goods.

Malaza, who was released on bail of R1 000, was hospitalised after allegedly trying to fight off members of the flying squad during his arrest yesterday morning.

Malaza was accidentally released along with political prisoners following recent agreements between the ANC and the government.

He had served three years of a 20-year sentence for killing a policeman during a Cape Town bank robbery.

Soweto police spokesman Captain Joseph Ngobeni said Malaza was arrested after the flying squad had been tipped off about stolen property at his



**BAIL FOR KILLER ...**  
Lucky Malaza

home in Zola, Soweto.

Flying squad members were assaulted by Malaza when they asked to search his house and a Mercedes Benz parked outside it, he said.

A fight ensued and Malaza received injuries to his elbows and was admitted to Baragwanath Hospital before appearing in court yesterday afternoon, Captain Ngobeni said.

He emphasised that Malaza had not necessarily been charged with stealing the car, but confirmed that stolen goods were found in his house during a police search.

Captain Ngobeni said flying squad members had reacted with surprise when informed that their suspect was the former bank robber, adding it was untrue that Malaza had been set up in order to redetain him following his accidental release.



# 'Police beat suspect's mother'

w/m and 18/12-22/12/92  
HEIDI KRIZ 253

them, even the three-year-old girl that she had to sign it and then, she said, she was allowed to go home. Kenny Masemela is on trial for armed robbery and murder and was subsequently tortured in detention, according to his mother. "He told me that they stuck wires to him, his private parts and electrocuted him. He said he can still hear the sound of his skin burning, of the 'fire on me'. He said they tortured him for a whole weekend, for three days."

When the police came back, Kenny Masemela accompanied them with his face "black and blue" from an apparent beating, according to his mother. "The family, still wearing pyjamas, was then herded into a minibus and taken to the Brixton station. There, Muriel Masemela said, she and her son were separated from the others, taken to a room and beaten. "A big white cop *klapped* me in the face so hard that I fell to the ground, and then another one kicked me," she said. Kenny Masemela, she continued, begged the police to stop beating his mother, saying he would co-operate fully, but the beatings continued for several hours, no matter what the two said or did.

After holding her in custody for about seven hours, one of the policemen brought her a statement and said

THE Brixton Robbery and Murder Squad regularly tortures and abuses family members of criminal suspects in the course of investigations, according to a leading Johannesburg defence attorney

The allegations square with those in numerous statements and affidavits collected by the South African Prisons Organisation for Human Rights. Much of this evidence was contained in article about torture at Brixton published in last week's *Weekly Mail*. The lawyer, who has asked not to be named for professional reasons, this week introduced *The Weekly Mail* to the mother of one of his clients, who gave a horrifying account of the physical abuse of her son, herself and other family members by Brixton squad members

According to Muriel Masemela, the family's ordeal began on a day in mid-November at about 1am, when about a dozen policemen showed up outside her home in Rockville, Soweto, and pounded on the windows and doors

She alleged that when her 17-year-old niece, Sandra Thema, opened the front door, she was struck in the face by a policeman who demanded to know the whereabouts of Masemela's son, Kenny

"He hit me so hard that I flew across the room into the refrigerator," Thema said

Kenny Masemela was taken away handcuffed, while the rest of the family was forced to wait for about an hour until the police returned, said Masemela, adding that "if people wanted to go to the toilet, the police would only let them go with a gun pointed at



Muriel Masemela and Sandra Thema (left) after their alleged ordeal in the hands of the Brixton Murder and Robbery Squad Photo SARAH PRALL

Responding to allegations that suspects are routinely tortured at Brixton, the SAP launched a top-level investigation, saying it had never condoned or tolerated misconduct by its members, particularly unlawful killings and torture





**'If a prisoner really wants to kill himself, he'll find a way'**

# Blanketed in mystery

YOU don't need to be strong to rip a police cell blanket into strips. Made of rough grey fabric, a typical blanket has a seam at each end that takes no time at all to unpick — that is if it's not coming apart already.

After that, one sharp tug gets you started and the cloth rips easily along the grain

A total of 121 people have died in police custody this year and since July a large number of these have been found hanging in their cells

## Rigged to bars

Many of the bodies had blankets around their necks. This week saw another four custody deaths — three of them hanged  
Saturday Star visited a typical

Johannesburg police station cell this week, examined standard blankets and clothing ripped into lengths and saw how easily these could be rigged to the bars that run from floor level to roof

"Prisoners who have been to the hospital can tear up their bandages as well," says Johannesburg North district commissioner Brigadier Jac de Vries

"If someone really wants to kill himself he will find a way"

The controversy surrounding cell hangings, though, does not centre on whether it is physically possible for a prisoner to string himself up. Police representatives clearly have little doubt that these hangings are cases of suicide

Human rights lawyers and police monitoring groups, however, believe that each case of "suicide" may be part of a wider pattern of alleged

STAR

19/12/92

**THIS week the Saturday Star found out just how easy it is to fashion a prison blanket into a noose. Chief Reporter JOHN PERLMAN reports.**

abuse According to the records of the Human Rights Commission, 21 out of 48 people killed since pathologist Dr Jonathan Gluckman made public allegations of police abuse of prisoners have been found hanging. One of the deceased this week was found hanging from his own belt. Another choked to death on a piece of wire. Prisoners should not be in possession of either item. Another recent case concerns Shadrack Madiakgotla, a young

Soweto man who was taken into custody last month by the Brixton Murder and Robbery Unit in connection with the robbing of a restaurant in Malvern. Police say they found Madiakgotla hanging in his cell.

The dead man's girlfriend Abigail Phage, however, has testified that Madiakgotla did not have the use of his left hand, which had been injured in a shooting incident in Alexandra. The post-mortem report confirms that the "index and middle fingers of the hand seem to have been fixed in an extended position".

In a sworn affidavit Phage says "Shadrack could not use his left hand and I often helped him wash and dress. Shadrack was a happy person and was not depressed."

Phage has also alleged that she saw Madiakgotla being assaulted at the time of his arrest. Police have launched a high-level

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investigation into the Brixton Murder and Robbery Unit following published allegations that assault and torture are routine occurrences.

Police treatment of those in their custody has been under the spotlight since Gluckman's allegations. Law and Order Minister Hernus Kriel last week released the results of an investigation into cases in Gluckman's files.

The Minister found that "perceptions that detainees in police custody are murdered or are dying in large numbers because of the criminal actions of members of the South African Police is false."

Gluckman has hit back, saying "hardly any time was spent on investigating the allegations made in individual cases, but much time was spent on statistical analysis of my files without due regard to the nature of the complaint."

# 117 die in SA prisons in 1992

By Quentin Wilson

(253)

South 19/12/92 - 13/1/93

Altogether 117 people died in South Africa's prisons this year, the Human Rights Commission (HRC) said in a report drawn-up in mid-December.

According to the report, which analyses only 61 of the 117 cases:

- 12 of these cell deaths were caused by police assaults,
- 10 people were shot by police or shot themselves (including one by an unknown assailant),
- 18 were found hanging in their cells,
- two deaths were caused by illnesses,
- five died from other reasons, and
- no details were revealed for 14 of

the 61 cases considered

Of the remaining 56 cases, the HRC said "despite (Law and Order Minister) Mr. Hernus Kriel's announcement in late July that he had ordered a report on every death in police custody over the past two years to be made available within 14 days, this has still not happened, and the public is none the wiser about these additional 56 deaths, or any others."

The HRC used police reports as well as testimony from friends and relatives of victims to establish the causes of the deaths.

Earlier in the year, leading pathologist Dr Jonathan Gluckman alleged that criminal police actions played a large role in causing the deaths.

Govt will  
release  
under-14s

Political Staff

CHILDREN younger than 14 who are awaiting trial are to be released, possibly before Christmas — and after that, the release of such youths younger than 18 will be considered

This was announced yesterday by the Deputy Minister of National Housing, Mr Glen Carlisle, after receiving the recommendations of an interdepartmental committee on children in detention

The announcement follows a nationwide campaign by civil rights and welfare bodies for the release of unconvicted children

A co-ordinator has been appointed in each province to deal with the placement of children

Those who may be contacted, are:

Cape Province Mr A Theron (021) 462-3960 (w), (021) 461-0114 (fax)  
Transvaal Mr B van der Merwe (012) 201-2043 (w), (012) 21-6500 (fax)  
Natal Miss E Welman (0331) 46-6201 (w), (0331) 42-8648 (fax)  
OFS Mr G Roberts (051) 30-3511 (w), Mr E Barnard (051) 30-3511 (w), (051) 48-3811 (fax)



# Jailed' youths may be freed immediately

Staff Reporter

253 ARG 23/12/92

CHILDREN aged 14 and younger who are in jail awaiting trial are to be released — possibly before Christmas.

This was announced yesterday by Deputy Minister of Local Government and National Housing Mr Glen Carelse, who said the children would be placed in the care of their parents or guardians, or a place of safety — possibly before Christmas.

They would be released after careful consideration of the seriousness of their alleged offences, and only children who did not pose a danger to society would be favourably considered, he said.

The decision followed recommendations of the inter-departmental working group on children in detention that had been required to report before November 30 on alternatives for the placement of youths in detention, Mr Carelse said.

The working group's report was still being considered, and the "short-term" release strategy would be implemented in collaboration with welfare organisations such as Nicro and the South African National Council for Child and Family Care.

Co-ordinators have been appointed for each province to activate, co-ordinate and monitor the alternative placement of children awaiting trial on a continuous basis.

Parents, guardians or family members who believe their children are being held in prisons or police cells can contact the following co-ordinators.

Cape Province — Mr A Theron, ☎ 021-462-3960 (w), fax 021-461-0114;

Transvaal — Mr B van der Merwe, ☎ 012-201-2043 (w), fax 012-21-6500.

Natal — Miss E Welman, ☎ 0331-46-6201 (w), fax 0331-42-8648.

Free State — Mr G L Roberts, ☎ 051-30-3511 (w) or Mr E G Barnard, ☎ 051-30-3511 (w), fax 051-48-3811.

# Silence on jailed minors freed

PRETORIA — The Department of National Housing was unable to say yesterday how many imprisoned minors had benefited from a special release programme announced by Deputy Housing Minister Mr Glen Carelse just before Christmas.

A department spokeswoman, asked yesterday what progress had been made since the announcement, said details would be available only later.

Officials remarked that "it

might prove difficult" to carry out the administration of the programme over the festive period because officials and parents might be hard to find.

The spokeswoman said she was not aware of charges that the announcement had been "frivolous" in view of the fact that the department was unable to supply figures of minors released before Christmas.

Mr Carelse said on December

22 that awaiting-trial children under the age of 14 years would be released from prison, possibly before Christmas, and placed in the care of parents, guardians or places of safety.

He said "Children will be released from prison after careful consideration of the seriousness of each child's alleged offence

Only children who do not pose a danger to society will be favourably considered" — Sapa

(23) CT 29/12/98