SOUTH AFRICAN LABOUR BULLETIN*

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The South African Labour Bulletin is a journal which supports the independent labour movement in South Africa. It is a forum for analysing, debating and recording the aims and activities of this movement.

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RIOTS AND DISTURBANCES - CAPE
1988

JANUARY — APRIL.

ARGUS 5/1/88

Another policeman attacked: 4 arrests

575

Crime Reporter

ANOTHER special constable has been attacked, bringing to 14 the number injured in a month.

Police said Special Constable Lindumzi Maholwasie was off duty near B block in Khayelitsha about 7.30pm yesterday when he was attacked by a group of men.

Constable Maholwasie was taken to hospital. Four men aged between 20 and 30 were arrested and will appear in court soon.

Attack injures 13th 'kitscop'

By CHRIS STEYN

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

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

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

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

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

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

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

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

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

Five more killed in Maritzburg violence

Cape Times 5/1/88

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

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

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

Federal Party spo...

Cape Times 6/1/88

Jail term starts for 2 city men

Staff Reporter

A MINISTER in the Dutch Reformed Mission Church, Cyril Afrika, 28, and another city man, Robert Claasens, 29, reported to Pollmsoor Prison yesterday to begin 18-month sentences for public violence.

Both men were arrested on October 15, 1985, after the "Trojan Horse" shootings in Athlone, and were sentenced in July 1986 to 36 months' imprisonment each, of which half was suspended for four years.

Their appeals to the Supreme Court, Cape Town, and petitions to the Chief Justice against conviction and sentence last year were dismissed.

A legal respresentative of the two said the judgement was based on circumstantial evidence and there was no direct evidence that the men had thrown stones.

The Cyril Afrika and Robert Claasens Ad-hoc Support Group said that their imprisonment was "a symbol of the callousness of the state and its machinery".

opposed calls [illegible] boycotts of South Africa.

Cape Times 6/1/88

City constable attacked

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

Cape Times 8/1/85

2 killed in PE violence

PORT ELIZABETH. — Two men were stabbed and killed in Walmer Township's ongoing violence and five men have been arrested, apparently as a result of feuding between the United Democratic Front and the Azanian People's Organisation. Yesterday police sealed off the township for a "general checkup".

Reports by Staff Reporter, Own Correspondent, Sapa-Reuter-AP and UPI.

275 9/1/88

Cape Times, Saturday, Ja

Dias festival snub: Mossel Bay mayor 'disappointed'

WHILE the Labour Party leader, the Rev Allan Hendrickse, yesterday joined Mossel Bay school principals in snubbing the Dias festivities, Mossel Bay mayor Mr Rudie Barnard said he would be "disappointed" if coloured communities did not attend.

Mr Barnard was reacting to a report that Mr Hendrickse had called for coloured communities not to attend the Dias Festival activities.

Mr Hendrickse was reported as saying that the coloured community had "nothing to celebrate with the arrival of Dias", because it opened the way to oppression of the community.

Mr Hendrickse's reaction follows a decision by 12 Mossel Bay schools not to participate in the festival and to pledge support for President's Council member the Rev Pieter Klink, who was recently asked to leave a Mossel Bay "whites only" beach.

A spokesman for the principals, Mr Edgar Domingo, said the schools would not be participating because of beach apartheid and discrimination in general.

He said it was "disgraceful" that 500 years after the landing of Dias "the white town dwellers are still not prepared to share".

The director of the National Dias Festival, Mr Edwin Tyler, said yesterday that the local school principals "have never given us any co-operation from the word go".

Mr Tyler said that although he could "see their (the principals') point", he had "no jurisdiction on the laws of the land".

Mossel Bay deputy town clerk Mr Daan Swart said that if people did not want to attend the festivities "that is their right".

Cape Times 15/1/88

School boycott meetings banned

By CLARE HARPER
Education Reporter

POLICE yesterday banned gatherings in eight magisterial districts in the Western Cape aimed at promoting non-registration or non-attendance of black pupils.

The Divisional Commissioner of the SAP for the Western Province, Brigadier Roy During, issued the banning in terms of the Public Safety Act till January 28.

It prohibits gatherings in Cape Town, Wynberg, Simon's Town, Bellville, Athlone, Goodwood and Kuils River at which "the non-attendance or opposition to the attendance" in black schools, or the "non-registration of pupils" is "advised, encouraged, propagated, advocated or promoted".

Speaking from Pretoria, the liaison officer for the DET, Mr Job Schoeman, said registration was going ahead "with the exception of five Cape Town schools".

A National Education Crisis Committee spokesman said reports received from the teachers and students were that pupils were not registering at Langa High, Fezeka and I D Mkize in Guguletu, Sizamile in Nyanga and Crossroads No 3.

A Khayelitsha source also said registration at Luhlaza Senior Secondary School had slowed down by yesterday.

The NECC spokesman said there was "much confusion" among parents, teachers and pupils over registration.

"Parents have said they are not opposed to registration itself, but to certain clauses in the regulations. But, students reject the idea of re-registration — they don't see why they should have to re-register for every academic year, and see this as a means to weed out activists from certain schools," he said.

Professor Dennis Davis, of the Department of Law at the University of Cape Town, said yesterday that the validity of declarations forced on parents was "doubtful" as it "went way beyond the ordinary provisions of common law".

City woman injured in Langa stoning

CAPE TIMES 16/1/88

Staff Reporter

A BUS was attacked by stone throwers in Langa on Thursday night, leaving a woman with a fractured skull and two other passengers slightly injured.

The attack, confirmed by City Tramways and the company to which they hired the bus, SA Fine Worsteds, had not been reported to police by yesterday afternoon, said police liaison officer Lieutenant Denise Benson.

The seriously injured victim, identified only as Ms Martha Wyman, 30, was in a "satisfactory" condition in Woodstock Hospital last night. The other victims were treated and discharged, a hospital spokesman said.

Mr Peter Koning, general manager of SA Fine Worsteds, said six of his employees had been injured when their bus was stoned. The bus driver had taken the injured to Groote Schuur.

The incident happened just after 11 pm in Washington Avenue near the Vanguard Drive intersection.

cheques.

RDM 18/1/88 275

Seven killed in overnight violence in Natal Midlands

PRETORIA. — A spate of shootings, stabbings and arson added to growing violence in the Natal Midlands with seven people reported murdered in the area overnight, police reported today.

The bodies of three men who appeared to have been stabbed to death were discovered at Mmafunzi, Maritzburg, police said.

In Nkanhlakahle, Greytown, a two-year-old boy died in his mother's arms and two women, aged 25 and 17, were seriously injured when a group fired shots, police said.

In other incidents at Nkanhlakahle, a 33-year-old man was burnt to death and three other people — a 17-year-old youth, a 48-year-old woman and another woman — were slightly burned when a petrol bomb was hurled at a house, police said The house was extensively damaged. A 40-year-old woman was seriously wounded when she was shot in the face, apparently with a shotgun.

At Mpumuza, Maritzburg a 21-year-old man was shot and killed.

The mutilated body of a 25-year-old man was found at Mpumalanga near Maritzburg. The body, which had stab and bullet wounds, had been set alight. A second man was found wounded.

The five murders in the Maritzburg

+ EMERGENCY UPDATE +

area takes the toll of police reported deaths in the strife-torn area to 42.

At Michausdal near Cradock in the Eastern Cape a petrol bomb was hurled at a house causing damage but no injuries. — Sapa.

30 swimmers in protest against beach apartheid

DURBAN. — About 30 Indian bathers plunged into the sea at Mtwalume on the South Coast in a protest swim against beach apartheid.

As they frolicked, a group of white ratepayers watched.

The Indians did not stay long because they had not received permission to place toilets on the beach, but they said they would return as soon as they received permission to do so. — Sapa.

Soviet defence spending

STOCKHOLM — Soviet military spending is probably five to seven times higher than the Kremlin admits, but may still be far below that of the United States and its allies, according to a new study by the Stockholm International Peace Research Institute. — Sapa-Reuter

SAA pilots' agitation hots up

DIANNA GAMES

EFFORTS to improve the salaries and working conditions of SAA pilots, which go back 40 years, were building up to a crescendo, SAA Pilots' Association (Saapa) president Captain Blake Flemington said yesterday.

He was speaking at Jan Smuts Airport with Saapa's executive and International Federation of Airline Pilots' Association president Captain Reg Smith, who is in SA to advise Saapa.

The SAA pilots will meet Transport Minister Eli Loriw informally on Friday.

(HG4) 20/1/88 (275)

'Kitscops' curbed in Oudtshoorn township

Supreme Court Reporter

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

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

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

Stabbing

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

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

He said: "Last Saturday I tried to contact our attorney after I heard that Mr Soyisile Dose had been shot dead in a field, allegedly by special constables."

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

"Mr Mooi refused.

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

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

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

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

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

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

Court order restrains SAP from killing

Staff Reporter

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

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

Yesterday's application was filed separately to an application filed in July last year requesting relief for all Bongulethu residents against unlawful behaviour by members of the SAP. Oral evidence will be led in that case on February 18.

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

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

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

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

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

Argus 25/1/88 (275)

Nine more deaths push Maritzburg toll to 65

PRETORIA. — Nine people were killed in townships near Maritzburg at the weekend, according to today's police unrest report.

The deaths bring this year's official toll to 65, with more than 300 killed since fighting began last year.

At Taylor's Halt two men were stabbed to death.

A 49-year-old man was found dead with multiple stab wounds at Sweetwaters.

A mob stabbed to death a man and injured two others and a woman at Slangspruit.

Dispersed

Tearsmoke and shotgun fire dispersed the mob and a man was slightly wounded.

A 26-year-old man was seriously injured when he was struck on the leg with a bush-knife at Imbali when a mob attacked a vehicle.

A house and a car were set on fire at Inandi and a man was slightly injured.

At Mpumulanga a house was damaged in a petrol-bomb attack.

Stabbings

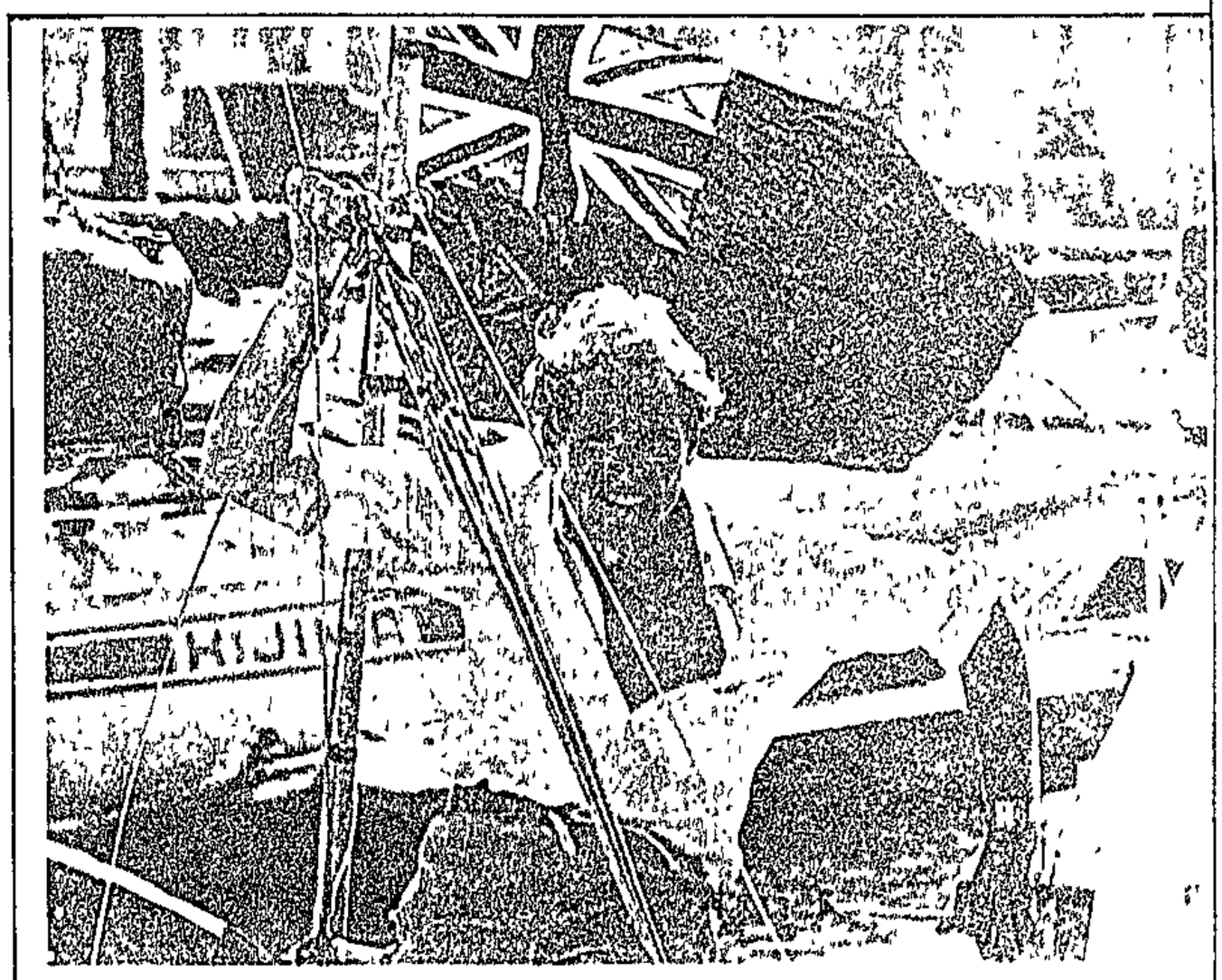
Two men died in stabbings in Mpumuza and the body of a woman, stabbed to death, was found at Imbuli.

Also at Mpumuza, a man was knifed in the face.

The body of a man with three stab wounds in the head was found at Slangspruit and another man, also stabbed to death, was found at Hammarsdale.

Faction fighting at Mafumza left two men critically injured and two seriously injured.

A man was arrested after a special constable in Crossroads was injured when shots were fired at him. — Sapa.



Picture: DANA le ROUX, The Argus

British lone sailor Jonathan Selby on his yacht Tesla.

Adventurous sailor in city for a year

Hundreds attend

EN 30 x R711,23

CAPE TIMES 29/1/88

275

4 more die in Natal violence

JOHANNESBURG. — Police yesterday said four people died in overnight fighting in Natal

According to the daily unrest report, one man was killed by a policeman when a gang of blacks hurled a petrol bomb into his home Another man was killed and six were injured in a clash between two black gangs at Slangspruit township

A further two men were found stabbed to death, one at Mpumuza and the other at Slangspruit, police said

And at Taylor's Halt, also in Natal, the shooting of a bus driver has once again raised the possibility of a transport crisis

The man was seriously wounded in the stomach when the occupants of a mini-bus fired at him with a shotgun

Critical condition

A police spokesman confirmed the incident, and said Mr Patrick Magwaza had been admitted to Edendale Hospital where his condition has been described as critical.

The managing director of KwaZulu transport, Mr Eddie Marshall, confirmed there was a "work stoppage" by drivers of the Sizanani Mazulu bus service as a result, and that 65 bus drivers had refused to work because of concern for their safety

On January 16, bus driver Mr Phineas Mdluli was killed, and this led to a two day-strike. Since May 1986, 10 Sizanani drivers have been killed

Three other fatalities were reported on Wednesday and four on Tuesday, bringing the total of deaths this week to 11 In addition, more than 80 people have died this year in fighting between the UDF and Inkatha.

Meanwhile, a police spokesman has said the SAP is to change its practice of using Maritzburg as a map reference for every incident of violence

The change comes in the wake of unhappiness on the part of the city fathers, who said the impression was being given that "the whole place, including Maritzburg, is burning".

In other incidents of unrest reported, a bus driver was slightly injured when a small group of black youths stoned his bus at KwaDabeka

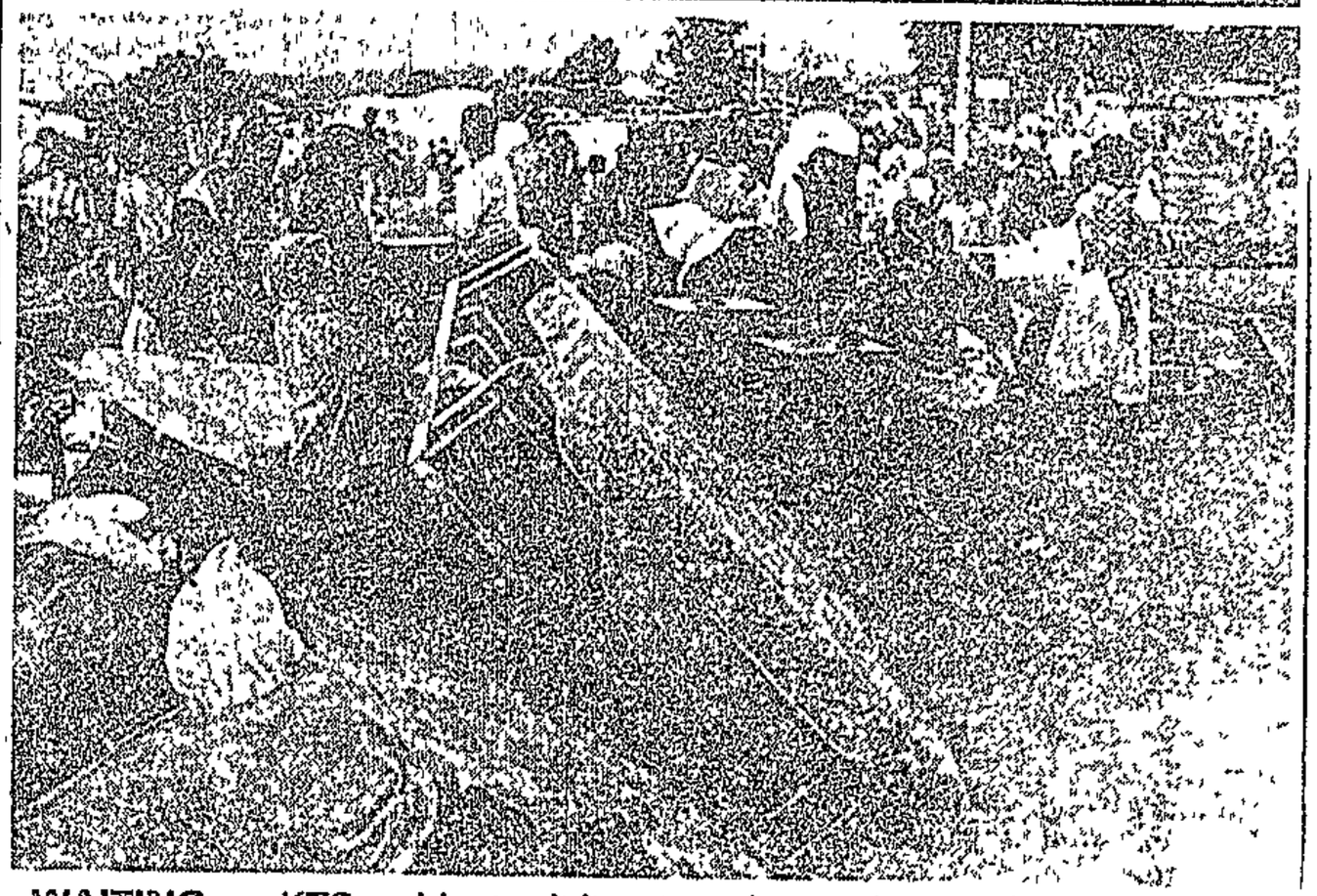
At Clermont a bus was badly damaged in a stoning incident, and at Ashdown, police used tearsmoke to disperse two groups who had clashed.

In another incident in the area, a private vehicle was extensively damaged when a group of blacks set it alight

At Zayeka, arsonists caused extensive damage to two private houses, and in Nyanga (Cape Town), a private dwelling was badly damaged when a group of blacks hurled a petrol bomb at it. — Sapa

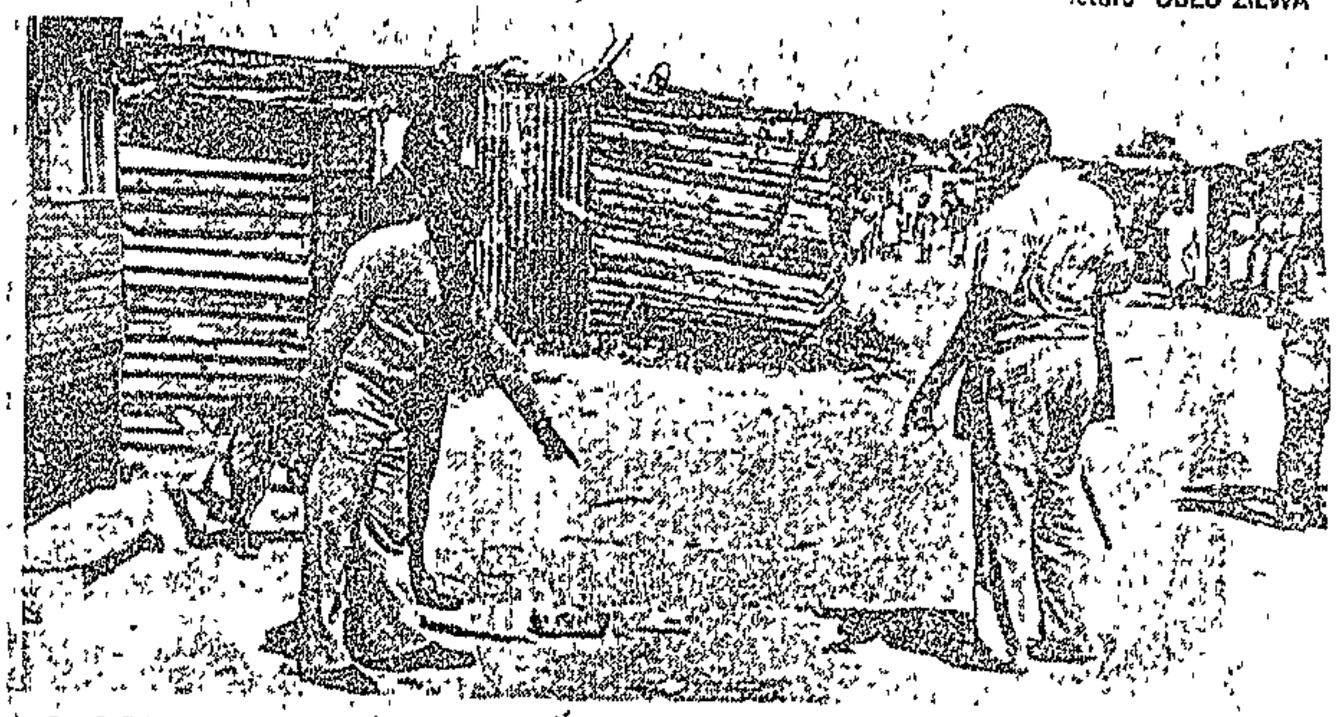
Cape Times 27/1/88 [illegible] 275

Violence at KTC



WAITING . . . KTC residents sit it out on the road yesterday, waiting for fighting in the squatter camp to end.

Picture OBED ZILWA



A COLLEAGUE'S DEATH . . . KTC Masincendane Committee members (left) Mr Patrick Mzamka and Mr George Kolanisi indicate the spot where a fellow member, Mr Storeman Madubele, 40, was murdered by a gang yesterday. Partly obscured is Mr Elliot Bolani, a resident.

Picture CHRIS BATEMAN

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Cape Times

KTC violence

Cape Times 29/11/85

By CHRIS BATEMAN and SHAUN BENTON

KTC squatter camp last night erupted in violence and flames after a gang — alleged to be a hit-squad — murdered a long-serving member of the Masincedane ruling committee and stoned the homes and vehicles of two other members.

At dusk at least eight homes near the KTC Bazaar in NY78 were burning fiercely with two more people reported dead in what appeared to be a retaliatory raid by Masincedane supporters.

Firemen and police in armoured vehicles rushed to the scene as KTC residents fled. Sporadic gunshots rang out.

Two fire tenders and their crews from Mitchells Plain fought the flames for more than 30 minutes but withdrew on police orders after stones were thrown at them, a fire brigade spokesman said.

Stoned to death

The first killing happened about 1pm when the gang surprised Masincedane committee member Mr Storeman Madubele, 40, a former petrol station nightwatchman, at his home.

Residents said the gang chased him about 400 metres, hacking him with a panga until he stumbled and was stabbed and stoned to death. Mr Madubele had served on the committee since 1984.

The gang then stoned the homes of committee members, Mr Gladstone Ntamo and Mr James Gawulethethe, before fleeing.

The attacks resulted in a traffic jam and panic in NY78 as scores of KTC residents fled their homes.

Police arrested two men, aged 27 and 19, in the area just before 4pm and were "monitoring the situation closely," a police officer said.

The retaliatory raid came about 6pm and more KTC residents were seen streaming into Terminus Road carrying their possessions.

Mr Dullah Omar, chairman of the Western Cape region of the UDF, and Mr Jan van Eck, MP, were on the scene. Most homes in central KTC were deserted by 9pm.

Members of the Masincedane told the Cape Times that the gang responsible for the first killing were "youngsters who call themselves comrades but are really ntsaras (criminals)".

Friction between the Masincedane and the Western Cape Civic Association, who seek observer status on the committee, has existed for several months now.

"There are some people who are getting these youngsters together," said committee member Mr Gladstone Ntamo.

Several Masincedane members vowed vengeance after the initial attack, and were seen preparing to summon residents over a loud hailer about 3pm.

They said their first inkling of trouble came on Sunday night when a group of youths were seen dancing near KTC Bazaar and singing threats of "kill the Masincedane".

In mid-1985 clashes involving conservative witdoeke, police and "comrades" in KTC left more than 30 dead, and 30 000 homeless.

● Contacted for confirmation of two further deaths, Major Jan Calitz, a Western Cape police liaison officer, said relevant information would be included in the police headquarters unrest report today.

FLEEING ... Residents [illegible] memori[illegible]

80

275

Two die, shacks burn in KTC violence

Staff Reporter

TWO men were stabbed to death and several shacks were set alight when violence erupted in the squatter settlement of KTC.

Hundreds of residents fled as a feud, apparently between rival committees, ravaged the shanty town yesterday afternoon.

Police confirmed the deaths of Mr Z Madalbela, a member of the Masincedane Committee, and an unidentified man. A man and a youth were arrested.

Mr Jan van Eck, MP for Claremont, who went to the area at 3pm, two hours after Mr Madalbela was killed, said he he met members of the Masincedane Committee, several of whose shacks had been destroyed.

RIVAL

He said they alleged that Mr Madalbela had been killed on the orders of the rival steering committee.

At 6.30pm residents were seen streaming from the area carrying possessions.

Police liason officer Lieutenant Attie Laubscher confirmed that "one or two" shacks had been burnt down. He stressed the violence was "not unrest related".

He said a man aged 27 and a 19-year-old youth had been arrested in connection with the killing of Mr Madalbela.

'Quiet' in KTC before talks today

by ROBERT HOUWING
Weekend Argus Reporter

POLICE maintained a strong presence in strife-torn KTC squatter camp today and described the situation as "quiet" while leaders of warring groups prepared to meet about 2pm to negotiate an end to hostilities.

Violence in the camp erupted on Thursday afternoon when a member of KTC's Masincedane committee, Mr Storeman Madubele, was stabbed to death.

It has raged intermittently since then and although casualties have been difficult to establish thousands of residents have abandoned their homes and have piled their belongings on to the streets.

Shacks destroyed

Police liaison officer Lieutenant Attie Laubscher said that almost 400 shacks appeared to have been destroyed.

"No deaths or injuries have been reported to us today," he said.

"There are still two people in custody for suspected arson."

The feud between the Masincedane committee and a breakaway steering committee is said to centre on the wish of the steering committee to affiliate to the United Democratic Front.

Delegation

Yesterday a delegation of clergy and community organisations, led by UDF patron Dr Allan Boesak, met leaders of rival committees. Dr Boesak said he hoped today's talks would go ahead.

He said he had tried to re-enter KTC about 5pm yesterday but had been refused entry by police.

Mr Jan van Eck, independent MP for Claremont, said he and several clergymen were also asked to leave the area yesterday.

"I was last in KTC about 8pm. Things were out of control and it was no longer a case of single shacks being destroyed.

"No efforts were being made to stop the fighting and I am aware of at least one person

(Turn to page 3, col 8)

KTC

(Continued from page 1)

who had a list of shacks to be torched.

"The person claimed to be a member of the Masincedane committee.

"It is a really sorry state of affairs. In their hearts the Masincedane committee are part of the democratic movement but they have been tarnished by the involvement of vigilante types motivated by sinister forces.

"It looks as though KTC will be cleared of anyone opposed to the Masincedane committee.

"Those driven out will not come back — a kind of forced removal is happening here."

Mr van Eck said he would try to visit the area again this weekend.

Fierce forays

Last night there were fierce forays by supporters of both sides who hurled bricks and half-bottles in the area next to Terminus Road.

Shots were fired as rival supporters, armed with axes, sticks and pangas, fought pitched battles among the blazing shacks.

A strong south-easter fanned fires burning in at least six different places.

CAVENDISH SQUARE, CLAREMONT

PEACE HOPES DASHED ... Shacks blazed in KTC late yesterday as a tide of humanity surged from the squatter camp to fill adjoining homes when fighting between supporters of the ruling Masincedane Committee and opponents broke out afresh.

Picture OBED ZILWA

Hundreds homeless in KTC fighting

Cape Times 30/1/88

275

By CHRIS BATEMAN

A PALL of smoke hung over a blazing KTC squatter camp late yesterday as fresh fighting erupted, bringing the death toll to at least five since Thursday One of yesterday's dead was a baby

By 7pm yesterday, as fighting continued, some 300 people were homeless and an estimated 50 shacks had been gutted

Hundreds of residents fled with their children and possessions

Residents said the infant died in a blazing shack near a "chaotic" NY78 as supporters of the ruling Masincedane Committee scoured the area for "comrades"

Possessions loaded in wheelbarrows

Trucks, cars and wheelbarrows loaded with possessions streamed into Terminus Road and NY78, accompanied by scores of residents on foot carrying crying children and goods

Police were present throughout the township

The outbreak of fighting, KTC's worst since 30 people died and 30 000 were left homeless in mid-1986, left churchmen and community organization leaders pessimistic about a peace initiative they launched early yesterday.

The Rev Syd Luckett, director of the Anglican Board of Social Responsibility, who with UDF patron Dr Allan Boesak, Cosatu officials and other church groups elicited tentative promises from both sides to meet at a secret venue this morning, held out little hope last night.

"Unfortunately it's rapidly developing into a 1986-type situation," he said

'Lack of leadership'

The situation was aggravated by a "lack of clear leadership" and the "opportunity to have open meetings" where constructive decisions could be taken, he said

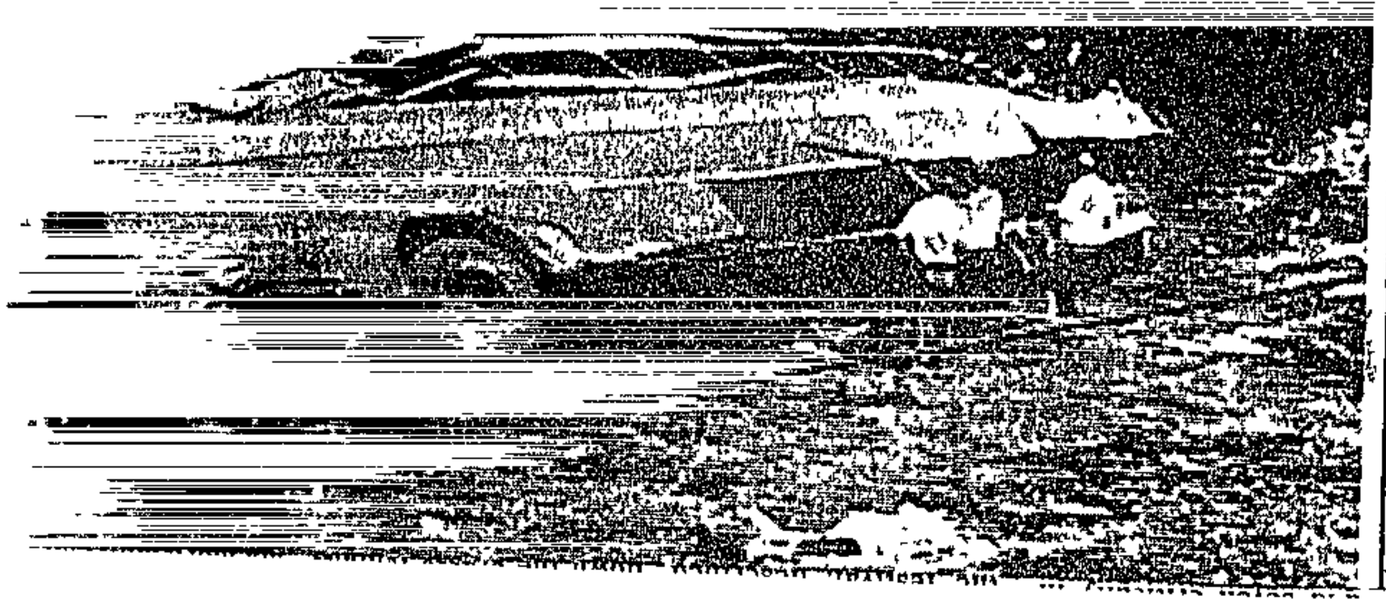
Homes bordering NY78 and Terminus Road were filled with people and possessions at dusk yesterday A youth emerged from the smoke carrying two kittens

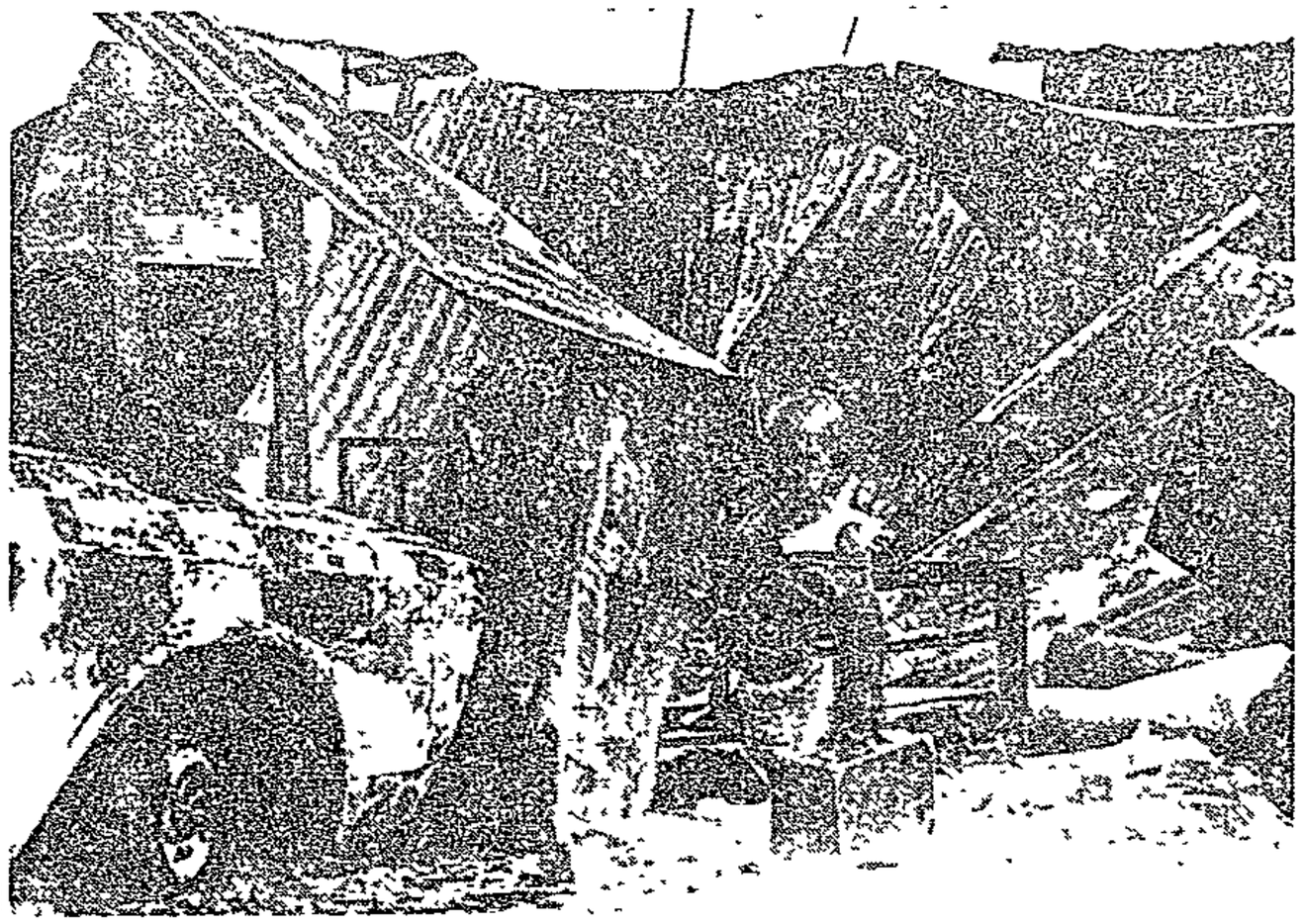
In a doorway a man sat on a chair amid salvaged furniture, calmly washing his feet, a beer at his side

Contacted for comment, police referred the Cape Times to the daily unrest report

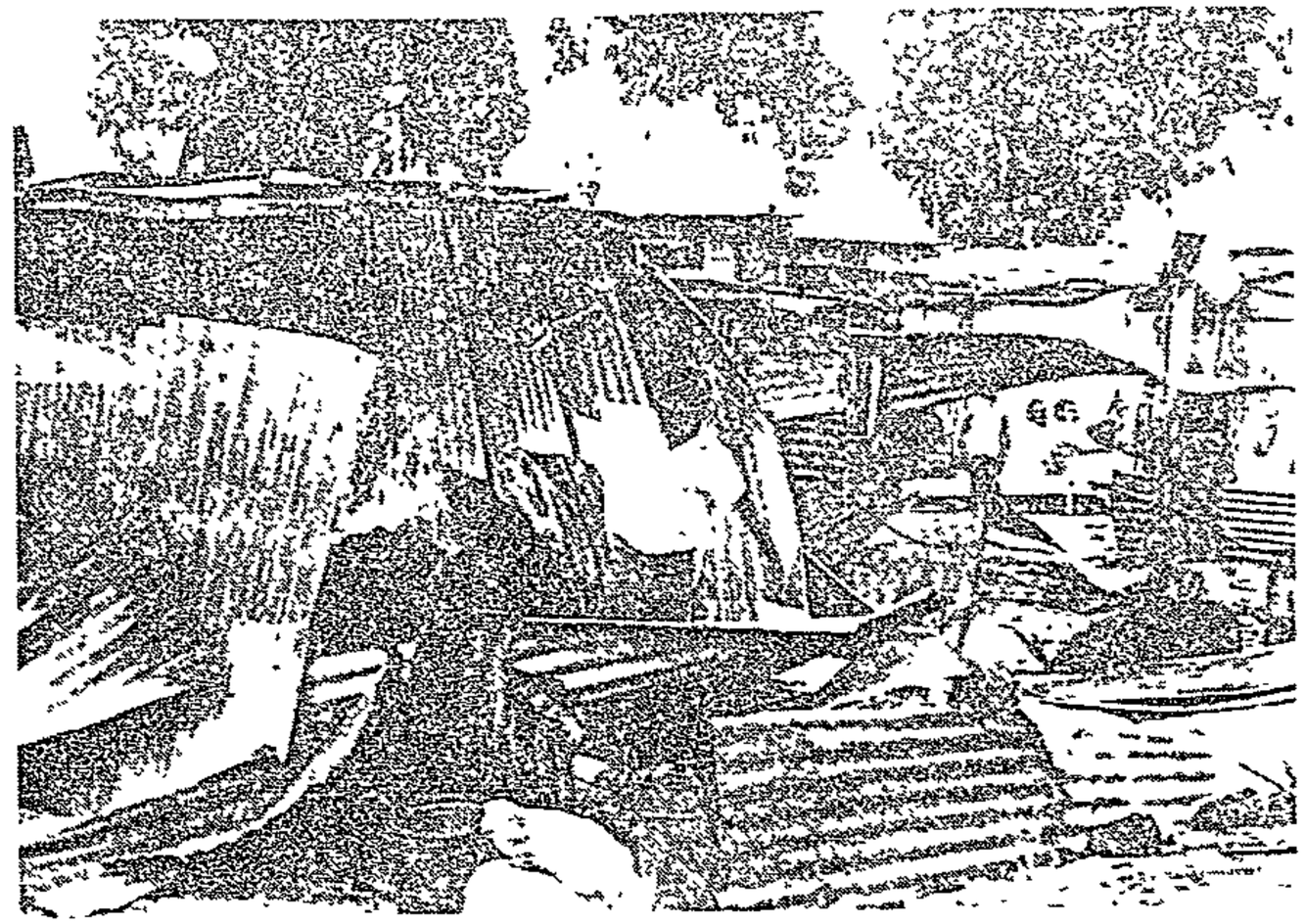
The fighting is closely linked to 18-month-old friction between the Masincedane Committee and members of the Western Cape Civic Association who seek observer status in KTC It was sparked by the murder of Masincedane Committee member Mr Storeman Madubele about 1pm on Thursday

'ath bus





UNCERTAIN FUTURE . . . Part of the suffering that comes with turmoil in KTC is the uncertainty which little children face. The picture was taken in KTC at the weekend.



SALVAGE OPERATION . . . One of the dispossessed youths salvages corrugated iron from a burnt-out shanty home at KTC

Pictures FANIE JASON

Cape Times 1/2/88

KTC refugees build again

By PETER DENNEHY

REFUGEES whose homes were among about 350 wood-and-iron Old KTC shanties burnt down on Thursday and Friday nights were building new shacks behind the KTC store yesterday, within metres of their burnt homes.

Dr Allan Boesak, who was involved in peace talks at the weekend, cautioned against seeing the conflict simply in terms of Masincedane people versus those associated with progressive organizations

"There is a group of young people who have been involved in some of these incidents who don't seem to belong to any camp," he said.

The Masincedane Committee had been willing to talk on Friday, and its members had undertaken to try to restrain their followers, he said.

Peace talks were continuing with both sides, though not simultaneously, and he was "encouraged by the progress being made".

At KTC yesterday, one woman whose shack had been burnt down gave her name to the Cape Times, against the advice of her friends.

"I am Veronica Rana, and my house has been burnt down," she said. "I was there. The people who came to burn told me to get out, and soon afterwards the fire started"

She said she believed the arsonists had used a "fire shooter" device, but she had not actually seen one She also claimed she knew of two "Masincedane leaders" who possessed handguns

Inside Old KTC yesterday, dozens of people were salvaging pieces of corrugated iron and wood which they said they would use to build elsewhere again.

Those who built right beside KTC store expected further violence They said they were staying there because they feared they would never get houses at KTC if they moved away.

One resident who was salvaging equipment said she had heard that the reason the houses had been burnt was that the area was going to be upgraded Virtually all of areas A, B, C and D in Old KTC had been burnt down, residents said

A Cape Times reporter who saw the devastation in Old KTC also went into undamaged "New KTC", the area which residents said was "the Masincedane area", and asked to be taken to a committee member.

A policeman told the reporter to leave the area

● In their weekend unrest report, police said arsonists destroyed a church and set fire "to numerous other dwellings" at KTC.

Cape Times 3/2/88 (275)

Youth's death puts KTC toll up to six

Rev Syd Luckett

By CHRIS BATEMAN

THE KTC death toll rose to six yesterday with the killing of a youth, as church groups and community organizations worked behind the scenes to reduce tensions.

Mediators have set up a joint monitoring committee to act as a "safety valve" for grievances and to prevent further death and destruction.

Since Thursday an estimated 400 shacks have been gutted, leaving about 3 000 people homeless.

The fighting is between supporters of the camp's ruling Masincedane Committee and younger opponents, described by one veteran activist as "a clique who are betraying our struggle".

The fighting centres on the imminent upgrading of the camp, and began with the murder of a Masincedane member, Mr Storeman Madubele, last Thursday.

After intervention and separate talks with leaders of both groups, the mediators had by last night extracted promises from each to nominate members to a monitoring committee, said the Rev Syd Luckett, director of the Anglican Board of Social Responsibility.

Observers feared that Monday night's burning of at least 10 more shacks, and the hacking to death of a man, could wreck the initiative, but by late yesterday the negotiations were back on track.

A check with the police mortuary yesterday revealed that since Thursday, six of 11 people who died violent deaths in the greater Guguletu area had come from KTC. The figure tallies with that of township sources.

Refugees have erected scores of new squatter shacks on a field behind the KTC bazaars, less than 100 metres from KTC, but the bulk of the homeless have been temporarily accommodated by residents in nearby Nyanga.

275

Cradock trial surprise

Cape Times 2/2/88

Own Correspondent

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

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

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

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

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

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

False evidence alleged in PE murder trial

Cape Times 3/7/88

(275)

Own Correspondent

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

Before the court were Warrant Officer Leon de Villiers 36, and Constable David Patrick Goosen, 26, charged with two murders, two assaults and attempting to defeat the ends of justice.

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

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

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

Const Van der Nest said they stuck to the story for a while but when all the younger members were taken to Cradock for interrogation, they decided to tell the truth

Asked whether they had done anything wrong, he said no, but they had been eyewitnesses and failed to report it.

Counsel for the defence, Mr C Jansen, SC, put it to him that his evidence was untrue, designed to protect himself by putting all the blame on De Villiers and Goosen

He denied this

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

The trial continues today.

Police lieutenant shot in gun battle

3/12/88

By STEPHEN WROTTESLEY
Crime Reporter

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

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

Police confiscated a 357 magnum revolver after the battle.

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

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

Returned fire

They saw a man go into a garage.

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

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

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

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

They said the lieutenant was in a satisfactory condition.

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

Most of the attacks have been on special constables.

Shooting: Dead man, hurt policeman named

Crime Reporter

MAIL 4/2/87

POLICE today identified the man who died and the policeman who was injured in a shooting incident in New Crossroads.

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

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

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

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

The spokesman said Mr Kani, of Daykophu Close, New Crossroads, worked as a lorry driver for Laymore Farms.

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

"QUIET TYPE"

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

He returned in 1982 and had worked for the firm since.

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

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

The church could not be contacted for comment today.

'I may have shot an innocent youth'

By REHANA ROSSOUW, Staff Reporter

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

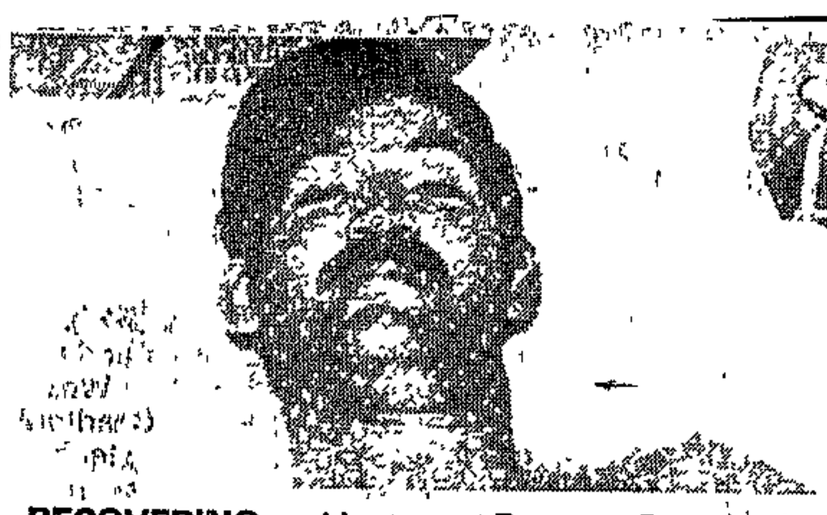
Under cross-examination Lieutenant Vermeulen agreed with counsel for the families, Mr J Gauntlett, that no warning was given before shooting started.

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

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

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

(Proceeding)



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

SHOT DEAD . . . Mr Cameron Dalimthetho Kani.

Preacher slain in New Crossroads shooting

CAPE TIMES 4/2/88

By CHRIS BATEMAN and PATRICK COLLINGS

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

Police said yesterday the man they shot — named by relatives last night as "Archbishop" Cameron Dalimthetho Kani, 52, of Daykophu Close, New Crossroads — died after a member of the police reaction unit, Lieutenant Eugenus Bester, 34, was shot in the stomach by a high-powered handgun.

Police spokeswoman Lieutenant Denise Benson said a police patrol in New Crossroads heard shots coming from the back of a house in Jakob Street at 12.30am. On investigation they saw a man leaving the area and run into a nearby garage.

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

To page 3

From page 1

Members of the reaction unit returned the fire and the suspect was seen falling. The suspect then started crawling towards the police, aiming his gun at them. Police shot and killed the man, she said, adding that a .357 magnum revolver recovered from the scene of the shooting had been reported stolen in Bellville in 1983.

Journalists were allowed to take photographs of Lieutenant Bester in Tygerberg Hospital yesterday, but were prevented from asking him questions.

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

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

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

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

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

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

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

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

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

Funeral arrangements have yet to be finalized.

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

Factions willing to discuss KTC tension

Staff Reporter MGS 4/2/88 275

RIVAL factions have yet to meet for peace talks a week after fighting broke out in the KTC camp, in spite of an apparent willingness on both sides to negotiate.

Yesterday the regional chairman of the United Democratic Front, Mr Dullah Omar, described the situation as "very delicate".

He said there were a number of initiatives aimed at getting the parties together.

An executive member of the Masincedane committee, Mr Gladstone Ntamo, said they were prepared to hold talks "anytime" if someone such as Archbishop Desmond Tutu or Dr Allan Boesak could bring the sides together.

However, he could not guarantee the lull in hostilities would continue.

Talks which would have been chaired by Dr Boesak on Saturday broke down when the rivals refused to meet under the same roof.

The UDF, Cosatu and church organisations have set up a monitoring commission in an attempt to bring about peace.

Masincedane supporters patrol the edges of their territory with sticks, clubs and axes, looking for youths from outside the area who they suspect of causing the trouble.

CAPE TIMES 5/2/88 (275)

Hidden cop fired 7 shots at crowd

Court Reporter

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

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

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

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

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

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

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

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

Major Christiaan Loedolff

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

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

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

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

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

Major Christiaan Loedolff, commander of the SA Railways Regional Task Force at the time of the incident, said the same truck was used in Nyanga on October 16, 1985, but the crates on it had holes to enable the police hiding inside them to see outside.

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

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

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

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

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

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

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

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

The hearing continues today

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

Shooting: Family may lay complaint

Cape Times 5/2/88

225

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

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

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

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

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

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

ARGUS 5/2/88 (275)

Unrest inquest: 'Shoot, arrest stonethrowers'

By REHANA ROSSOUW
Staff Reporter

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

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

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

Ringleaders

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

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

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

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

Major Ludolf said he gave specific orders on which kind of weapons were to be used in the operation.

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

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

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

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

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

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

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

Major Ludolf admitted that Lieutenant Vermeulen was an inexperienced commanding officer.

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

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

The inquest continues today.

be followed by briefing to fi- rnalists and mats earl

275

Armed patrols, curfew in 'peaceful' KTC

By CHRIS BATEMAN

ARMED patrols by supporters of KTC's ruling Masincedane committee are keeping the peace and enforcing a 6pm curfew in the partly destroyed squatter camp.

The violence which gripped the squatter community last week — and which has claimed six lives so far and left an estimated 2 000 homeless — had abated yesterday with the Masincedane committee firmly entrenched in power.

A spokesman for St John Ambulance, Mrs Anne Botha, said that after "independently establishing" that over 200 homes had been destroyed, the organization yesterday made an appeal for baby foods, clothes and blankets.

"It's not the same as last year's winter fighting by any means. People aren't flooding to us for aid, but there is a definite need," she said yesterday.

St John Ambulance has treated 16 people for injuries since the fighting first broke out last Thursday and is now helping to feed 68 babies on an out-patient basis, she added.

A soup kitchen set up by the Red Cross to provide "crisis" assistance to more than 1 000 refugees erecting homes alongside KTC has been discontinued.

A Red Cross spokesman said the initial need had ceased.

Since Tuesday this week relative calm has returned to the area with Masincedane committee members reporting two incidents of their supporters having been assaulted by opposition supporters at taxi ranks.

Most refugees belong to a faction which refuses to pay R10 a month to the Masincedane committee.

In one of the first post-violence interviews with the committee yesterday, members claimed to have raised R7 000 in an attempt to fund a massive "own initiative" housing scheme.

"We don't want the government involved and risk people being evicted for not paying rentals. Everybody must own a house," Mr Gladstone Ntamo said.

They vehemently denied allegations by their opponents that they were "people-farming to get rich".

Senior officer to probe Crossroads shooting

(275) Star 5/2/88

Own Correspondent

CAPE TOWN — A senior police officer, Colonel Johan Pieters, has been appointed to investigate a shooting in New Crossroads in which a lay preacher was shot dead and a policeman wounded.

The family of the dead man has taken legal advice and declined to make statements to the police.

The wounded policeman was identified today as Lieutenant Eugenus Bester, of the Reaction Unit and the dead man as Mr Dalimtetho Cameron Kani (52).

Members of Mr Kani's family and the police have given different versions of the incident.

According to the police, Mr Kani was killed and Lieutenant Bester was wounded in an exchange of fire after members of a police patrol saw a man go into a garage.

Mr Kani's eldest son, Mr Jackson Kani, said today that his father was a peace-loving man who had never owned a gun.

He said his father was shot while he was working on his car prior to a trip to Transkei.

A close friend of Mr Kani, Mr Helper Lugwali, said he counted nine cartridge cases at the scene.

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

He returned in 1982 and had worked for the firm since.

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

Mr Kani is survived by his wife and eight children.

Cape Times 6/2/88

Cop: Dumped man may have been alive

Own Correspondent

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

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

'Taken out'

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

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

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

He said he volunteered to accompany Constable Goosen and Constable R Fourie on the trip to the river with Mr Stuurman, because he was curious to see if Constable Goosen would shoot Mr Stuurman.

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

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

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

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

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

The trial will continue on Monday

Cape Times 8/2/88

SQUATTER VIOLENCE . . . Brothers Bless Kobe, 19, and Sidwell Kobe, 21, show signs of the brutal beating and panga assault they were allegedly subjected to while demolishing their sister's shack in KTC squatter camp on Saturday night. Since the recent faction fighting broke out in KTC, the brothers and their sister have moved to the nearby Tambo Square squatter camps set up by former KTC residents.

Picture: FANIE JASON

ARGUS 8/2/88 275

New peace bid to end fighting by KTC squatters

Staff Reporter

A TWO-PRONGED peace initiative to bring an end to simmering hostilities at KTC squatter camp has so far failed to produce results.

A youth was killed on Friday night, six shacks were set alight on Saturday and two men were injured when they were attacked with pangas.

Shots were fired after fighting broke out between two opposing groups.

Police fired one shotgun round to disperse the groups.

However, peace talks were continuing, according to the Rev Syd Luckett, director of the Anglican Board of Social Responsibility.

He said that a mediating committee of clergy, including United Democratic Front patron Dr Allan Boesak, had met both sides on a number of occasions in an attempt to find common ground.

The rival Masincedane and steering committees had yet to meet under the same roof, he said.

Link by radio

A monitoring commission was trying to limit confrontation between the two sides.

It was hoped to link the Masincedane committee and the monitoring commission by radio today.

This was important, Mr Luckett said, because several confrontations had been caused by rumour and suspicion.

Sapa reports from Pretoria that three more blacks have been murdered in Natal, accoring to the police overnight report on unrest.

Two women had their throats slit when a group attacked a hut at Mnyandu, Edendale, near Maritzburg.

A third woman was seriously wounded.

After the attack the group burnt the hut and another private dwelling, causing extensive damage, the report said.

At Elandskop, police found the body of a 22-year-old man with a bullet wound in the head.

At Kwamakutha, Durban, a group hurled three petrol-bombs and fired a shotgun at a policeman's home. A two-year-old child was seriously wounded in the neck, head and chest and an 18-year-old girl was slightly injured.

The policeman drove off the attackers with pistol fire but the house was badly damaged.

At Smero, Edendale, a black man and four youths were arrested after arsonists allegedly set fire to a private home, causing extensive damage.

At Henley Dam, Edendale, an unknown gunman fired on the occupants of a private home. A 52-year-old man and a 14-year-old youth were wounded. The house was badly damaged.

Copter, police search peaks for missing boys

The Argus Correspondent

hannesburg, were reported

More shacks burn in KTC

Star 5/21/85

CAPE TOWN — There was more faction fighting in the KTC squatter camp at the weekend, with several shacks torched and people injured.

One KTC resident said she had seen "middle-aged men with long guns", had heard shots and seen shacks burning in NY78.

A police spokesman did not comment on the fighting. He said it was "unrest-related". — Associated Press.

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Squatter camp bid for peace goes on

CAPE TOWN — A two-pronged peace initiative to end simmering hostilities at KTC squatter camp has so far failed.

A youth was killed last Friday night, six shacks were set alight on Saturday and two men were attacked with pangas.

Shots were fired after fighting broke out between two opposing groups.

But peace talks are continuing, according to Rev Syd Luckett, director of the Anglican Board of Social Responsibility.

He said a mediating committee of clergy, including United Democratic Front patron Dr Allan Boesak, had met both sides several times in a bid to find common ground.

The rival Masincedane and steering committees had yet to meet under the same roof.

A monitoring commission was trying to limit confrontation between the two sides.

It was hoped to link the Masincedane committee and the monitoring commission by radio today.

This was important, Mr Luckett said, because several confrontations had been caused by rumour and suspicion — Sapa.

Cape Times 9/2/88 275

Witness denies death threat

Own Correspondent

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

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

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

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

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

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

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

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

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

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

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

The next day he continued making his statement.

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

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

The trial continues.

Cop 'wanted part' in assaults

Own Correspondent

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

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

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

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

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

"I wanted a part in the assault on Mr Stuurman," the witness replied.

Mr Loots: "How do you mean — a part of the fun?"

Witness: "Yes."

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

ANC calls on youth to resolve strife in townships

Star 9/2/88

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Pretoria Bureau and The Star's Africa News Service

The African National Congress (ANC) has called on township activists to create conditions for the peaceful resolution of differences "without resorting to violence" in the wake of a flare-up in the KTC squatter camp near Cape Town.

Faction fighting erupted in the KTC squatter camp again at the weekend, with several shacks set on fire and people injured, Sapa reports. Fire brigade sources said yesterday they had answered a call to deal with five blazing shacks in NY78 at about 6pm.

One KTC resident said she had seen "middle-aged men with long guns under blankets" moving about in the vicinity of the squatter camp.

She had heard many shots being fired and had seen two shacks burning in NY78, she said.

An ANC spokesman in Lusaka said the "cycle of internecine violence that has taken hold in some of the townships, first in Natal and more recently in the western Cape, should be cause for grave concern and urgent remedial action by all true democrats".

"It is against the colonial apartheid regime that we should direct our anger and aim our blows," he said.

"It is the primary task of all democratic and liberation forces in the townships to create the conditions in which the differences amongst us are resolved peacefully and without resort to physical violence.

"We appeal in particular to the militant youth, the young lions ... to take the lead in ensuring that all hostilities among our people cease at once."

● The Pan Africanist Congress of South Africa (PAC) intends to intensify its arsenals in South Africa and arm and train more people in the country during 1988, the party's Secretary for Foreign Affairs, Mr Gora Ebrahim, told *The Herald* in Harare.

The paper quoted him as saying that the PAC was no longer training people outside South Africa, but was doing it inside the country.

Mr Ebrahim said there were no grounds for negotiation with the South African Government and the PAC considered armed struggle as the main form of the struggle.

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Cape Times 11/2/88

Girl killed at Hammarsdale

PRETORIA. — A 17-year-old girl was stabbed to death at Hammarsdale, Natal, on Tuesday night, the Public Relations Division of the SAP reported yesterday in its daily unrest report.

"At KwaMakutha, Durban, a 40-year-old man was injured when petrol bombs were hurled at three private dwellings. No serious damage was caused," the report said.

A security force member was slightly injured at Khayelitsha, Cape Town, when he was assaulted by a small group of blacks.

"He fired one shotgun round to disperse his attackers. No other injuries were reported." — Sapa

7 shots from 'Trojan horse'

THE commanding officer of a police unit, Lieutenant Douw Vermeulen, fired seven shots without warning from an unmarked vehicle in the direction of a youth in unrest-stricken Atlone in October 1985, a Wynberg inquest court heard last week.

Jonathan Claasen, 21, Michael Miranda, 11, and Shaun Magmoed, 16, were shot dead in what has become known as the "Trojan Horse" incident.

Lieutenant Vermeulen said he and his men were hidden in crates on the back of an unmarked truck. The aim of the operation was to identify and arrest ringleaders.

Vermeulen said stones and half-bricks were thrown and the truck was damaged.

Vermeulen had earlier refused to give evidence under oath.

Vermeulen said he shot because his life was in danger. He said he did not have time to identify himself and did not fire a warning shot.

Mr Jeremy Gauntlett, representing the Magmoed family, argued that the police had used unnecessary force that day and that their actions were illegal.

Vermeulen said he identified Magmoed as the man he shot but it was possible that he could have shot another person.

Major Christiaan Loedolff, Commander of the defunct SA Railway Task Force, said he told Vermeulen not to endanger the lives of his men, and only to shoot if there was no other way out.

Magistrate Mr G Hoffman asked Loedolff why they used "this strange ghost truck".

Loedolff said it was not strange as the same truck was also used in Nyanga in October 1985.

"The next time we used a police van because the unmarked truck with crates failed to attract stone throwers," said Loedolff.

Loedolff said he thought the Trojan horse operation had been successful.

The inquest was postponed to February 15 for argument and judgment.

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Jail for law student

Court Reporter

A UCT law student who threw stones at police on the campus was sentenced to an effective one year's imprisonment on a public violence charge in the Wynberg regional court yesterday.

Andrew Brown, 21, of Claremont, pleaded guilty to two counts of public violencer.

Brown was sentenced to nine months imprisonment on each count of which six months of each are to be concurrent.

In a statement he admitted that on April 24 and 27 he threw four stones at a place police appeared to be firing teargas from, and one stone which hit an unoccupied police vehicle on De Waal Drive.

He denied throwing stones at the general public and said he intended them for the police.

Brown told the court after he saw some of his friends and peers being arrested "for no apparent reason", he threw the stones. "I was very angry indeed when I threw the stones," he said.

However, he was normally a controlled person and regretted his actions.

Professor Denis Davis, an associate professor in the Department of Law at UCT said that on April 24 he saw police chasing students down University Avenue. The police were armed with sjamboks and teargas.

He had been shocked and distressed at the provocative behaviour of the police. He had expected them to behave maturely, given the wide powers they had.

Brown's father, Professor Alexander Claude Brown, head of the Zoology Department at UCT, said his son had been taught to develop a keen sense of judgment, high moral values and have the right to stand up for one's beliefs.

His son was also taught not to discriminate racially and he was proud of Andrew whose academic progress was outstanding. Brown also had a deep political involvement.

The magistrate, Mr A S McCarthy, said Brown's past history was impressive and his guilty plea was a sign of remorse. He accepted that no one had been injured and no damage done.

Mr McCarthy said a police video, shown in court yesterday, had given him a clearer picture of the events.

Brown had been one of the few people brought to court for throwing stones. "Ninety percent of them have gone unpunished and their conduct was as reprehensible as yours."

Mr McCarthy said the sentence imposed on Brown had to deter others "who must realise that if they caught and convicted they will be severly punished".

Brown's attorney, Miss A Durbach, said an application for leave to appeal would be filed and Brown was granted R50 bail.

Mr P Mostert prosecuted.

the park.

tian cobra.

Upsurge of violence as govt drags heels on KTC upgrade

A renewed flare-up in the KTC squatter camp recently has prompted fears of another outbreak on the scale of the mid-1986 violence in the Crossroads-KTC area in which thousands of people were rendered homeless CHRIS BATEMAN explains the background

Cape Times 12/2/88

WHAT caused the resurgence of squatter violence which claimed six lives and left an estimated 2 000 people homeless at the KTC camp outside Cape Town this month?

One could term it the R15,2-million question — that's what it will cost to carry out plans approved by the government six months ago for upgrading the Kakaza Trading Centre (KTC) squatter camp.

The Cape Provincial Administration is awaiting approval of a R15,2-million cash loan from the National Housing Commission (NHS).

The NHS says funds will only be released, "depending on the financial conditions in the 1988/89 financial year".

If the loan is approved, it will take another three months of trouble-free document shuffling before contractors actually arrive to begin providing sites and services

So, after five years of living in squalor with little or no services, KTC residents have, not surprisingly, split into two identifiable groupings, one supporting an "own initiative" housing scheme and ruling the camp — the Masincedane Committee (Masincedane meaning. Let us help one another) in "New KTC" — and the other holding out for official largesse in "Old KTC", but evicted by the Masincedane group during recent battles

The Masincedane, by collecting R10 per month from each family, have gathered R5 000 towards an ambitious target fund of over R30 m With this they hope to provide 2 243 houses of between four and six rooms, owned and lived in by their supporters. A major building society is advising them.

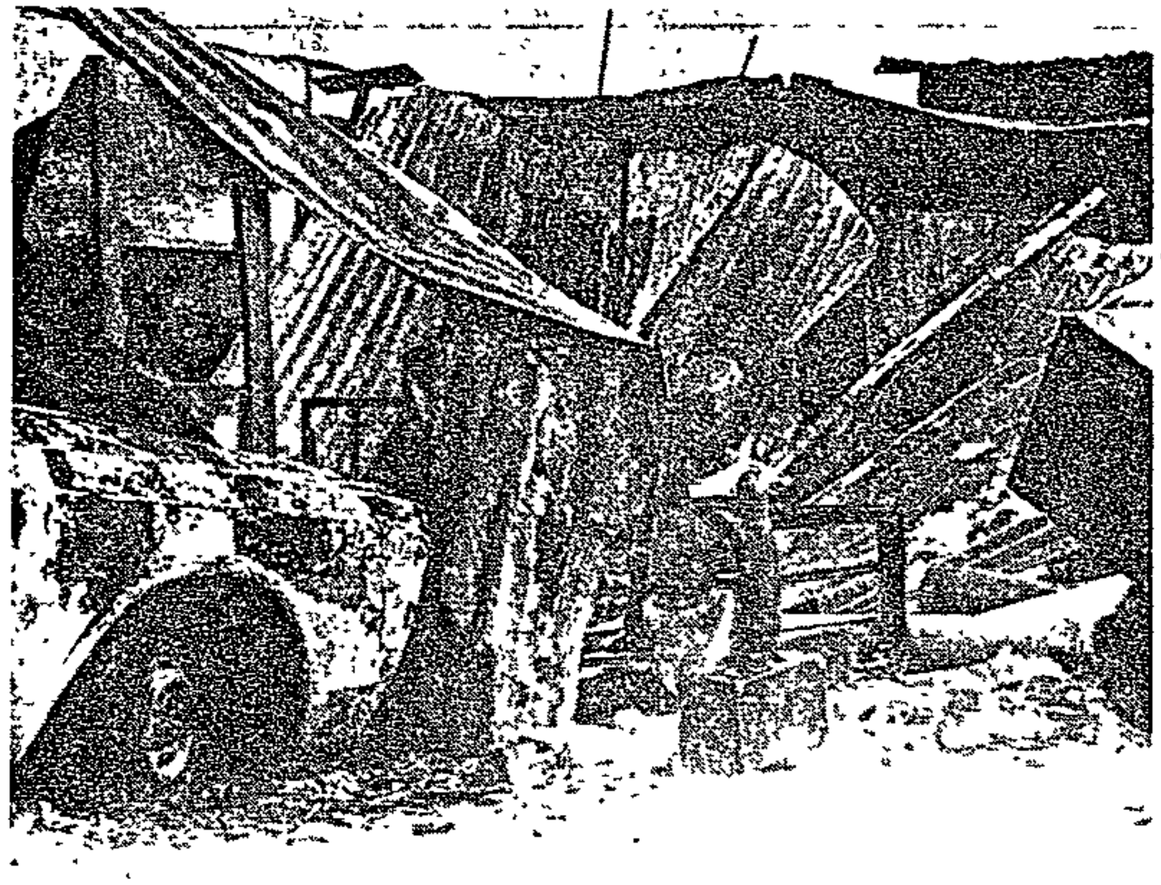
The evicted group is built around 200 original KTC settlers who were granted 200 serviced erven in 1982. Their former Community Councillor, Mr L Siquaza, was murdered late in 1985.

THEY accuse the Masincedane of "people farming" to enrich themselves and claim to pay their rent of R7,26 to the government's Nyanga Rent Office religiously every month.

Rebuilding her shack across the road from KTC in what has been called "Tambo Square" one refugee sums up the original settler group's perceptions.

"They (the Masincedane) entered on their own strength here. We don't recognize them. They've all got homes in the Transkei — we are Cape-born. They are making a business here".

Fertile soil in which the self-termed "progressive" organizations like the UDF, Cosatu, Western Cape Civic Association, (popularly called "the civic"), and the Cape Youth Congress (Cayco), believe a militant fringe of activists cultivate the violence in the name of the "civic" and Cayco.



The recent upsurge of violence in KTC has left many homeless. Children are the most vulnerable of victims; surrounded by destruction, they face daily suffering and uncertainty.

The situation is exacerbated by most of the acknowledged leadership being in detention under emergency regulations or security laws and "progressive" organizations are deeply embarrassed by the fighting.

There's little doubt that a militant fringe group triggered the current violence by killing veteran Masincedane member, Mr Storeman Madubele, on January 28 this year.

The KTC protagonists are often labelled "conservative" (Masincedane) and "progressive" WCCA (or "civic) — and many journalists wish it was that simple.

Here's some background.

THE "civic", with branches in a myriad of Western Cape constituencies, is a pivotal component of the overall black political "struggle" and seeks to organize old and new KTC as one of its affiliates.

Masincedane members helped found this organization and say they have no objections to its aims in KTC.

But they are openly hostile toward how some are going about getting the civic's "observer" status, alleging that a fringe group is using force to terrorize residents

Masincedane vice chairman, Mr Kenneth Tsamana, insists that any attempt by the "civic" to reach the people should take place through his committee. "The community must choose who represents KTC on the civic," he says.

A former chairman and founder-member of the "civic," Mr Johnson Mpukumpa, publicity secretary of the Western Cape Hostel Dwellers Association, says a "small clique of trouble makers are abusing progressive organizations and betraying the struggle".

No journalist has to my knowledge yet been able to "nail down" an accepted spokesman of this militant "clique" for comment.

One widespread allegation is that teenage gangsters, under the banner of the Cape Youth Congress, Cayco, have been acting as agents provocateur.

The official actors like Mr Sam Mjoli, Mayor of the Cape Town Town Committee, who "represents" all the Peninsula's black townships, says his committee wanted to erect houses in KTC as long ago as December 1986

"But the Masincedane didn't want to see us and they still don't. I can't see how upgrading can start if they don't want us involved They obviously don't want upgrading," he says

Back to reality The original 200 squatters have a problem.

They are now squatting on land allocated by the Town Committee for an old age home but the apparent official tardiness in providing black housing could be a temporary ally

Chairman of Pumlani Old Age homes (a misnomer — there are none yet), Mr Sannie Tya Tyam, says he is waiting on R2,5 m earmarked by the NHC for building the home.

He has written to the Cape Town Town Committee to express his "great alarm" at the situation

WHAT IS the government doing?

According to a well-placed source, officials want to know who is replacing the murdered Masincedane member and have had tentative post-violence meetings with the ruling KTC committee and its legal advisors

The refugees were offered "immediate short-term relief" with tents at "Green Point" in Khayelitsha but turned this down for fear of losing a place in an upgraded KTC

"If we get emotions down to an acceptable level we could get going. It's common cause there is a need for upgrading," the source said.

Mr Louis Koch, Chief Director of Community Development for the CPA, says the creation of an "infrastructure" for the local black squatter community is a "top priority"

"That's why we've established a development committee and have all our plans prepared," he says.

Once cash becomes available and site and service structures are finally in place, people will be able to apply for building material and labour loans of up to R7 000, repayable over a 30 year period at income-related interest rates, he adds.

Once cash becomes available . . .

Judge ends kitskonstabels' 'reign of terror'

Cape Times 13/2/88 (279)

Own Correspondent

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

Papers before the court yesterday alleged that kitskonstabels were perpetrating a "reign of unbearable terror and oppression" in the community.

The order, granted by Mr Acting Justice Rein, was the result of an application made by eight residents in November last year.

Mr Justice Rein also gave leave to the Midland Council of Churches (MCC) to join as an applicant.

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

Death precedes Tutu delegation

Cape Times 13/2/88

Staff Reporter

GUNMEN shot dead a KTC man yesterday morning hours before Archbishop Desmond Tutu led a delegation of 30 priests and church workers into the embattled camp in a fresh bid to get peace moves off the ground.

The man was chased down NY3 by a group of armed men who gunned him down in the lavatory of a house opposite KTC in Terminus Road, bringing the confirmed death toll in fighting in the area to at least seven in the past two weeks.

Police said they were called to the house in New Crossroads at 11.15am, where they found the body of an unidentified man in his early 20s. He had been shot in the head and the right side of his body. Shots had been heard in the area about 7am.

Archbishop Tutu arrived in KTC about 10am, and spent over an hour in a meeting with about 100 priests and members of the KTC monitoring and mediation committee being briefed on the situation in the area.

Carrying his silver-inlaid wooden staff of office, he led a group of 30 priests and church workers on a two-hour, four-kilometre walk through KTC and the "Tambo Square" refugee camp.

In his only statement to the press, he said: "We have come here as very concerned Christians . . primarily to hear about the situation in KTC from the monitoring and mediating committees. We have come to pray with them and hope that the situation can be resolved."

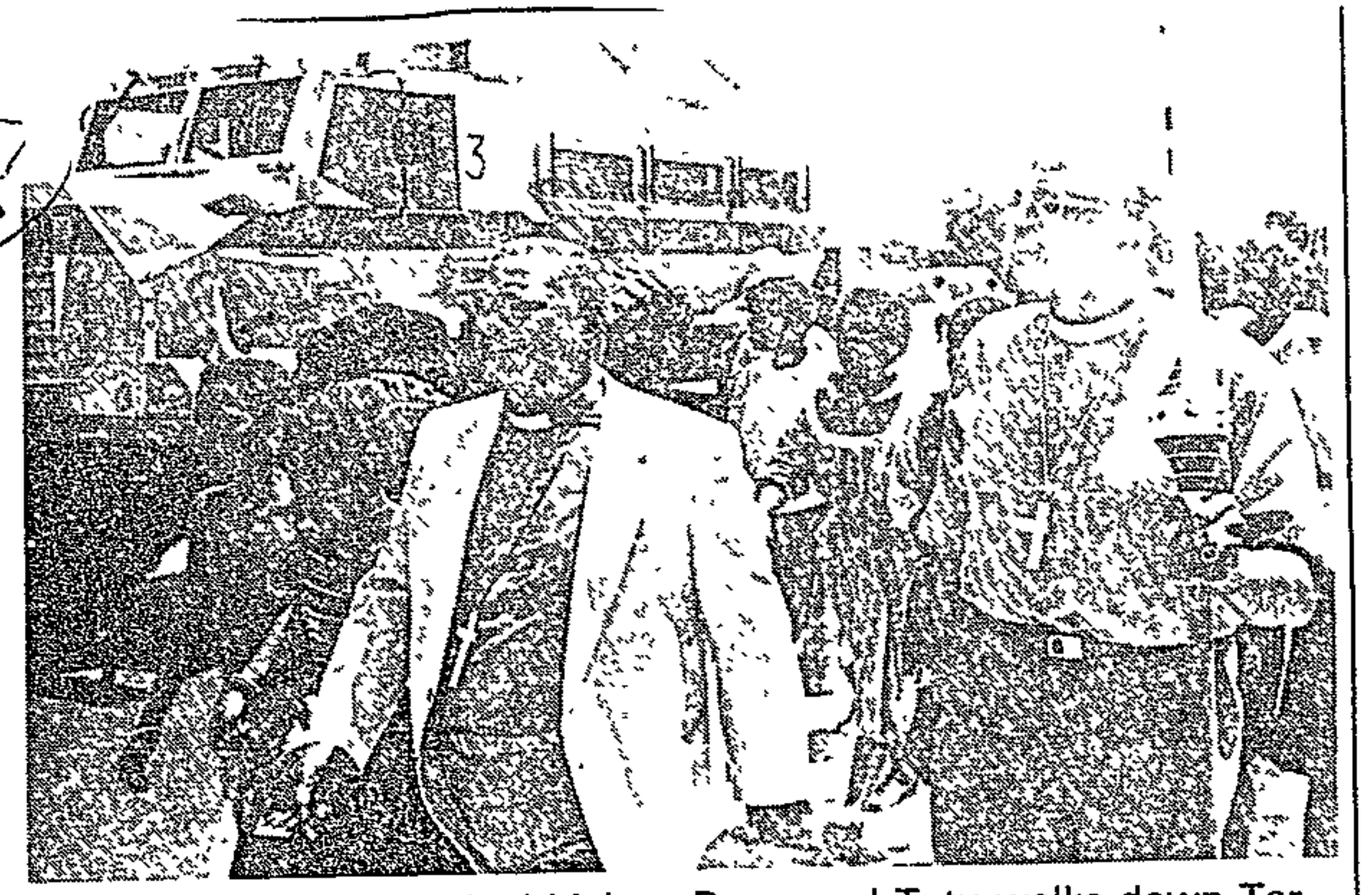
Asked if he had been briefed on yesterday morning's killing, he said: "We have just heard about that, that kind of thing makes the situation very difficult, this retaliation on both sides."

A spokesman for the archbishop later described the occasion as a "familiarization visit".

The delegation was met at the KTC community hall by UDF joint president Mrs Albertina Sisulu, UDF Western Cape publicity secretary Mrs Hilda Ndude and leaders of most of the squatter groups in Cape Town

After a brief prayer service, the delegation walked through KTC, talking to residents and, on several occasions, Archbishop Tutu addressed residents and prayed for peace.

At one stage, a group of about 10 men armed with pangas, sharpened sticks and spears emerged from among the shacks and, at a distance of 200m, followed the procession for a short while.



PEACE MISSION . . . Archbishop Desmond Tutu walks down Terminus Road on the outskirts of KTC after walking through the area on a familiarization visit. Police monitored the "walkabout" from a distance, but did not interfere. Picture ADIL BRADLOW

ARGUS 16/2/88

NATIONAL

Man shot in thigh, testicle to get R6 000

Supreme Court Reporter

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

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

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

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

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

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

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

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

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

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

Shooting of boys condemned

CAPE TOWN — There was no justification for the "torrent" of buckshot fired by police which killed three youths in the "Trojan Horse" incident, the Wynberg inquest court heard yesterday.

The shootings were "prima facie unlawful," said Mr J Gauntlett, the counsel for the families of Sean Magmoet, 16, and Michael Miranda, 12, who were killed in Thornton Road, Athlone, on October 15, 1985 when policemen hidden in crates on the back of a lorry opened fire on a crowd. A third youth was Jonathan Claasen

Mr Gauntlett said there were several "deeply disturbing facts" related to the shooting

The police had no specialised training in the use of shotguns and were unclear about their roles.

They fired into a crowd consisting of half to two-thirds non-stone throwers, with weapons known to have a range of 30 metres and a spread.

There was a "strong likelihood" that a policeman shooting with this weapon would hit bystanders

They shot in a suburban street where there were a lot of people going about their business and there were two shops, a school and a training college in the vicinity

The police could not claim they were acting in self-defence, Mr Gauntlett said

They did not fire a warning shot or in any way identify themselves as policemen

The police fired quickly into the crowd

The only interruption was the limitation of the magazine of their shotguns

No attempt was made to arrest stone throwers before firing

"The epitaph of this inquiry would be 'they had no chance to get away'"

Mr Gauntlett submitted that reasonable force would have been one shot fired over the heads of the crowd and another shot at stone throwers' legs.

He said it was no help for police to argue that nothing else was working in trying to curb the stone throwing

If that kind of logic was adopted it would mean "we are embarking upon a very dangerous period as far as the admistration of justice is concerned"

The deaths of Sean Magmoet and Mike Miranda were brought about by acts amounting to omissions by members of the police, Mr Gauntlett submitted — DDC

Inquest #.

Cape Times 16/2/88

Unlawful police fire killed boys, inquest told

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By YVETTE VAN BREDA
Court Reporter

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

UDF did 'not condone methods of enforcing consumer boycott'

Argus 16/2/88 (275)

Supreme Court Reporter

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

However, the people who forced them to do this were not necessarily affiliated to organisations, the Rev Sid Luckett said in evidence in the R312 000 damages claim by 21 KTC families and the Methodist Church against the Minister of Law and Order

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

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

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

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

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

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

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

VIGILANTES

Mr Luckett was in KTC in June 1986 when violence ravaged the area.

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

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

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

(Proceeding)

Khayelitsha constable stabbed

CAPE TIMES 17/2/88 (275)

Staff Reporter

ANOTHER special constable has been attacked, bringing to 15 the number of special constables injured in Peninsula townships in the past three months.

In the latest attack the constable was seriously wounded and robbed of his shotgun by knife-wielding men in Khayelitsha.

Yesterday's police unrest report said "a group of blacks attacked a security force member with knives at Khayelitsha and seriously wounded him by stabbing him in the lungs and kidney".

Another special constable was seriously wounded in an attack in Guguletu on January 3 this year.

Cape Times 17/2/88 275

Cosatu call for discipline, peace

Own Correspondent

JOHANNESBURG. — A weekend Cosatu central executive committee called on all "democratic organizations" to discipline those in their ranks who continue to obstruct the peace process.

Referring to recent clashes at KTC near Cape Town, Cosatu condemned violence, and reiterated that differences should not be resolved through violence but through building and promoting of disciplined and democratic organizations, a statement from general secretary, Mr Jay Naidoo, said.

Mr Naidoo, together with the Cosatu president and vice-president, was in the Cape last week talking to the opposing civic groups in the area.

Nr Naidoo said Cosatu had noted it was the apartheid system that had fostered division between squatters and hostel dwellers on the one hand and ordinary township dwellers on the other. It had concluded that whoever reinforced these divisions were working in the interests of the apartheid system.

The executive also resolved to involve Cosatu fully in a joint campaign with the UDF to fight the apartheid municipal elections in October, and demanded instead non-racial democratic structures of government.

It expressed appreciation at the steps being taken amicably to resolve problems in the Commercial, Catering and Allied Workers' Union, and said Cosatu would recognize the leadership elected as representing the workers of Ccawusa.

The statement said Cosatu's living-wage campaign would continue, and described the government's wage freeze in the public sector as "a callous attack on some of the poorest and unprotected workers in SA".

It predicted that private sector employers would use the freeze "to justify their refusal to accede to the just demands by workers for a living wage".

Cape Times 18/2/88

Cape Ti

Children killed as police open fire

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Staff Reporter

A FOUR-YEAR-OLD girl, Rosalene Cloete, and a 13-year-old boy, Michael Julies, were killed in the Northern Cape township of Langverwacht, Kakamas, on Saturday when police opened fire on a group of stone-throwers, police said.

A further 13 people were injured in the shooting.

A police spokesman, Captain Carel van der Westhuizen, said the narcotics unit and dog squad of the Kimberley police department were investigating a charge of dealing in dagga.

After a man was arrested a crowd formed, and the police requested additional police officers, he said.

Capt Van der Westhuizen said that when the reinforcements arrived the crowd started to throw stones at the police and a Sergeant W J Beyleveld, of the dog squad, instructed the crowd to disperse.

When they refused to do so, shots were fired, and Michael was killed instantly. The girl died on the way to the Gordonia Hospital in Upington.

"It was not certain that the children were in the group of stone-throwers," said Capt Van der Westhuizen.

Cape Times 18/2/88

Ex-witdoek tells of order to burn KTC

By RONNIE MORRIS
Supreme Court Reporter

A FORMER witdoek yesterday told the Supreme Court that he and hundreds of other witdoeke were told to burn the KTC squatter camp and the Zolani centre in Nyanga and were informed that police would not interfere.

This was the evidence of Mr Getyamana Mselanto, a labourer, who testified in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes in 1986

Mr Mselanto said that the day before the attack on KTC, Mr Sam Ndima — the second most important man in Crossroads next to Mr Johnson Ngxobongwana — went through Crossroads with a loudhailer and announced that all residents should report to the Nxolo School with their weapons

When they met later that day, Mr Ndima told them they should meet at the Admimistration Board offices the next morning and wait on the police Mr Ndima told them they were to go from there to KTC and the Zolani Centre and burn houses because the comrades lived there

The next day many armed people with white cloth tied around parts of the body met at the appointed venue. A police van arrived and before Mr Ndima went across to the van, he told the assembled group they should wait for a sign and that police would not interfere if they crossed the road, Mr Mselanto said.

Crossroads jail

Earlier in his evidence he said he had lived in the Portland Cement Works squatter camp and had moved in with his uncle in Crossroads after his shack and many others were burnt down in 1986 by witdoeke.

Two weeks later, on a Saturday, he had drunk liquor with Crossroads men and the next day he had asked them why they had burnt down his shack. The men, acting as Mr Ngxobongwana's police force, then surrounded him and took him to the Nxolo School which served as the Crossroads jail.

He was tried there the next day by three men. He pleaded guilty to the charge that he had asked why they had burned his shack.

Mr Mselanto said he was found guilty, fined R150 and was further forbidden to speak to anyone in Crossroads for six months He also had to report to Mr Ngxobongwana's police daily after work

The hearing continues today.

Mr Justice M R de Kock presided Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs Mr C D Griesel SC, and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

KTC case: Access to papers refused

ARGUS 19/2/88 (275)

Supreme Court Reporter

TWO Cabinet ministers have refused counsel for 21 KTC households and the local Methodist Church access to unrest-related documents because these might be detrimental to State security.

This was said in the Supreme Court, Cape Town, yesterday by Mr H P Viljoen, for the plaintiffs, who are claiming R312 000 damages from the Minister of Law and Order.

They allege police helped or failed to prevent, attacks in June 1986 by witdoeke from Crossroads in which their homes were destroyed.

The Minister has denied complicity.

Mr Viljoen said that counsel for the KTC residents had asked the divisional commissioner of police for general or specific orders relating to riot control in KTC or Crossroads in 1986.

Mr Viljoen said· "In January this year the Minister of Law and Order, Mr Adriaan Vlok, said in an affidavit he had considered these documents and believed that they would be detrimental to State security."

Mr Viljoen said that after access to these orders were refused, the defence asked for documents relating to orders which gave rise to helicopter flights at the time of the KTC attacks.

These documents were with the Defence Force.

This request was also refused.

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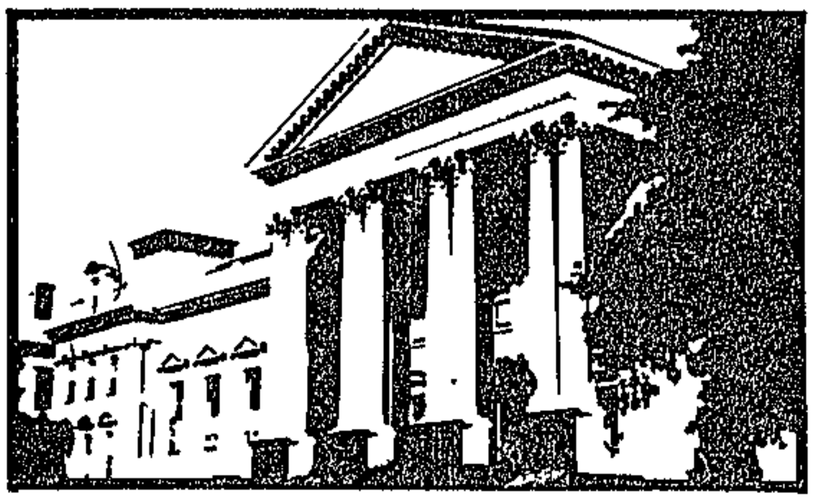
Parliament and Politics

Police stirring unrest at schools — Van Eck

By ANTHONY JOHNSON
Political Correspondent

HOUSE OF ASSEMBLY — The SA Police were stirring up unrest at Cape Town schools by detaining pupils and teachers without trial, assaulting pupils in a bid to extract information and setting up spy networks at schools, the MP for Claremont, Mr Jan van Eck, said yesterday

Speaking during the mini-budget debate in the House, Mr Van Eck said the government, instead of seeking a political solution to the African and coloured schools, were using the police to do their "dirty work".



A number of policemen had indicated to him that they were tired of being the government's "whipping boy" and being on the receiving end of the anger and frustration in the townships

The National Party MP for Krugersdorp and chairman of the standing committee on law and order, Mr Leon Wessels, said it was "scandalous" that Mr Van Eck was repeatedly using Parliament to draw up a charge sheet against the police Mr Van Eck's allegations could not stand up to cross-examination, he added.

Earlier, Mr Van Eck said the government should be sending its MPs rather than the police into the townships to solve political problems

Despite the fact that there had been no incidents of violence or arson at Manenberg Secondary School, three teachers and three pupils were arrested by police on January 31 and February 1 and were still being held In addition, police visited the homes of five other teachers, three other youths and an SRC member who was "pulled out of bed at gunpoint"

Mr Van Eck said "The only sin these people had committed was to in some way give vent to their political frustrations and to demonstrate in a totally peaceful manner their resistance to the present minority regime."

Pupils 'slapped, punched'

He went on to detail what he called other "utterly objectionable" methods police used on pupils at Manenberg Senior Secondary School.

He had affidavits to back up his claims, he said

On February 16, 14-year-old Farieda Salie and 16-year-old Mario Carstens were picked up by police on their way to school and "assaulted by being slapped through the face and punched in the stomach" Police also directed "incredibly filthy" language at them

After "this treatment" produced no new information, a policeman asked 15-year-old Vanessa Jacobs "to spy for them" on fellow pupils and teachers at the school for which she would be paid R200 The offer was also conveyed to the girl's mother, he said.

Mr Van Eck said: "I find these actions to be despicable and I can assure members that these actions are counter-productive and will increase instability in the schools.

"I find it utterly reprehensible that the police spend their time setting up spy networks at schools. How many spies paid for by the taxpayer are lurking in black and coloured schools?"

Order restrains kitskonstabels

Cape Times 19/2/88 275

By RONNIE MORRIS
Supreme Court Reporter

THE Minister of Law and Order yesterday gave an undertaking in the Supreme Court that special constables employed in the Oudtshoorn township of Bhongulethu would not unlawfully shoot, kill, arrest, detain or assault any resident.

The minister and the Divisional Commisioner of Police for the Southern Cape Districts further undertook that special constables would not "seize possessions, enter into homes, threaten, insult, harass and intimidate in any manner whatsoever and interrogate in any manner other than that prescribed by law, or allow that any such action is taken against any inhabitant of Bhongulethu township, Oudtshoorn".

The final order was made after an urgent application was launched by the Bhongulethu Civic Association (BHOCA) and six others on July 24 last year.

The minister then gave an undertaking, which according to subsequent papers filed in the Supreme Court was flagrantly and continually breached.

An interim order was granted on January 19 after special constables shot dead three residents and wounded 10 others.

The application was to be heard on oral evidence but a settlement was reached between the parties on the following terms:

- That the BHOCA withdraw its application and no order be made as to costs.

- Since the relief sought by the BHOCA (the applicants) was in any event based on the ordinary common law rights and the duties placed on the special constables who were there to maintain BHOCA'S rights, that, "without admitting liability and without admitting directly or indirectly the correctness of the allegations contained in applicants' affidavits; and on the express understanding that the allegations of unlawful conduct on the part of the special constables are denied, and with a view to promoting the legal administration", the minister and the divisional commissioner undertook not to commit or allow any of the acts to be committed unlawfully against any of the inhabitants of Bhongolethu.

It was also said that if the trial should proceed, it would be of a lengthy nature involving large costs with the concomitant withdrawal of the large portion of the available police force from the area.

Both the police and the BHOCA acknowledged that relationships in the area should be improved.

Both parties also undertook to make the full settlement available to the press and not only parts of it.

The effect of the final order is that should any special constable unlawfully assault or harass any inhabitant, he would be in contempt of court and could be locked up.

Similarly, the minister and the divisional commissioner would be in breach of the order should they allow the special constables to act unlawfully.

Trojan Horse case: Finding likely this week

By GAYE DAVIS,
Cape Town

A FINDING is expected next Friday in the inquest into the deaths of three Cape youngsters shot by police in 1985 in what has become known as the Trojan Horse incident.

Evidence before the court is that members of a police task-force were ordered to conceal themselves in wooden crates on the back of an open-bed railways truck which was then driven twice down Thornton Road in the Athlone residential suburb. Its driver and passenger wore dustcoats of the type worn by railways employees.

On its second trip, a crowd of between 150 and 200 people had gathered and stones were thrown at the vehicle. The policemen sprang up from their hiding places and without any warning started firing pump-action shotguns "in the direction of stone-throwers".

Michael Miranda, 11, Shaun Magmoed, 16 and Jonathan Claassen, 21, died in the incident. Pathologists' reports indicated that Miranda and Magmoed were shot from the rear.

Police witnesses maintained their orders were to "arrest the ringleaders" behind the stonings and burning barricades which were a feature of the political turmoil in the area at the time. They said they fired because they feared for their lives.

The families of the dead youngsters maintain police were negligent.

Addressing the court, Jeremy Gauntlett — counsel for two of the families — said the shootings were *prima facie* unlawful.

The underlying approach of the police had been: "Here's trouble — we must stamp it out," Gauntlett contended. In oral evidence, there had been a "last-ditch" attempt by the police to put the operation on a more defensible basis by invoking the need to enforce law and order.

A disturbing feature of the case was the "inexact and sometimes misleading" evidence in police witnesses' written statements, on which the court might have made its finding had the inquest not been open, requiring oral evidence, he said.

Another was the fact that none of the nine policemen involved had any special skills for such an operation.

Miranda and Magmoed were shot while in a crowd of people, not all of whom were throwing stones. The commanding officer of the task-force, Lieutenant D Vermeulen, had conceded that he could have shot an innocent bystander when he emptied his magazine of buckshot.

AH Veldhuizen, appearing for the minister, warned against the court "judging police action out of order in the tranquillity of court".

KTC police action: Cameraman speaks

Cape Times 20/2/88 (275)

Supreme Court Reporter

A TELEVISION cameraman yesterday told the Supreme Court police "could have used all their resources" to stop the attack by witdoeke on the KTC squatter camp in June 1986.

Mr Craig Matthew of Worldwide Television News was being cross-examined in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes.

Mr Matthew said while in Dune Road, near KTC, he had seen witdoeke meet resistance when fired upon with handguns from inside KTC. A police Casspir arrived, stopped and fired shots into KTC in response to the small arms fire and "several missiles" thrown from KTC.

He conceded that police did not act illegally when they returned fire after handguns were fired at them, but said police acted "reprehensibly" by allowing the witdoeke, who also had handguns, to shoot into KTC.

The Casspir moved off when the witdoeke were in the process of burning the squatter camp and he saw the vigilantes move "methodically and rapidly" and "scatter" petrol inside shacks. Police Casspirs were moving up and down and very close to the witdoeke, he said.

Mr Matthew said after petrol was thrown into shacks, they were on fire within minutes. On several occasions he heard loud bangs and presumed the explosions were caused by gas cylinders.

All the witdoeke were involved in the burning and breaking down of the shacks. By then the people of KTC had "fled in terror", Mr Matthew said.

Asked what police could have done, Mr Matthew said they could have used all their resources, including teargassing the vigilantes.

Asked by Mr H P Viljoen SC, for the plaintiffs, if he could remember a particular occasion when police did use their resources, Mr Matthew said at the Ashley Kriel funeral hundreds of policemen and soldiers had been used on the five kilometre route from Bonteheuwel to Woltemade Cemetery.

On "no single occasion" did he see police act against the witdoeke even though the police had been "all around" the witdoeke, he said.

The hearing continues on Monday.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr C D Griesel SC, and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister.

Cape Times 22/2/88 (275)

Kakamas killings to be raised in Parliament

By ANTHONY JOHNSON
Political Correspondent

THE death of two children — including a four-year-old girl — and the wounding of at least a dozen others by police gunfire during a routine dagga investigation in Kakamas last week will be raised in Parliament today.

Mr Jan van Eck, the Independent Member of Parliament for Claremont, who investigated the incident in said from Kakamas yesterday that he would give details during the debate on the Police Amendment Bill in the House of Assembly today.

He would support the Bill, which allows the Minister of Law and Order to take more effective action against police misbehaviour.

He attended the funerals of Rosaline Cloete, 4, and Michael Julies, 13, on Saturday and the community was "totally stunned" by what had happened, he said.

After interviewing eye-witnesses and relatives of those who had been killed or injured, Mr Van Eck said he had concluded that "the police action was utterly indefensible".

The Minister of Law and Order, Mr Adriaan Vlok, has ordered an urgent investigation into the shootings.

Meanwhile the head of the Cape Teacher's Professional Association, Mr Franklin Sonn, yesterday said he "was sick to the stomach" after returning from the funerals of Rosaline Cloete, buried on Saturday morning, and Michael Julies, buried at 4pm yesterday.

Mr Sonn said 15 people were injured and some of them were in a critical condition in hospital.

"We are completely outraged at what took place there," Mr Sonn said. "We are going to fight the police on this."

In the church where the funeral service was conducted the priest had tried to prevent Mr Sonn any one else make a tribute, he said

However, he did and was loudly applauded at the end, he said.

Mr Sonn said the funeral was well attended, one of the biggest in Kakamas.

Police liaison officers in Pretoria and Kimberley yesterday said they were unable to comment on the incident until today.

Our correspondent in Johannesburg reports that the Minister of the Budget in the House of Representatives and MP for the Kalahari, Mr Andrew Julies, has asked the Minister of Law and Order to investigate the Kakamas incident.

Mr Julies said Mr Adriaan Vlok had assured him the incident, which took place on February 13, would be investigated.

Mr Julies said he visited the scene of the shooting two days after the incident.

According to the police they opened fire after a crowd threw stones at them during the arrest of a suspect.

"That area is free from stones," he said. I didn't see any stones when I was there.

"I informed Mr Vlok of everything I was told by two eyewitnesses and he told me what he had heard.

"I asked him to investigate thoroughly and inform me of the facts."

Mr Julies said the eyewitnesses told him they saw the shooting and assured him there was no riot but that people had gathered out of curiosity.

"The police said they were attacked," Mr Julies said.

Star + Times 22/2/88 (275)

'Quiet Saturday', but 2 dead

PRETORIA. — The bodies of two black men, who apparently died from stabwounds, were found at Taylor's Halt in Natal in the quietest Saturday since the present unrest started in the country, the SA Police Liaison Division said in its overnight report yesterday.

On Friday, a man was killed and two people seriously wounded when unknown gunmen opened fire on a private home in Kwa-Makutha, Durban.

Saturday's report said three houses — two at Mphumalanga, Maritzburg and one at Yeoville in Vredenburg — were damaged in petrol bomb attacks. No injuries were reported.

Security forces fired teargas to disperse an illegal gathering at Wembezi, in Escourt, the report said.

● The Maritzburg violence had led to such media bias against Inkatha that the UDF wanted the strife to continue, Chief Mangosuthu Buthelezi, Chief Minister of KwaZulu said yesterday.

He accused the media of giving credibility to false claims that the disturbances were caused by Inkatha's use of violence and intimidation in recruitment campaigns.

Chief Buthelezi was making his presidential address to a conference of the Inkatha National Cultural Liberation Movement.

They were participating in "a very justifiable backlash" against orchestrated political violence and were disgusted by the behaviour of UDF youth.

The UDF and COSATU were "fetch and carry boys" for the ANC who were attacking Inkatha because they wanted to see the revolutionary organization as the only real force in the field.

"I think there is very little doubt that thus far we are losing the media battle."

Killer disease threatens rhino poachers

Own Correspondent

LONDON. — The heavily-armed

The disease could further threaten the rest of Namibia's 400 highly endangered rhino — the

animals which had died from the disease infected the ground and the whole environment around

rising as high as in last September — with the
heavy rains in the catch
The

Murder probe after 2 children shot dead

Cape Times 23/2/88

By ANTHONY JOHNSON
Political Correspondent

MURDER dockets had been opened following the "unhappy events" in Kakamas last week when a four-year-old girl and a 13-year-old boy were shot dead during a police drugs investigation, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

Replying to the second-reading debate on the Police Amendment Bill in the House of Assembly, Mr Vlok said he wished to assure members he and the Commissioner of Police, General Hennie de Witt, regarded the matter in "a very serious light".

Both wished to express their condolences with the children's parents.

Mr Vlok said the matter would be thoroughly investigated and a senior police officer attached to police headquarters in Pretoria had been assigned to the case.

Mr Vlok appealed for an end to "speculative reporting" and said those who wished to use the sadness and dispair surrounding the situation for "political advantage" should desist.

Mr Vlok said the incident had already been discussed with him by the representative of the "brown" people in the area, the Minister of the Budget in the House of Representatives, Mr Andrew Julies.

Mr Julies had acted in a "responsible manner" in addressing the matter and had not attempted to blow the matter up,

To page 3

From page 1

Kakamas

Cape Times 23/2/88

"which is different from others who misused the unhappy situation in a scandalous fashion".

(This was an apparent reference to the Independent MP for Claremont, Mr Jan van Eck, who conducted an on-the-spot investigation of the shooting at Kakamas at the weekend.)

In the House of Representatives Mr Julies said the children who were killed had been at the scene out of curiosity.

Mr Julies said it was not the first time there had been a shooting involving children.

"Time after time we are told that our children are demonstrating," he said.

● Police have refused to comment on allegations about police conduct in the Kakamas shooting, because the incident was under investigation.

Van Eck backs police probe into Kakamas deaths

(275)

ARGUS 23/2/84

By DALE LAUTENBACH, Political Staff

CLAREMONT independent MP Mr Jan van Eck said today he would happily co-operate with the urgent investigation into the Kakamas shootings announced in Parliament last night by Law and Order Minister Mr Adriaan Vlok.

Mr van Eck travelled to Kakamas in the Northern Cape at the weekend for the funeral of the four-year-old and 13-year-old children shot dead when police opened fire during a dagga raid on a house in the town's coloured township of Langverwag.

Mr van Eck said today he had spoken to numerous eye-witnesses of the events on February 13 and that he had pieced together a version of what happened before and during the shootings in which the two children were killed and 14 people were injured, one seriously.

"BROUGHT TO JUSTICE"

"This awful incident must be fully investigated and those responsible brought to justice," Mr van Eck said today. "To this end I will gladly make all evidence I have available to the police."

At an official identification parade held in Kakamas, a policeman has been identified by onlookers as one of the policemen involved in the shootings.

"Kakamas has been very quiet and there has been no political unrest or upheaval there in the last couple of years. One is dealing with a purely crime-operation here which resulted in these tragic killings," Mr van Eck said.

In Parliament last night, Mr Vlok announced an urgent investigation into the incident.

See Page 4.

Cape Times 23/2/88

Court told of witdoek threat

By RONNIE MORRIS
Supreme Court Reporter

A CONVICT yesterday told the Supreme Court that minutes after two police officers had a meeting with a squatter leader in Khayelitsha, the leader's armed deputy told about 300 witdoeke they were going to "destroy" the comrades at KTC.

Stuart Mciteka was giving evidence in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 familes who lost their homes when most of KTC was destroyed by vigilantes.

Mciteka is serving a three-year prison sentence for harbouring or concealing, rendering assistance to and failing to report a "terrorist".

He said that one June 9, 1986, he went to squatter leader Mr Hoza's office.

While standing there a white police van arrived and Major Dolf Odendaal and Warrant Officer Hendrik Barnard got out and went into Mr Hoza's office.

Asked if he could identify the policemen, Mciteka pointed to Major Odendaal and W/O Barnard, who were present in court.

Soon after this the policemen left the office and a Mr Gocini, a deputy of Mr Hoza's, came out and told about 300 witdoeke they must not walk to KTC because it would make people suspicious.

When asked if his colleagues and material would be safe, Mr Gocini replied that the workers would not be safe because they (the witdoeke) were going to "destroy" the comrades at KTC.

The hearing continues today.

Mr Justice Mr de Kock presided Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs Mr C D Griesel SC, and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

Mxenge murder 'may have been political'

Star Times 23/2/88

Own Correspondent

DURBAN. — Facts surrounding the murder of Durban civil rights lawyer and UDF treasurer, Mrs Victoria Mxenge, indicate it could have been a political assassination, a Durban inquest magistrate heard yesterday.

Mr I G Farlam, SC, appearing for Mrs Mxenge's family asked for a formal inquiry into the murder. He said the family believed that the investigating officer, Warrant Officer Prinsloo, had not done his job completely.

Mrs Mxenge was gunned down while walking from her car to her front door in Umlazi on July 31, 1985.

Mr Farlam asked that the court subpoena Mr Prinsloo to answer questions about certain information he had had at his disposal but had allegedly not investigated.

The magistrate, Mr F M Vorster said Mrs Mxenge had been murdered by a person or persons unknown. He said it was not an inquest court's function to allow the investigating officer's investigations to be scrutinized.

The case would be automatically sent to the Attorney-General who might order it re-opened.

Top police probe into Kakamas shootings

ARGUS 23/2/88

By PETER FABRICIUS, Political Staff

THE killing of two children, including a four-year-old girl, by police in Kakamas in the Northern Cape was being urgently investigated by a top officer from police headquarters, the Minister of Law and Order, Mr Adriaan Vlok, told Parliament

Mr Vlok confirmed that the Rev Andrew Julies, Minister of the Budget in the House of Representatives and MP for the area, had asked him to investigate the shooting.

Rosaline Cloete, 4, and Michael Julies, 13, were killed and several youths were injured when police fired at a crowd during a dagga raid in the town.

Local police have claimed they fired in self-defence when an angry crowd stoned them, but other witnesses have claimed that the crowd were merely curious spectators to the raid

Regretted incident

Mr Vlok said he regretted the incident and viewed it in a very serious light

He expressed his sincere condolences to the relatives of the dead and injured

Because the incident was now the subject of a judicial process, he appealed to all interested parties not to speculate about it any further.

Mr Julies, in Kakamas soon after the incident, said he had visited the scene and had seen no stones

"I am upset by the police action Innocent children have lost their lives and no matter what we do we cannot bring them back"

Mr Julies tried to raise the matter in the House of Representatives yesterday but the chairman of the House ruled that it was not relevant to the debate.

The Argus Parliamentary Staff reports that Claremont independent MP

Mr Vlok

Mr van Eck

Mr Jan van Eck was called to order during the debate on the Police Amendment Bill when he told the House of Assembly he would give examples to support his argument

Acting Speaker Mr Rex le Roux intervened immediately yesterday, saying Mr van Eck had to confine himself to the legislation at hand and the clauses in the amendment Bill.

Mr van Eck had told the Press earlier in the day that he intended reporting to the House during this debate what he had learnt during his weekend trip to Kakamas for the funeral of the four-year-old girl and 13-year-old boy

During the debate Mr van Eck said he supported the amendment Bill but warned that it would not achieve what Mr Vlok had hoped for

The Bill did not satisfactorily address the issue of misconduct by members of the police While providing for harsher penalties in respect of police members found guilty of misconduct, the Bill did not make it easier to convict policemen of misconduct, said Mr van Eck

In brief . . .

THE Government had a responsibility to act in cases of police misconduct, Mr Tian van der Merwe (PFP Green Point) said in the Assembly. — Sapa.

■ ■ ■

The Minister of Finance, Mr Barend du Plessis, should introduce a reduction in personal income tax in the Budget, Mr Harry Schwarz (PFP Yeoville) told the Assembly. — Sapa.

■ ■ ■

South African Indians would never forget the "legalised robbery" and the creation of unequal rights embodied in the Group Areas Act, Mr Mahmoud Rajab (PRP Springfield) said in the House of Delegates. — Sapa.

Boardsail chief 'to act on beaches'

THE founder and first chairman of the Boardsailing Association of South Africa would reconsider inviting international sportsmen to South Africa if the beaches on which recent international boardsailing events were held were not opened to all races, the Deputy Minister of Population Development, Mr Luwellyn Landers, has said.

Speaking on a motion yesterday calling for the repeal of sections of the Population Registration Act, he said he had written to the boardsailing association, which had hosted the recent South African Windsurfing Championships, and to the sponsors of the event expressing concern that the events were held at beaches not open to all races

In his letter he said it was in the interests of South Africa's continued participation in international sport that alternative venues be found for the events.

He said: "Moreover, morally we fail to see how your association can continue using these beaches in the light of the intransigent attitude of the authorities towards people of colour using such amenities."

Mr Landers said he had received a reply from Mr Terry Wyner, the founder and former chairman of the boardsailing association, saying he had become aware of the "abhorrent sign designating the beach for whites only" before the first international competition was held. The association had approached the Divisional Council which had agreed to remove the sign as a temporary measure. — Sapa

Expert: Treurnichts' blood mixed

Political Staff

BOTH Treurnicht family lines have slave blood, a well-known genealogist disclosed today after a controversial suggestion that CP leader Dr Andries Treurnicht should be reclassified coloured

Mr Desmond Lockey, a Labour Party MP said in the House of Representatives yesterday that if the Population Registration Act was not repealed Dr Treurnicht should be reclassified.

Speaking in a motion calling for the repeal of the race classification provisions in the Act, Mr Lockey said published historical research showed that a member of the Treurnicht family had married a slave and another ancestor had had an illegitimate child by a Hottentot woman.

"COMPLETELY FALLIBLE"

He said in terms of the Race Clafficiation Act Dr Treurnicht was not white, which showed the Act was "completely fallible"

Dr Treurnicht rejected Mr Lockey's claims as "rubbish" and said he could show him his family register extending back six generations.

Today Dr Hans Heese, a University of the Western Cape genealogist who has documented miscegenation in most Afrikaans families, said brown slaves had married into both Treurnicht family lines.

He said he would be "most interested' to see Dr Treurnicht's family tree going back six generations

10 GENERATIONS

But the miscegenation had occurred further back, about 10 generations.

He said that would not qualify Dr Treurnicht for reclassification, which was based only on ancestry back to about the third generation, and then only if a person's race could not be determined on appearance.

"Most Afrikaans families have some slave blood in them The point of my research was just that we should accept this"

Videos of KTC battles 'were tampered with'

Argus 23/2/88

Supreme Court Reporter

TWO videotapes of the battles in KTC squatter camp in June 1986 were tampered with, the Supreme Court has heard.

Mr Vernon Matzopoulos, then soundman for Worldwide Television News cameraman Mr Craig Matthew, said a tape of burning shacks in KTC was "fuzzy" and "hazy" and another was "freeze-framed" on one image for its duration.

Mr Matzopoulos was giving evidence yesterday in the R312 000 damages claim by 21 KTC households and the Methodist Church against the Minister of Law and Order.

They allege police assisted in, alternatively failed to prevent, attacks by "witdoeke" from Crossroads who destroyed their property in June 1986

The minister has denied their allegations.

Held overnight

Mr Matzopoulos said he and Mr Matthew were arrested near KTC on June 9 and taken to Manenberg police station

Mr Matthew was held overnight, but Mr Matzopoulos was allowed to leave after 80 minutes.

While they were in the police station, their equipment was kept in the back of the Casspir which had brought them there.

Mr Matzopoulos said that when he played back the tape, he saw only "fuzzy" and "hazy" images instead of the events of that morning.

He said· "When I viewed the film on a television monitor, I saw what seemed to be a hand coming towards the lens, then moving back.

"It looked like the inside of a Casspir. There was a greenish seat."

He said it was impossible for the images he saw to have got there accidentally.

"My conclusion was that the images had been filmed in the back of a Casspir by unknown people I can only presume were policemen."

On June 10 Mr Matzopoulos and Mr Matthew collected slain colleague Mr George De'Ath's equipment from the Guguletu police station.

"We took the equipment straight to the President Hotel in Sea Point and had a look at Mr De'Ath's two tapes because his employers, ITN, who had set up a film-editing suite, were interested in seeing if there was film which could give any idea of how he had died

"One tape had images of people meeting, standing on a sand-dune and of a few Casspirs.

"The other tape consisted entirely of a freeze frame, which is when a single image is captured and held for the duration of the tape.

"It is technically impossible to do this in the ordinary course of filming. It can only be done in a studio, using editing equipment."

Mr Stuart Mncedisi Mciteka of Khayelitsha, jailed earlier this month for three years for assisting terrorists or suspected terrorists, told the court he had seen Major Dolf Odendaal and Warrant Officer Hendrik Barnard at Site C, Khayelitsha, on June 9 1986.

He said they spoke to a Mr Gocini, assistant to leader Mr Mali Hoza, in an office.

"After three minutes the policemen left and Mr Gocini told about 300 'witdoeke' assembled outside his office not to walk to KTC because people would become suspicious if they saw them," Mr Mciteka said.

"When I asked him if my colleagues and the materials they were using to build creches would be safe, Mr Gocini, who was wearing a gun in his waistband, said they were going to destroy the 'comrades' in KTC"

Mr L Visser SC, for the minister: Major Odendaal will deny he was in Site C that morning

Mr Mciteka: I saw him there.

Mr Visser: Warrant Officer Barnard will say he was there, but spoke to a Mr Somolunguse Ngchina, who complained about "comrades" from KTC attacking and threatening residents. Did you hear this?

Mr Mciteka· No

Mr Visser· Warrant Officer Barnard will say he told Mr Ngchina that if comrades were found, they weren't to be harmed, but brought to the police. Did you hear that?

Mr Mciteka· No, I didn't.

(Proceeding)

ARGUS 24/2/88 (275)

Kakamas: Police probe 'proper'

PRESIDENT Botha had refused to appoint a commission of inquiry into the deaths of two children at Kakamas because a police investigation was already under way, the Minister of Law and Order, Mr Adriaan Vlok, told the House of Representatives.

Mr Vlok was replying to a motion by Mr Andrew Julies, Minister of the Budget and Labour Party MP for Kalahari, calling for a commission of inquiry to investigate the shooting incident on February 13 in which a four-year-old girl and a 13-year-old boy were killed.

Mr Julies said that in spite of Mr Vlok's assurances on the judicial process already under way he feared that witnesses to the shootings would not want to give evidence to the policemen conducting the investigation.

Although he was dismayed that a commission of inquiry would not be appointed, the House could do nothing but accept the President's decision.

He said his motion still stood. It was then unanimously approved.

Earlier in the debate Mr Julies said the killing of two innocent children took place in a town which had once been "verkramp" but was now a place of love, respect and harmony between races.

He praised Mr Vlok for his immediate response to the shootings, but said that wounds had been inflicted that time could never heal

Mr Cecil Herandien (UDP Macassar) said the people of Kakamas were not violent.

Referring to members of the narcotics bureau involved in the incident, he said the community could do without "trigger-happy" men. Everything that had been built up by the police in the area had been destroyed by "irresponsible" people.

Mr Herandien said he knew that the people of Kakamas would not want to give evidence to policemen in the investigation.

Mr Vlok said he also wanted to know the precise details of what had happened. That was why he had announced yesterday that a senior police officer from Pretoria would begin an urgent and intensive investigation and that two murder dockets had been opened.

Mr Vlok said statements would be taken from witnesses who would have to give evidence to the police even if a commission of inquiry was appointed.

The police investigation was a proper judicial process which would end in an independent court.

The shooting incident was the exception not the norm. Every minute of every day policemen were on duty fighting violence. In this process errors were sometimes made. — Sapa.

Cape Times 24/2/88 (275)

PW says 'no' to Kakamas probe

By ANTHONY JOHNSON
Political Correspondent

HOUSE OF REPRESENTATIVES. — President P W Botha had refused to appoint a judicial comission of inquiry into the deaths of two children at Kakamas last week during a police drugs investigation, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

The policemen involved in the shooting incident had not been suspended yet, Mr Vlok said in his reply to a motion by the Minister of the Budget and LP MP for Kalahari, Mr Andrew Julies, calling for a commission of inquiry into the February 13 shooting incident which left a four-year-old girl and a 13-year-old boy dead.

Mr Vlok said the commission had been turned down because a police investigation had already been set in motion. The policemen had not been suspended as "we are waiting for more information".

Mr Julies expressed his dismay at the State President's decision and the motion was unanimously approved.

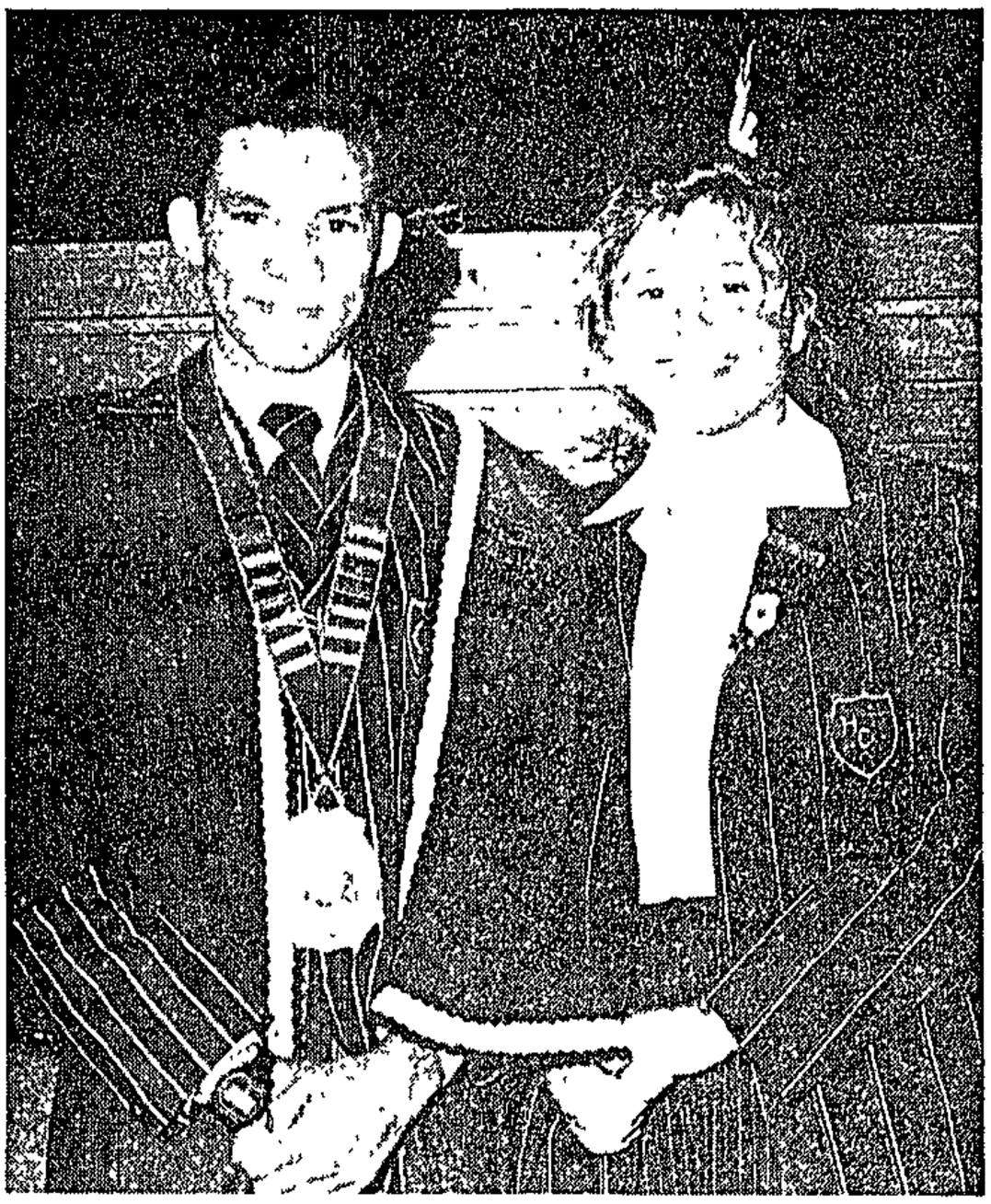
Opening the debate, Mr Julies said Kakamas had once been the most "verkrampte" town on the Orange River but had subsequently been transformed into one of love, respect and racial harmony.

However, a "devil has sent a disciple" and wounds had been inflicted "that time will never heal" and the "seeds of distrust have been watered again".

ARGUS 24/2/88

'Witdoeke' were in Casspir — evidence

(275)



FIRST CITIZEN (JUNIOR): Christian Brothers College pupil Freddie Backman is the Jaycee Junior Mayor of Cape Town for 1988/89. Last year's mayor, Anne-Marie Deas of Holy Cross Convent was on hand to congratulate him when the junior town council was installed at the Cape Town Civic Centre last night. Other executive committee members are Christine Kinghorn of Rustenberg Girls High (Deputy Mayor), Dina Maree of Jan van Riebeeck High School (Town Clerk), and Shaun Wilmot of Fish Hoek High (Deputy Town Clerk). The junior council, made up of Standard 9 and 10 pupils, is chosen annually from pupils nominated by Peninsula schools. Its activities are aimed at stimulating an awareness of civic affairs.

By MICHAEL DOMAN
Supreme Court Reporter

AN animal-lover who turned to pick up an injured dog in spite of teargas in KTC saw armed "witdoeke" dismount from a police Casspir and move into the camp.

This was evidence in the Supreme Court yesterday by Mrs Iris Dyanti of Millers Camp in the R312 000 damages claim by 21 KTC families and the Methodist Church against the Minister of Law and Order.

The minister has denied allegations that police assisted in or failed to prevent attacks by Crossroads "witdoeke" who destroyed their property.

Mrs Dyanti, who worked for the Animal Anti-Cruelty League, said that on June 9 1986 she saw police in a Casspir fire teargas at KTC residents preparing to defend their houses.

She said the residents ran and houses were burnt

The next day she told policemen from a Casspir who were searching two men in KTC to go to their station commander and ask him to withdraw "soldiers from KTC".

Mrs Dyanti said she wrote down the numbers of three Casspirs and an armoured vehicle on June 10.

"Two of the Casspirs, numbers 86 and 87, went into KTC and I saw the houses start to burn."

Mr G D Griessel SC, for the minister, in cross-examination: Did the occupants of these Casspirs set the shacks alight?

Mrs Dyanti: It could be so.

Mrs Dyanti said a yellow Casspir, "number 101", fired teargas at the group of people with whom she was standing.

"People ran. I saw a dog lying bleeding there, so I went back for it.

"A white policeman jumped down from the back of the Casspir, and 'witdoeke' with weapons and white armbands got out."

Mr Griessel: The police in Casspir 101 say the teargassing incident did not occur and there were no "witdoeke".

Mrs Dyanti: I say it happened. I was there. I was about 20 m from the Casspir doors when the "witdoeke" got out.

(Proceeding.)

Mr Justice de Kock is on the Bench. Mr H P Viljoen SC, assisted by Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appear for the plaintiffs Mr G D Griessel SC and Mr L Visser SC, with Mr F D Brand and Mr C Y Louw, instructed by the State Attorney, appear for the minister.

Varsity subsidy victory: Fight not over — Gerwel

ARGUS 24/2/88 (64)

Staff Reporter

THE Supreme Court ruling that the Government's university subsidy conditions are invalid is "not nearly the end of the fight" for the University of the Western Cape, the rector, Professor John Gerwel, says.

An unidentified representative of the University Workers' Union said UWC's workers regarded the ruling as a "victory for freedom of speech" and backed the university's decision to mobilise action against Mr de Klerk's conditions on a

Argus 25/2/88

CITY/INTERNATIONAL

Witdoek impi 'jogged past SAP roadblock'

Supreme Court Reporter

AN "IMPI" of about 100 armed and uniformed "witdoeke" in formation jogged unhindered through a police roadblock towards the KTC squatter camp while a team of attorneys and vehicles were refused entry.

And, according to Mr Lee Bozalek, director of the Legal Resources Centre (LRC), he inferred from later events that the same "impi" attacked houses in KTC.

Mr Bozalek was giving evidence in the R312 000 damages claim by 21 KTC households and the Methodist Church against the Minister of Law and Order.

The Minister has denied police assisted in or failed to prevent attacks by "witdoeke" (vigilantes).

Poised to attack

Mr Bozalek told the Supreme Court that on the afternoon of June 9, 1986, he and fellow-LRC attorneys Mr Matthew Walton and Mr Pume Canca tried to gain entry to KTC after receiving information from residents that the Zolani Centre was burning and that "witdoeke" were poised to attack them.

The group was turned back at a police roadblock in Klipfontein Road, near the Manenberg police station, and tried to enter via Borcherds Quarry Road, he added.

"At the Borcherds Quarry entrance a police roadblock was manned by between 15 and 20 heavily armed policemen, a yellow Casspir and four Buffels.

Brusque

"All the policemen carried shotguns. A brusque, aggressive policeman told us no cars were to enter the area.

"While we tried to persuade him we had legitimate business, an impi of at least 100 'witdoeke', four or five abreast and all armed with pangas or sticks, jogged past us and through the roadblock, completely oblivious of the police presence.

"No attempt was made by police or army personnel to stop them.

"The police Casspir then followed them slowly at a distance."

Mr Bozalek said he and several others, including policemen, then watched events inside the township from a bridge on the N2 freeway.

Saw flames

"A Casspir was moving up and down in the area," he said.

"I saw figures emerge from the cemetery and move towards a dune. I saw flames from houses on the dune and a huge pall of black smoke rose into the air.

"I inferred that the self-same people we saw at the roadblock attacked KTC."

Television cameraman Mr Bjorn Rudner told the court that on Tuesday, June 10, he was fired on as a Casspir and "witdoeke" started to follow his car in KTC.

Later that day, when "witdoeke" and KTC residents or "comrades" stoned each other and fought with pangas and sticks for about 20 minutes, police fired shotguns and teargas at the residents and not at the other side, Mr Rudner said.

(Proceeding.)

Mr Justice de Kock is on the Bench Mr H P Viljoen, assisted by Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appear for the plaintiffs. Mr G D Griessel, SC, and Mr L Visser, SC, with Mr F D Brand and Mr C Y Louw, instructed by the State Attorney, appear for the Minister

Cape Times 25/2/88

Lawyer: Police let 'impi' into KTC

175

Supreme Court Reporter

AN ATTORNEY told the Supreme Court yesterday that he and two colleagues were prevented from going into KTC by a policeman at a roadblock but saw an "impi" of about 100 armed witdoeke jog past a combined police and army roadblock.

This was said by Mr Lee Bozalek, director of the Legal Resources Centre and the instructing attorney in the R312 000 damages action brought against the Minister of Law and Order, Mr Adriaan Vlok, by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC.

Mr Bozalek said that on June 8, 1986 — the eve of the burning of KTC — he had received calls expressing concern that an attack on KTC was imminent.

He had taken the warnings seriously and had telephoned the Guguletu and Khayelitsha police stations, PFP MP Mr Tiaan van der Merwe and the Ottery fire station to explain the situation.

The next morning a "comrade" called him to say many witdoeke were going to attack KTC.

Large police roadblock

He then spoke to the police and was told Major Dolf Odendaal had asked the comrades and the witdoeke to disperse.

On trying to enter KTC, at an intersection on Borchards Quarry Road, Mr Bozalek said, he and two colleagues found a large police roadblock.

"A policeman said no vehicles were allowed in.

"(Then) we became aware of an 'impi' of about 100 witdoeke jogging up Klipfontein Road.

"They wore white cloths, all were armed ... and were moving in a very resolute manner.

"What struck us was they were almost oblivious, paid almost no regard to the police presence. Just as they cleared the roadblock, a police Casspir moved off and followed them from a distance. No move was made by the police or army to stop the 'impi'," Mr Bozalek said.

The hearing continues today.

Mr Justice M R de Kock presided Mr H P Viljoen SC with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr C D Griesel SC and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister.

(275)

2 die in KTC violence

Star 26/2/88

Crime Reporter

EMERGENCY UPDATE

TWO people died and between 15 and 18 shacks were burnt during renewed violence in the KTC squatter camp.

A third person was injured, police said.

The dead men were found near KTC Bazaar at first light today. One had been stabbed and the other shot. They have not been identified. Cartridges were found close by.

Police said shots were heard in the area during the night.

Several people were killed and more than 400 shacks were destroyed when violence flared in KTC early this year, apparently sparked by a feud between the Masincedane committee and the breakaway steering committee.

A monitoring commission of workers, churchmen and community organisations was set up to try to halt hostilities.

Parliament and

CAPE TIMES 26/2/88

Killings: Policeman suspended

Political Correspondent

A POLICE dog handler has been suspended from duty as a result of the shooting in Kakamas earlier this month in which a four-year-old girl and a 13-year-old boy were killed.

Brigadier Leon Mellet confirmed yesterday that Sergeant W J Beyleveld of the Kimberley dog unit had been suspended and that a dossier had been handed to the advocate-general.

The commissioner of police, General Hennie de Witt, said in a statement that the investigation into the Kakamas shooting on February 13 was at an advanced stage and would be completed as soon as possible.

Cape Times

February 26, 1988 9

Delay in KTC damages trial

THE KTC damages action in the Supreme Court was yesterday postponed to next Monday with 70 more witnesses expected to testify.

The court has already heard evidence from 30 witnesses.

A legal observer said yesterday that legal costs would be "enormous" and could run into hundreds of thousands of rands.

The Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes have brought a R312 000 damages action against the Minister of Law and Order.

The minister is being sued because it is alleged police helped witdoeke destroy the homes of the estimated 60 000 people involved by planning the attack, protecting and escorting the witdoeke, providing transport and other logistical support, preventing KTC residents from protecting their property, as well as setting fire to dwellings and not preventing looting.

On the first day of the case it was expected that some 100 witnesses would testify.

Both the ministers of Law and Order and Defence were subpoenaed to provide certain documents, but declined in terms of the Internal Security Act.

Mr Justice De Kock presided. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr C D Griesel SC, and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

Cape Times 27/2/88

3 men gunned down in Natal

PRETORIA. — Three men were killed and two youths seriously wounded in unrest on Thursday night, the public relations division of the SAP said here yesterday.

A 59-year-old man was shot and killed by an unidentified gunman at KwaDengezi, Pinetown.

At Haza, Howick, two men were killed and two youths seriously injured when shots were fired at a shop.

A delivery vehicle was badly damaged when it was stoned by a group of youths at Modderdam, Cape Town. — Sapa

Blood-brother ceremony a big joke — policeman

W/E ARGUS 27/2/88

by PAT CANDIDO
Weekend Argus Bureau

PORT ELIZABETH. — A police officer charged with murder who said he was drunk when he went on an official operation into the Cradock township has dismissed a blood-brother ceremony as nothing but a big joke.

Warrant-Officer Leon de Villiers told the Supreme Court, Grahamstown that the ceremony, mentioned by several other witnesses as something supposed to bond and keep a unit together, was nothing more than a lark around a camp fire

Warrant-Officer de Villiers, 36, and Constable Patrick Goosen, 26, are charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice.

Monitoring funeral

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

This week the judge, Mr Justice Zietsman, questioned Warrant Officer de Villiers on aspects of his evidence

Warrant Officer de Villiers told the court he was heavily under the influence of liquor when he went on a night patrol and was still under the influence when he went on an official operation the following day.

When he was sent to Cradock he drank about three-quarters of a bottle of brandy on the trip there. When they arrived they had *potjiekos* and embarked on the blood-brother ceremony which he thought was a huge joke.

Very drunk

Later they went into the township. He was very drunk and sent in a foot patrol because he was too drunk to go himself. He had hoped a foot patrol would entice stone-throwers into the open.

Mr Justice Zietsman remarked that if the squad had not gone in there would have been no stone-throwing and no need for arrests.

Warrant-Officer de Villiers said that although he did not have permission to enter the township at night he did not need permission from anyone in Cradock as he was acting under orders from the head of the unrest unit

Before entering the township they equipped themselves with batons and sjamboks

On the way to the township he drank more brandy

Asked by Mr Justice Zietsman if he did not see anything wrong in taking an armed and inebriated group of policemen into the township in the early hours of the morning, he said that when he thought about it now he could see it was wrong

Warrant Officer de Villiers described his encounter with Mr Mlungisi Stuurman, the deceased in one murder count, and said that Mr Stuurman had sworn at him when he tried to question him

According to earlier evidence Mr Stuurman was shot because he was too badly assaulted ("ge-panelbeat"). His body was dumped in a river

Warrant Officer de Villiers said he lost his temper and clouted Mr Stuurman. The rest of the unit then pummelled and kicked Mr Stuurman.

The judge asked how he, as the man in charge, could just step aside and let it happen Warrant Officer de Villiers said he was hurt and angry because one of the kicks landed on his knee.

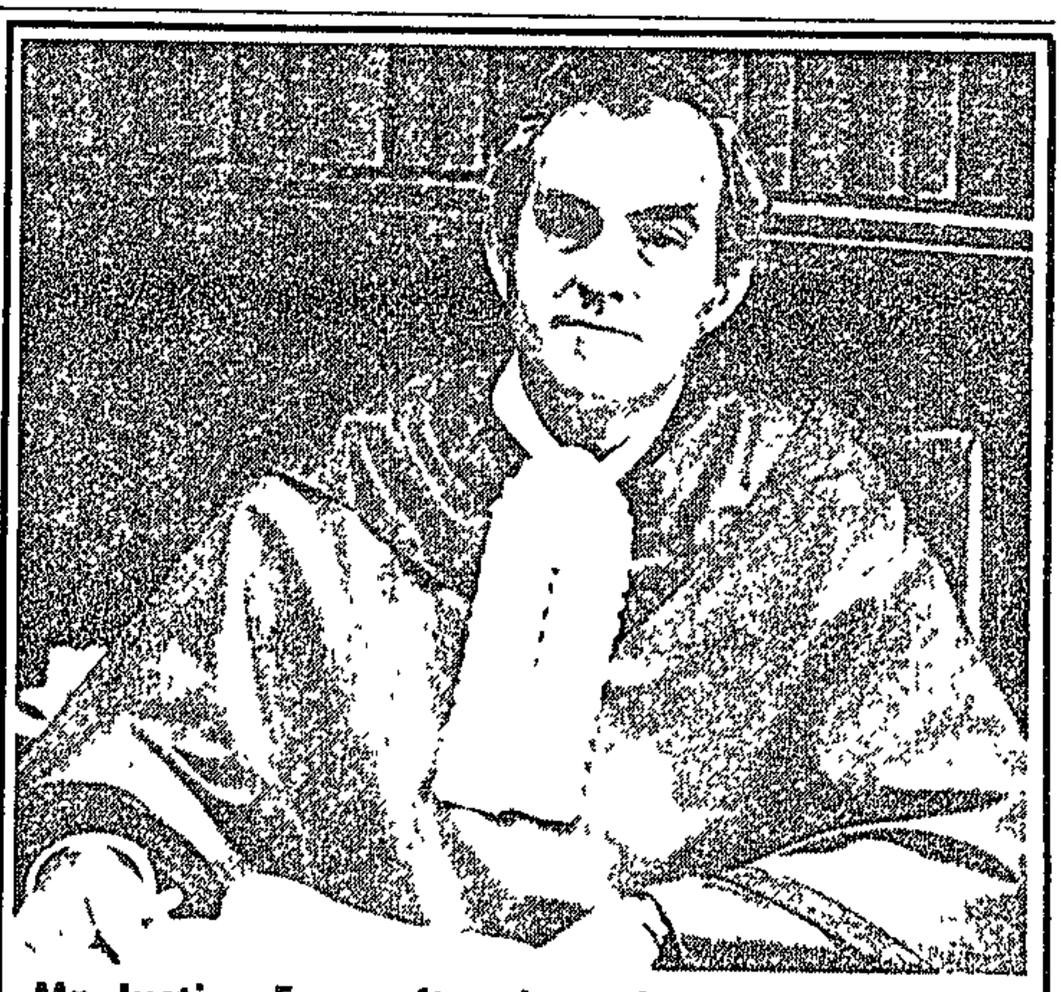
Shocked, afraid

Asked why he had ordered other members of the unit out when he and Constable Goosen interrogated Mr Stuurman, Warrant Officer de Villiers said he was scared Mr Stuurman would provoke them into another attack.

Later when the judge questioned him about the shooting at the river, Warrant Officer de Villiers, who denied he had suggested that Mr Stuurman be shot, said he believed Constable Goosen's report that the shooting was an accident.

He said he was too shocked and afraid to report the incident.

(Proceeding)



Mr Justice Foxcroft, who takes up his new position on February 17.

City advocate, 48, to serve on Cape Bench

Supreme Court Reporter

MR Justice John Godfrey Foxcroft, SC, has been appointed to the Cape Bench with effect from February 17.

Mr Foxcroft, 48, was educated at Grey High School in Port Elizabeth and Rhodes University, before furthering his legal studies at Oriel College, Oxford, as a Commonwealth Scholar from 1961 to 1963.

He was admitted to the Cape Bar in 1964 and took silk in 1985.

He has acted as judge in the Cape Provincial and the Eastern Cape divisions of the Supreme Court since February 1987.

For some years Mr Justice Foxcroft was a part-time law lecturer in Roman law, jurisprudence and company law at the University of Cape Town.

He has a continuing interest in education and has served on the Diocesan College Council and the committees of Rustenberg Junior and Senior Schools.

The judge and his wife, Audrey (neé Auld), have six children. The eldest two are studying at UCT and the others attend Bishops and Rustenburg schools.

Mr Justice Foxcroft likes gardening and golf.

Servant jailed for four years after farm shooting

Supreme Court Reporter

A KUILS RIVER domestic servant who stole her employer's revolver and shot dead a farm [illegible] has been jailed for an [illegible] Meyer's turbulent emotional state and the fact that she had drunk a fair amount of alcohol at the time of the shooting to be extenuating circumstances [illegible] for four

00 metres of barbed wire separate warring squatters

HECKPOINT KTC . . .

W/E ARGUS 27/2/88

by TYRONE SEALE, Weekend Argus Reporter

Fence will 'help prevent senseless killing, violence'

Picture DANA le ROUX, Weekend Argus

d by e bladewire fence which separates the factions at KTC squatter camp.

POLICE, Defence Force personnel and special constables moved into the strife-torn KTC squatter camp early today and erected a blade-wire barricade on two sides of the perimeter to keep warring factions apart and "prevent senseless killing and violence".

The operation started at 7am as more than 100 security force members armed with rifles and shotguns moved into the camp to erect a 800m by 600m barrier around the main section of the KTC camp, against a backdrop of burn-out remains of shacks demolished in recent battles.

Building of the barrier will be followed up by a continuous presence of police backed by a small number of Defence Force members, according to Brigadier Roy During, Divisional Commissioner of Police in the Western Cape.

The fence was installed by army and air force personnel while unrest unit policemen and special constables patrolled the area on foot and in vehicles.

A large number of police Casspirs and Defence Force lorries lined NY 78, the scene of many pitched battles, while residents watched silently.

In two groups

NY78 separates the squatter camp from Guguletu township and from a smaller camp, Tambo Square, which is thought to be controlled by activ-

PMD/QDC

Brigadier Roy During said in a statement that since "senseless fighting and violence" broke out in the camp, two groups had emerged as the aggressors.

These were the Western Cape Civic Association — one of the groups affected by the updated emergency regulations announced earlier this week — and the Mancincedane group.

"For the past four weeks the SAP has received many calls for help through, among others, letters from KTC residents and from groups who approached the police and other Government departments.

"At first many people and organisations were involved in peace efforts. However, it has now come to the attention of the police that there are undoubtedly people from outside KTC, among them white and coloured people, who are trying their utmost to ensure an atmosphere in which violence can take its toll."

Killed and injured

He said this had had the "unfortunate effect" of violence on February 26, in which people were killed and seriously injured.

"The SAP has again assessed the situation and has found that police action at this stage is imperative.

"The SAP cannot allow this senseless killing and violence to continue. Furthermore, it has now become apparent that criminal activities are now also on the increase and innocent people are losing their hard-earned belongings."

Brigadier During said at an impromptu Press conference in NY78 that the fence would be removed once the security forces were satisfied that the situation in the camp had improved sufficiently.

Outsiders screened

It was difficult to predict how long the fence would remain or how long the security forces would maintain a presence, he said.

KTC residents and outsiders would be screened at various points along the fence for 24 hours a day.

These checkpoints would enable residents who had fled from the camp to recover belongings and would prevent "wrong elements" getting into KTC.

Replying to a question, Brigadier During said that the Mancincedane group was in favour of upgrading housing in the area but the Western Cape Civic Association opposed it.

"That's what caused the original problems. We can deduce that one group wants a situation of chaos where the cancerous growth of socialism

TURN TO PAGE 3

W/E ARGUS

KTC FENCED

FROM PAGE 1

and Marxism can develop and criminal elements can hide"

This "Marxist patriotism" relied on chaos and a situation where no dialogue could be entered into.

The police and Defence Force would jointly attempt to negotiate with both factions, he said.

Colonel Louis Rheeder, OC the Defence Force's Group 40, said that a women's committee of the Western Cape Civic Association had already indicated readiness for dialogue.

"We will try to speak to both groups three times a week — on Mondays, Wednesdays and Fridays," Colonel Rheeder said.

"Thugs responsible"

It is widely believed that the two parties to the KTC crisis are the Mancincedane residents' committee on the one hand and a steering committee wishing to affiliate to the United Democratic Front.

The Rev Syd Luckett, a member of a church monitoring committee, visited the KTC camp today and said thugs were responsible for much of the recent fighting.

"They don't have any political understanding and they appear to be coming from the (activist) camp. This is not so. In fact, the monitoring committee managed to set up talks between the two camps earlier this week, but these thugs started problems again on Thursday."

Mr Luckett said that the police action would help to contain the immediate violence but that long-term problems would remain.

It was difficult to understand the underlying problem between the Mancincedane and the other group, as both were activist and the Mancincedane were not "simply seen as witdoeke", as was the case in the 1986 violence.

Cape Times 29/2/88

Factions reject fence

Barrier to stay 'till peace returns to KTC'

Staff Reporters

POLICE erected a razor-tape fence on Saturday between the two warring factions at the KTC squatter camp where at least a hundred homes have been burned down and several people killed in fighting this year.

Police said the fence would be guarded by special constables and members of the SADF's Group 40 till peace returned

The fence, erected by the police and army, is aimed at keeping apart supporters of the Western Cape Civic Association ('WCCA) in Tambo Square and the opposing Masincedane faction

The KTC mediating group, which is trying to establish peace in the area, last night said both communities had rejected the erection of a fence

The Divisional Commissioner of Police, Brigadier Roy During, who was present while the fence was being installed, said police and other government departments had received many requests for action from individual KTC residents and groups over the past four weeks when violence had flared

He said it had become imperative to erect the fence to maintain law and order.

More than 100 security force members armed with rifles and shotguns moved in at 7am to erect a double blade-wire fence along NY 78 and Terminus Road up to the Old Dutch Junction.

Floodlights had been set up and the whole area would be patrolled by police till "peace and stability returned to KTC", Brig During said.

He said the police were aware that there were "people from outside KTC, among them whites and coloured people, who were trying their utmost to ensure an atmosphere in which violence could take its toll"

He said information at his disposal had led him to believe that one group wanted a stable area, which should be uplifted to improve living conditions The other group, with a socialist and Marxist influence, wanted to maintain chaos to make KTC ungovernable and uncontrollable

The Anglican Archbishop of Cape Town, the Most Rev Desmond Tutu, is a member of the mediating committee

In a statement issued from his office yesterday, the committee said the committees from both sides in KTC had said residents did not want a fence.

The mediating committee had in fact tried to persuade the two communities to accept a fence but this had been rejected on a number of occassions.

It rejected Brig During's statement that outside groups were trying to foster conflict.

"In fact both sides have pleaded with the mediating committee to remain in KTC," the statement said.

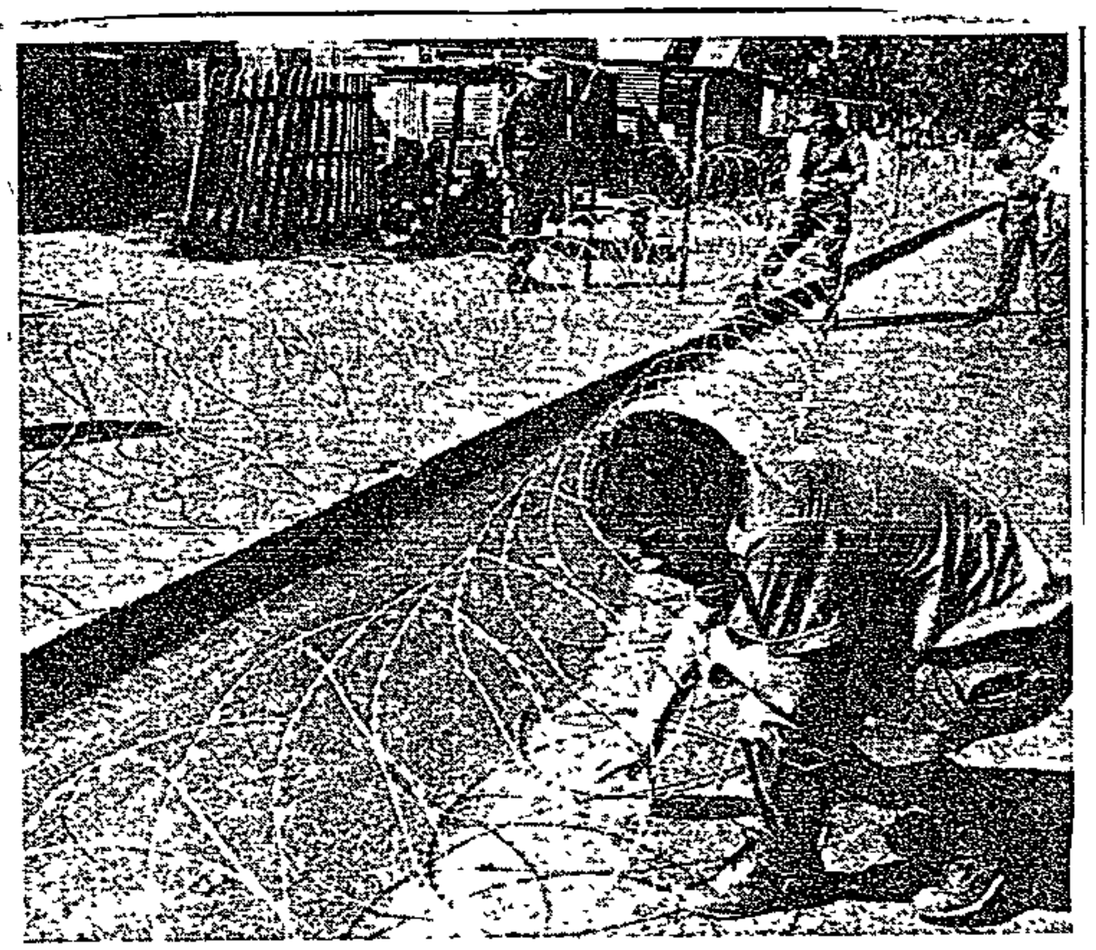
It claimed the brigadier's statement distorted facts because he had implied that the WCCA rejected better housing because it "wants a situation of chaos where the cancerous growth of socialism and Marxism can develop and criminal elements can hide".

It said the brigadier's statement should be seen in the light of the continual attempts of the police to undermine the committee's work.

Four of their members were arrested on "ridiculous charges of arson last week and released after several hours"

The UDF's representative on the committee, Mr Willie Hoffmeyr, was served with a restriction order which made it illegal for him to continue his work even in his personal capacity, the statement said

Residents of Tambo Square last night called for the removal of the fence and the security forces, saying they were "not here in our interests"



WIRED FOR TROUBLE . . . A soldier works on a section of the blade-wire fence at KTC on Saturday. Picture OBED ZILWA

ARGUS 29/2/88 (275)

KTC fence having 'the desired effect'

Staff Reporters

THE blade-wire fence put up at KTC at the weekend appeared to be having the desired effect, the Western Cape Divisional Commissioner of Police, Brigadier Roy During, said today.

"There have been no incidents since it was erected," he said.

The fence would stay for as long as police believed it necessary.

"Low profile"

"We are obliged to see law and order is maintained and the fence is part and parcel of that effort," he said.

"We will keep a low profile. However, if the situation deteriorates, there are other steps we can take."

He said the situation was being monitored 24 hours a day and that the police would hold talks with both sides. He hoped, through dialogue, to bring the two sides together.

Howevr, the KTC mediating committee, headed by Archbishop Desmond Tutu and Dr Allan Boesak, condemned the erection of a blade-wire barricade around the shantytown.

In a statement released through Archbishop Tutu's office, the committee said the fence was against the explicit wishes of the residents of both warring groups in KTC, who had rejected a proposal to build a fence several times.

"Even more serious is the statement by Brigadier During, that there are people outside KTC who are trying to foster the conflict.

"We reject this statement with contempt. It is an obvious reference to the mediating committee which has been the only group of outsiders at KTC in the past few weeks."

The committee had played a central role in reducing the level of conflict, often at great personal risk. Both sides had pleaded with members to remain in the area.

The committee said attempts had been made to undermine its work towards peace in KTC.

Arrested

- Last week four members of the committee had been arrested on charges of attempted arson and released several hours later.
- The United Democratic Front and two affiliates, the Cape Youth Congress and the Western Cape Civic Assocation, were restricted from engaging in any activities, including the peace talks.
- The UDF's representative on the committee, Mr Willie Hofmeyr, was served with a restriction order making it illegal for him to continue his work, even in his personal capacity.

They said members of the mediation committee had been detained, harassed and threatened with expulsion. On Saturday they were warned that the emergency regulatations would be used to expel them from the area today.

OAU denies corruption

ADDIS ABABA. — The Organisation of African Unity's secretary-general has denied an auditor's report charging the secretariat with mismanagement, corruption and incompetence. — Sapa-AP.

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KTC battles leave 2 dead

Staff Reporter

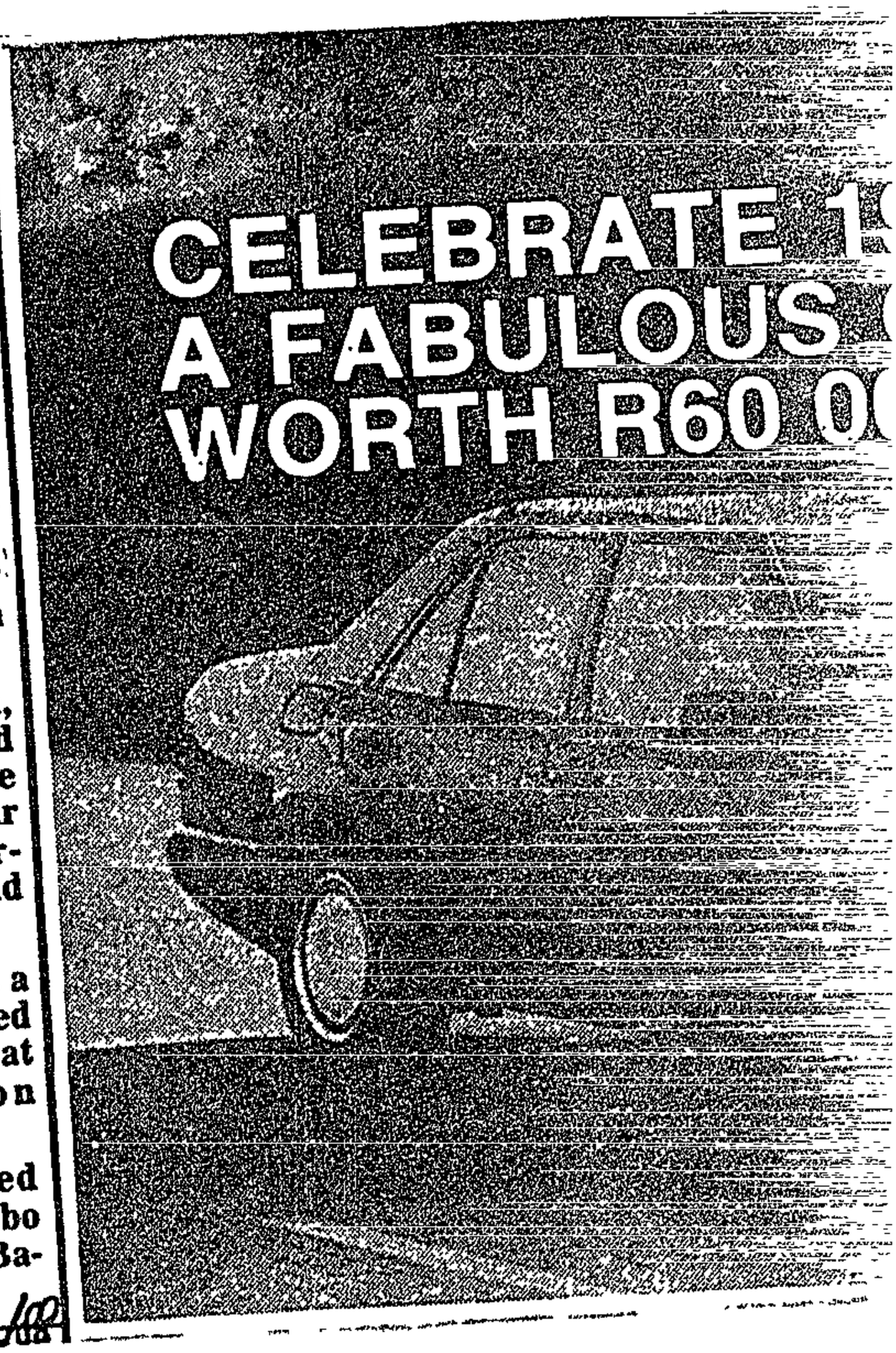
RENEWED fighting between squatter groups in KTC left two people dead, at least one injured and about 20 shacks razed by first light yesterday.

Police said yesterday that shots had been heard during the night.

The bodies of two men, one having been stabbed and the other shot, were found near KTC Bazaar in the morning. Cartridge cases were found nearby.

Sources reported that a group of youths armed with pangas gathered at the KTC Bazaar on Thursday afternoon.

Most of the burned shacks were in "Tambo Square", behind KTC Bazaar.



Cape Times 2/3/88

KTC declared no-go zone

By ANDRE KOOPMAN

KTC squatter camp in Nyanga was yesterday declared a restricted area, open to residents only, in terms of an order issued in terms of the emergency regulations, by the Divisional Commissioner of the Western Cape, Brigadier Roy During.

In terms of the order published in the Government Gazette the restricted area is the, "occupied ground bordered by Terminus Road, NY 78, NY 5, and Great Dutch Crescent."

This area is in effect the strife-torn KTC camp.

"No person who is not normally resident in the area, may enter on or be present on, or in any part of the area without the written permission of the Divisional Commissioner," the order states.

The Reverend Syd Luckett, a member of the mediating committee which has been trying to establish peace in KTC and director of the Anglican Board of Social Responsibility, said last night "it would make a mockery of my ministry if I allowed myself to be bound by these restrictions.

"By its decisions and actions of the past week the government has clearly set itself on a collision course with the church of Christ and the State President should pay heed to the words of Jesus: "The gates of hell will never hold out against the church".

A police spokesman in Cape Town said he was unable to comment on the restriction order. There was no unrest in the township, he said.

Black pupils stay away

ARGUS 3/3/88

Education Reporter

BLACK pupils at Peninsula secondary schools have started a three-day stayaway from classes in response to a call from the joint Student Representative Councils, the Department of Education and Training has confirmed.

The regional director, Mr Bill Staude, said he was concerned because more pupils had joined the stayaway today.

"It must be obvious to all that a prolonged absence from class must adversely affect the students' education," he said.

"I therefore urge the parents of the students concerned to ensure that their children should, in their own interests, return to school without delay."

The joint SRCs, which represent pupils at five Peninsula secondary schools, urged pupils to stay away from school for three days, starting yesterday, to show their solidarity with colleagues who had not been admitted to school this year.

3/3/88

KTC ban 'a threat to peace efforts'

Staff Reporter

POLICE restrictions barring non-residents from the KTC squatter camp have jeopardised the chances of peace, residents claim.

At a press conference yesterday members of the Masincedane committee said they were unhappy and feared peace talks would be unable to continue.

They would be unable to meet their rivals, the steering committee, without the presence of the mediating committee, whom they trusted.

The police order bars non-residents from KTC without permission from the divisional commissioner.

ARCHBISHOP TUTU

This effectively prohibits the mediating committee of church leaders, Congress of South African Trade Unions and United Democratic Front members from operating in the area. The committee has been meeting both sides almost daily to try to resolve conflict.

The Masincedane committee said: "We see Archbishop Tutu and Dr Boesak as our leaders. As our leaders they should be free to come into our area, whenever they want to."

Masincedane members rejected claims by the Divisional Commissioner, Brigadier Roy During, that the mediating committee wanted only to encourage a Marxist revolution.

"We value the work of the mediating committee. They have done a lot to bring peace to our area. We want them to go on with their work. We are not sure the police are sincere when they say they want peace in our area."

Trojan Horse task force 'negligent'

Cape Times 4/3/88

By YVETTE VAN BREDA

A LIEUTENANT and his eight-man task force on the "Trojan Horse", which entered Athlone at the height of unrest in 1985, were negligent and caused the death of three people when they suddenly opened fire on a crowd in Thornton Road.

This was the finding of a Wynberg inquest into the death of Shaun Magmoed, 16, Michael Miranda, 11, and Jonathan Claasens, 21, who died of multiple bullet wounds.

Making the finding, the magistrate, Mr G Hoffmann, said three commanders in the area — of the SADF, SAP and SAR — had decided to send an unmarked seven-ton railways truck on a predetermined route into Athlone on October 15, 1985.

Wooden crates

Three wooden crates were placed on the back of the truck with two armed policemen inside each. The driver and co-driver in the cab wore grey dust coats to create the impression that this was an ordinary delivery truck.

Previous evidence was that as they neared the intersection the truck was stoned and the police at the back stood up and fired at the crowd.

Mr Hoffmann said Major Christiaan Loedolff, who was commander of the Regional Task Force of the former South African Railways police at the time of the incident, said the goal of the operation was to identify and arrest the "ringleaders".

Lt Douw Vermeulen, who was in command of the operation, said he was instructed not to endanger the lives of his men and to arrest stone-throwers.

Mr Hoffmann asked who had to identify and arrest the ringleaders and when were they supposed to be arrested.

He said the police had exaggerated the events and had contradicted themselves.

Stones thrown

From the BBC and CBS videos taken at the time of the shooting, Mr Hoffmann saw that only one brick and two or three stones were thrown at the truck although the police said the truck was bombarded with stones.

He said 39 rounds of ammunition — AAA and buckshot — had been fired into the crowd. It was naive to think that stone-throwers would stand still if the police fired at them.

Mr Hoffmann said there was not a "shred of evidence" to show that Miranda and Claasens had thrown stones and although Lt Vermeulen identified Shaun Magmoed by a green shirt, he found that Shaun had not thrown stones either.

He said a state of emergency was declared 11 days after the incident and the police "could not hide behind the existence of a state of emergency".

The 1½-metre-high crates were impractical and as cumbersome to jump from as a Casspir, Mr Hoffmann said.

"Did the use of a ghost truck ease the task of the police? No," he said.

The matter will be forwarded to the Attorney-General for a decision on whether prosecution will follow.

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

Minister restrained from 'unlawful action'

Cape Times 4/3/88

Own Correspondent

GRAHAMSTOWN. — The Supreme Court has directed the Minister of Law and Order and three members of the police to take all "reasonably necessary steps within their powers" to prevent any members of the SAP from acting unlawfully towards inhabitants of Hofmeyr township.

Earlier this month, the court granted an interim order restraining 14 kitskonstabels from acting unlawfully in any way towards "one or more" of the inabitants of the townships.

Yesterday, Acting Judge Mr Justice Rein also made the order applicable to the Minister of Law and Order, the Commissioner of Police, the Divisional Commissioner of police in the South Western Districts and the Station Commander in Hofmeyr pending the hearing of the case, which has been referred to oral evidence.

The application was brought by eight residents of the Hofmeyr township, who sought relief from a "reign of unbearable terror" allegedly perpetrated by the kitskonstabels operating in the township.

Mr J de Lange, instructed by E Moosa and Associates in Cape Town and Mr B Sandi in Grahamstown, appeared for the applicants. Mr E Leach, instructed by Whitesides, appeared for the respondents.

4-10/3/88

Inquest raps policemen for 'Trojan Horse' shootings

(275) W/Mail

BY MOIRA LEVY
in Cape Town

POLICE who killed three Cape youngsters in the 1985 Trojan Horse shooting were negligent, a Cape Town inquest court found yesterday

Magistrate D Hoffman also described police evidence as "unreliable and evasive" and rejected police claims that they had fired because they feared their lives were in danger.

The incident — which was filmed by an American network — caused an international outcry The image of police leaping out of crates on the back of a truck and firing pump-action shotguns at a crowd, which included young children, became a symbol of South African repression that flashed thoughout the world

Michael Miranda, 11, Shaun Magmoed, 16, and Jonathan Claassens, 21, died after members of a police task force who were hidden in wooden crates on the back of an open railway truck fired into a crowd gathered in Thornton Road, Athlone, Cape Town, on October 15, 1985

At the inquest into their death yesterday, the magistrate said police witnesses exaggerated the size of the crowd and the damage done to the truck

He said there was no evidence that Miranda and Claassens had been identified as stone throwers and the balance of probability was that Magmoed also could not be identified as a stone thrower

He said police were not taken by surprise in the incident. They went to the area with the intention of catching the stone-throwers by surprise and teaching people a lesson (Police evidence was that their orders were to catch the "ringleaders" and that they fired because their lives were in danger)

INSIDE
MAYHEM IN THE GARDEN OF EDEN
The rains turned northern Mozambique into a lush Eden A chilling setting for war and famine ...
PAGE 14

Hoffman described the operation as "poorly prepared and planned".

He said it would have been impractical for men to jump one and a half metres from a box and then another one metre from the truck to arrest people.

Policemen's oral evidence also did not tally with evidence shown in the form of a video

Hoffmann said one of the policemen tried to mislead the court about the size of the burning barricade the truck came upon on its second journey down Thornton Road on the day of the incident.

He found police witnesses also exaggerated the size of the crowd which had gathered by the time the truck made its second journey down the road They claimed it had been between 150 to 200 strong

Hoffmann found this an exaggeration and that it was more likely half that size

Police claimed everyone in the crowd had stones and bricks, which was not substantiated by the facts

Hoffmann noted that almost 40 rounds of buckshot and birdshot were used in the shooting

He said police evidence in the inquest hearing contradicted that given in an earlier public violence trial arising from the incident.

The contents of this edition have been restricted in terms of the Emergency regulations

Justice done, say Trojan families

Cape Times 4/3/88

Staff Reporter

THE families of the people shot dead by police in the "Trojan horse" incident said they were "glad that justice had been done" after an inquest magistrate found that the police had been negligent.

Mrs Hilary Magmoed, mother of Shaun Magmoed, 16, said: "I'm very glad that everything's over and justice has been done."

Mrs Magmoed said she intended suing.

Mrs Georgina Williams, mother of 11-year-old Michael Miranda, said her son was a friendly, quiet boy who had attended Heatherdale Primary School. She had discovered he had been shot only the day after the incident.

Michael's uncle, Mr Ismail du Toit, said: "I'm so glad it's over. Only half of the justice has been done. I'll be glad to see the police charged.

"What threat was Michael to the state security? He was only 11 and a lovable youngster."

Mr Du Toit said legal action was being taken against the police.

The Attorney General of the Cape, Mr Niel Rossouw, last night said the magistrate's finding did not mean that the policemen "would be automatically prosecuted".

"The onus is on the state to prove beyond reasonable doubt that they are guilty," he said.

"We are aware of the finding and will be having another look at the papers in terms of the Inquest Act," Mr Rossouw said

● Trojan Horse task force 'negligent' — Page 3

State of emergency censorship restrictions apply to a wide range of reporting, comment and picture making in this publication

Cape Times 8/3/88 (275)

Cape Times, Saturday

Trojan horse': Family reaction

By CHRIS STEYN

LTE on an October afternoon in 1985 woman walked along Thornton Road Athlone and saw death jump from ge black crates on the back of a ven-ton railways truck.

She saw the truck with several wood- boxes cruising past a group of hoolchildren standing on the pave- ent.

The truck returned to the scene lat- and as it approached the children, it me under a hail of rocks and other jects. Some of the missiles shat- ed the windscreen.

Then the woman saw the wooden ates pop open and five or six police- n jump up. They opened fire with mp-action shotguns.

Mayhem followed, with people screaming in agony and fear as they ran away. The bodies of two dead boys lay in the wake of the "Trojan Horse".

Three children were shot — including one who was standing at the window of a house opposite the road.

Some of the injured children ran into a nearby home — but they were followed by security force members who kicked the door down and fired birdshot through the window.

In December last year an inquest started in Wynberg Magistrate's Court into the deaths of the "ghost truck's" victims. They were Shaun Magmoed, 16, Michael Miranda, 11, and Johnathan Claasens, 21.

Sergeant James Sayer, who was in the cab of the truck, was asked whether there was any opportunity for people to get away before the shooting started. "I won't say there was," he said.

The commanding officer on the "ghost truck", Lieutenant Douw Vermeulen, said he fired seven shots — without warning — in the direction of one of the three victims.

He told the court that he had not identified himself, had given no warning and fired seven shots as fast as he could, emptying the magazine.

On Thursday this week, the inquest court found Lieutenant Vermeulen and his eight-man task force on the "Trojan Horse" were negligent and caused the death of the three victims.

The magistrate, Mr G Hoffmann, said there was not a "shred of evidence" to show that Miranda and Claasens had thrown stones and although Lieutenant Vermeulen identified Magmoed by a green shirt, he found the teenager had not thrown stones either.

Mr Hoffmann said a state of emergency was declared 11 days after the incident and the police "could not hide behind a state of emergency".

The matter now rests with the Attorney-General of the Cape, Mr Niel Rossouw, who said that the magistrates' finding did not mean that the policemen "would automatically be prosecuted".

But the families of the victims said they were "glad that justice had been done". They intended taking legal action against the policemen.

THE TROJAN HORSE . . . Security force members jump from black wooden crates on the back of a railways truck and open fire on stone-throwing youths in Athlone.

'Trojan horse' policemen have not been suspended

By SYBRAND MOSTERT

A POLICE lieutenant and eight colleagues who killed three youths and wounded six other people in the "Trojan Horse" incident three years ago are still on duty — in spite of a scathing attack on them by an inquest magistrate.

That was confirmed by a police spokesman this week, soon after magistrate G Hoffman found that Lieutenant Douw Vermeulen and his task force had been negligent in causing the deaths of Michael Mirinda, 11, Shaun Magmoed, 16, and Jonathan Claasens, 21, in October 1985.

Mr Hoffman's findings will now be passed on to the attorney-general for a decision on whether there will be any prosecutions arising from the court's finding.

Cape attorney-general Niel Rossouw said the finding would not mean the policemen would "automatically" be prosecuted.

He said his department "will be having another look at the papers in terms of the inquest Act".

AMINA and ASHRAF ABRAHAMS . . . still difficult to talk about that day of blood and fear

Difficult

And the mother of a seven-year-old boy shot by police during the incident has told of the horror she felt when she held her bleeding son in her arms.

She also saw a teenager drag himself across the floor of a house, collapse and die.

Mrs Amina Abrahams said: "It is still difficult to speak of that day. The house was saturated with blood."

The inquest was told police had disguised themselves and hidden behind wooden crates on the back of a truck, then popped out of hiding to fire on a crowd which they claimed was stoning the truck.

Sitting

Mrs Abrahams said: "I was visiting a friend, who lives in Thornton Road, on that day."

Her son, Ashraf, was with her and was sitting next to the open front door when police fired their shotguns.

ZANAB RYKLIEF . . . shot in the shoulder

Windows were shattered and crockery in the lounge was broken by the blasts. Mrs Abrahams said: "Ashraf screamed as he was hit by the gunfire, I ran to the door and took him into the back main bedroom.

"I was shaking with fear and lay down on the bed with my two children. Ashraf was bleeding from where he had been hit in the body by about five pellets."

Mrs Abrahams said she then saw Shaun Magmoed, one of the three teenagers who had been in the street, crawl into the bedroom.

She said: "He then pulled himself up, kneeled at the foot of the bed, holding his head between his hands.

"He groaned once and then his eyes 'dopped om' — I could see the whites of his eyes."

Police then rushed into the house and arrested some of the wounded children.

No-one was allowed to leave the house, but after a while Mrs Abrahams forced her way out to rush her son to hospital.

Mrs Zanab Ryklief, whom Mrs Abrahams was visiting, told the inquest that Shaun, five teenagers, two small children and two other adults were at her home on the day.

She said: "I had just taken washing off the line by the front door when I heard shots. Then Shaun and another boy came in.

Orders

"As I turned around, shotgun pellets hit me in the shoulder, breaking crockery on a shelf behind me."

In his judgment, Mr Hoffman said the police had exaggerated the events and contradicted themselves in court. He also said they had been ordered to identify and arrest ringleaders.

Cape Times 7/3/88

Angry fans torch taxi after death

UMTATA. — Angry football fans stoned and torched a taxi combi after it dragged a man about 500 metres to his death after the historic clash between the local Bush Bucks and Witbank Aces yesterday.

Three men were injured in the accident which occurred when the taxi failed to stop near the Independence Stadium as hundreds of supporters of the winning Bush Bucks team stormed into the street chanting.

The dead man's name had not been released last night.

Umtata General Hospital authorities said Mr Tabo Mangqishe, Mr Sonwabo Tile and Mr David Mbombi are in a serious condition at the hospital after receiving injuries in the accident.

Police said a culpable homicide docket had been opened.

Cape Times 8/3/88

Unrest Unit trial resumes

Own Correspondent

GRAHAMSTOWN. — The trial of two Unrest Unit policemen resumed in the Supreme Court here yesterday after a break of 11 days.

Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 26, are charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents in Cradock when a section of the unit was sent there to monitor a funeral on July 26, 1986.

Yesterday, the cross-examination of W/O De Villiers — who has spent four days in the witness box so far — continued.

He was asked about the instructions he had been given for the trip and why he had chosen to demonstrate "house penetration" to his unit.

He said he had been told it was expected that six or seven terrorists would attend the funeral and the youngsters who comprised 80% of his section had not been trained to combat urban terrorism.

He tried to brief them on the positions they would assume if the terrorists were located, and show how he and Constable Goosen would "penetrate" a house if they took shelter.

He said a total of 34 policemen had been sent from Port Elizabeth to assist at the funeral.

Mr Justice Zietsman asked the Attorney-General, Dr J A van S D'Oliveira, to leave "every little turn and detail" of the route the police took and get to the important differences between the state and defence versions. The trial continues today.

Casspir 'drove past dying man'

Times 8/3/88

Supreme Court Reporter

A CLERGYMAN told the Supreme Court yesterday that when he had gesticulated to a passing police Casspir in KTC to stop and attend to a seriously injured man, the vehicle did not stop or slow down but drove past.

Testifying in the R312 000 damgages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when most of KTC was destroyed by vigilantes, the Rev John Freeth, an Anglican minister, said the incident happened on June 9, 1986.

He told the court that after he failed in his efforts to stop the Casspir, the man died of his injuries.

Mr Freeth said "absolutely nothing at all was done by the police or by the patrolling Casspirs to restrain" witdoek aggression.

"The only sad conclusion that one could draw was that the police did not really make a serious and committed effort to prevent the violence and were happy to see KTC being destroyed in the same manner as Crossroads.

"It was possible, in the light of a lack of any satisfactory explanation, that police had orders from the government to permit the destruction of KTC," Mr Freeth said.

The hearing continues today.

Mr Justice De Kock presided. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr C D Griesel SC and Mr L Visser SC, with Mr C Y Louw and Mr F D J Brand and instructed by the State Attorney, appeared for the ministers.

Vlok mum on unrest

CAPE TIMES 8/3/88

Political Staff

THE Minister of Law and Order, Mr Adriaan Vlok, yesterday declined to say whether anyone had been arrested for offences committed during unrest in Crossroads in May 1986 and the KTC area in June 1986.

He had been asked by Mr Tian van der Merwe (PFP, Green Point) whether anyone had been arrested in connection with arson, theft, malicious damage to property, assault with intent to do grievous bodily harm, common assault, murder and attempted murder in Crossroads in May 1986 and the KTC area in June 1986.

Mr Vlok said he "did not consider it desirable in the public interest to furnish the information".

Police 'afraid of assault charges'

Cape Times 9/3/88

Own Correspondent

GRAHAMSTOWN. — Warrant Officer Leon de Villiers could not explain to the Supreme Court yesterday why, if the shooting of Mr Mlungisi Stuurman was an accident, five members of the unrest unit alleged it was intentional.

W/O De Villiers, 36, and Constable David Patrick Goosen, 26, are charged with two counts of murder — including that of Mr Stuurman, two of assault and one of attempting to defeat the ends of justice.

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

During the fourth day of his cross-examination, W/O De Villiers was asked why five members of his squad should allege that Mr Stuurman's death was deliberate — a murder.

He suggested that it was because they were afraid of being charged with assault and as accomplices.

But he agreed that if they were to be charged as accomplices it would be better to be blamed for an accidental death and assault than for murder.

He said that on the way back to the township he decided not to report the accident. This was because they had been outside their duty area, because he was shocked and because he was under the influence of liquor.

He agreed that he was required to account for all ammunition fired by his section and that he had not accounted for the shot.

The trial will continue today, its 52nd court day.

Access to JMC papers blocked

By RONNIE MORRIS

THE government yesterday denied lawyers — acting for KTC residents in a R312 000 damages action — access to documents regarding Joint Management Centres (JMCs) because it would "endanger state security".

Mr H P Viljoen, SC, for the Methodist Church and the 21 KTC families in the action, said a subpoena was served on a Commandant Henn to testify and submit all JMC documents produced in May, June and July, 1986, which referred to events near KTC and/or Crossroads on June 9, 10 and 11 that year.

Correspondence between the Legal Resources Centre — the instructing attorneys — and the State Attorney's office was submitted.

In response to the subpoena, the Deputy-Minister of Law and Order, Mr Roelf Meyer, issued a certificate in terms of the Internal Security Act blocking access to documents in the interest of state security.

The State Attorney asked that a list of questions to be put to Cmdt Henn, be compiled. His answers would then be submitted to the Mr Meyer who would consider their bearing on state security.

If the list was not submitted, counsel for the State would have to ask for an adjournment after each question.

Mr Viljoen replied: "We know very little about the involvement of the so-called JMCs in the events which concern the court in this case, but do have reason to believe that one or more such centres were involved in those events. We wish to investigate this.

"We had and have no reason to believe that the activities of JMCs, which apparently operate throughout the country, are confidential."

The subpoena served on Cmdt Henn made it quite clear that he was to submit all JMC documents relating to the destruction of KTC.

Mr Viljoen said the certificate issued by Mr Meyer followed those issued by the Ministers of Law and Order, Mr Adriaan Vlok, and of Defence, General Magnus Malan, with regard to documents in their possession.

It would be "practically impossible" to formulate a list of questions which they wished to put to Cmdt Henn.

"It does not seem to us that there is any duty upon us to do so or any right in the Minister, or any other organ of the executive government, to prescribe beforehand ... which questions may and may not be answered in a court of law."

Mr Viljoen said they would oppose an application for a postponement after each question has been put.

The hearing continues today:

Mr Justice De Kock presided. Mr H Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the plaintiffs. Mr H M Scholtz appeared for the government yesterday. Mr C D Grieselt SC, and Mr L Visser SC, with Mr C Y Louw and Mr F D J Brand and instructed by the State Attorney, appeared for the Minister.

Inspector's tyres slashed

CAPE TIMES 10/3/84

Staff Reporter

THE tyres of a car belonging to school inspector Mr Jan Odendaal were slashed at the Sizamele Senior Secondary School in Guguletu after a song and dance programme by Ovambo members of 202 Battalion, police confirmed yesterday.

A police liaison officer said a docket of malicious damage to property had been opened, but no arrests had been made by late yesterday.

Police block UCT students' march to Parliament

LEFT: The Vice-Chancellor of UCT, Dr Stuart Saunders, waits for a column of students to meet up with police. He tried to persuade the students to stop and had further anxious moments when the police hesitated before accepting the students' resolution. **RIGHT:** UCT students stop on Woolsack Drive while their resolution is presented to police. Moments later, the students dispersed.

Pictures ANNE LAING

Times 10/3/88 (20) P75 (22)

400 UCT students, staff on march

By PETER DENNEHY

ABOUT 400 University of Cape Town students, academics and staff attempted a march to Parliament from the campus yesterday to present a resolution protesting the effective banning of 17 anti-apartheid organizations.

However, the protesters agreed to hand over the resolution — which had been made at a mass meeting of about 1 000 students on the campus — when the march was stopped by a platoon of police with a water cannon close to the access road to De Waal Drive.

The march was also stopped when Dr Stuart Saunders, UCT's Vice-Chancellor, pleaded with students to turn around and go back.

"Do you think this is the way to preserve the university?", he asked. "Do you think this is democracy?"

Mr Omar Badsha, a member of the Black Staff Association, and two other staff members eventually handed the document to the police.

CITY/NATIONAL

DUX, The Argus.

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UCT students hand petition to police

Staff Reporters

AN attempted protest march to Parliament by about 250 University of Cape Town students was stopped by police as the procession made its way from the campus towards Rhodes Drive.

The students were protesting against the Government's effective banning of Cosatu, the United Democratic Front and 16 other organisations.

The procession was headed by three members of UCT's Black Staff Association, who handed police a resolution taken at a protest meeting.

At 2.46pm yesterday police gave the students and journalists six minutes to disperse after announcing that the gathering was prohibited under the emergency regulations.

The students returned to the upper campus.

Shortly before the warning was given two members of the Progressive Federal Party's unrest monitoring and action committee, Mrs Val Rose-Christie and Mr Jasper Walsh, and UCT vice-chancellor Dr Stuart Saunders talked to the officer in charge of the 20-strong police contingent which had assembled next to Rhodes Drive with a water-cannon parked nearby.

The march followed a meeting in Jameson Hall attended by over 2 000 students, academics and campus workers.

Among those who addressed the meeting were Professor Mike Savage of the Sociology department, acting vice-chancellor Professor John Reid and Mr Dullah Omar, advocate and regional chairman of the United Democratic Front.

Professor Reid said in a statement on behalf of Dr Saunders that it was "right and proper" for people to organise around issues in a peaceful manner.

The restrictions on the South African National Students' Congress (Sansco), which played a "positive and useful role on campus", should be condemned in the strongest terms, he said.

● Dr Saunders said the students had ignored his warning not to proceed with the march.

"I was very pleased that the police did not use force.

"A small group of students took part in the march. I warned them not to do so. I disapprove of the fact that they did," he said.

PROTEST: UCT students display placards declaring solidarity with the South African National Students' Congress and the United Democratic Front.

Inspector's tyres slashed

CAPE TIMES 10/3/86

Staff Reporter

THE tyres of a car belonging to school inspector Mr Jan Odendaal were slashed at the Sizamele Senior Secondary School in Guguletu after a song and dance programme by Ovambo members of 202 Battalion, police confirmed yesterday.

A police liaison officer said a docket of malicious damage to property had been opened, but no arrests had been made by late yesterday.

Cape Times 10/3/88 JTS Ca

Unit had 'moering tools' on patrol

Own Correspondent

GRAHAMSTOWN. — Warrant Officer Leon de Villiers told the Supreme Court that he had meant sjamboks and batons when he instructed his section to take "slaangoed" and "moering tools" on patrol in a black township.

WO De Villiers, 36, and Const David Patrick Goosen, 26, are being tried before the Supreme Court here on two charges of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents on Saturday, July 26 last year, when a section of the Unrest Unit was sent to Cradock to monitor a funeral.

At the conclusion of cross-examination, Mr B P Loots, an assessor, asked WO De Villiers about the "slaangoed" and "moering tools" he instructed his section to take on patrol. WO De Villiers said he meant that the men were to take sjamboks and batons.

Common sense

He had relied on their common sense and training to know what he meant.

He denied he carried the fireman's axe exhibited before court or that he saw Const Goosen with a diver's knife, Const P Krans with a bayonet, Sgt E W Lombard with a hunting knife or Const M D Neveling with a butcher's knife.

He agreed with Mr J van der Riet, the other assessor, that the Unrest Unit had a two-fold task — to counter violence with violence and to improve the image of the police.

'Blind fear' of murder case cop

Cape Times 12/3/88

Own Correspondent

GRAHAMSTOWN. — Constable David Patrick Goosen told the Supreme Court here yesterday that he was in the grip of a blind, illogical fear when he fired the shot that killed Mr Mlungisi Stuurman on the banks of the Great Fish River.

Const Goosen, 27, and Warrant Officer Leon de Villiers, 36, are facing two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges stem from alleged incidents at Cradock when 10 members of the unrest unit were sent there to monitor a funeral.

Const Goosen told the court earlier this week that he was subject to sudden spells of fear and nightmares as a result of certain experiences with the Unrest Unit.

Cross-examined yesterday, he said it was a nameless fear that manifested itself at odd intervals He did not know what triggered it, or how long it would last.

He was quite definite he would not have drawn his pistol had it not been for the fear. But he agreed it was quite illogical

Const Goosen said he twice told Mr Stuurman on the way to the Great Fish River to wash the blood off his face and then he would be released

There was never any intention to kill him, he said.

On the other side of the canal, on the way to the river, Const Goosen was gripped by an inexplicable, unreasonable fear.

He said he drew his pistol, slipped the safety catch off and cocked the hammer

His finger was on the trigger as they went down the river bank. He slipped or stumbled and was aware of a sudden movement by Mr Stuurman.

A shot went off and Mr Stuurman fell face down in the river

"I cannot remember if I intended to fire," he said

In answer to Mr Justice Zietsman, he said it was possible that the shot was intentional He could remember lifting the gun

While he could not remember asking for help or throwing Mr Stuurman into the river, it was possible.

He said that when the shot went off, he was still gripped by fear

He did not remember holstering his pistol, but he did realize he had shot a man He was shocked and panicky

WO De Villiers had not instructed him to shoot Mr Stuurman and he would not have obeyed such an order.

If he wanted to shoot a man he would not have used his own pistol or leave the spent shell and the victim lying in the open

He would have used a shotgun which was not ballistically identifiable

The trial will continue on Monday.

Kitscop 'contempt' case

Own Correspondent

GRAHAMSTOWN. — A special constable from Thembalesizwe township at Aberdeen has till the end of the month to show why he should not be committed to jail for contempt of court.

Papers before the Grahamstown Supreme Court allege that Joseph Phindile Gomo, one of 12 special constables subjected to a court order in January this year, assaulted two Thembalesizwe residents about two weeks ago.

The residents, Mr Herbert Claasen and Miss Thelma Claasen, allege that the assaults are a flagrant breach of the court order and brought the urgent application this week.

In terms of the court order, Mr Gomo, 11 other special constables and two members of the regular police undertook not to assault unlawfully or act in any unlawful manner towards any inhabitants of Thembalesizwe township.

The Times (173)

Court rejects condemned man's appeal

PRETORIA. — An 11th-hour bid by an Oudtshoorn man for a stay of execution failed in the Supreme Court here yesterday, and Michael Lucas was due to be hanged at 7am today.

A spokesman for attorneys acting for Lucas said the court rejected the application because it could find no grounds to hear an appeal against the death sentence.

Six British Labour MPs, led by Mr Richard Caborn, appealed to the South African authorities to commute the death sentence.

The MPs yesterday put down a motion on the Commons Order Paper in which they deplored the execution of Tsepo Letsoara in South Africa on March 18 and the impending execution of Lucas today.

Lucas was found guilty of shooting a black bus driver during a riot in Bongolethu township at Oudtshoorn in April, 1986.

He told the court a gun he had in his hand had gone off.

Lucas has been on death row in Pretoria since his conviction for murder in May, 1987 and he will be the second person to hang for a crime arising out of the 1984-1986 black uprisings that claimed more than 2 500 lives.

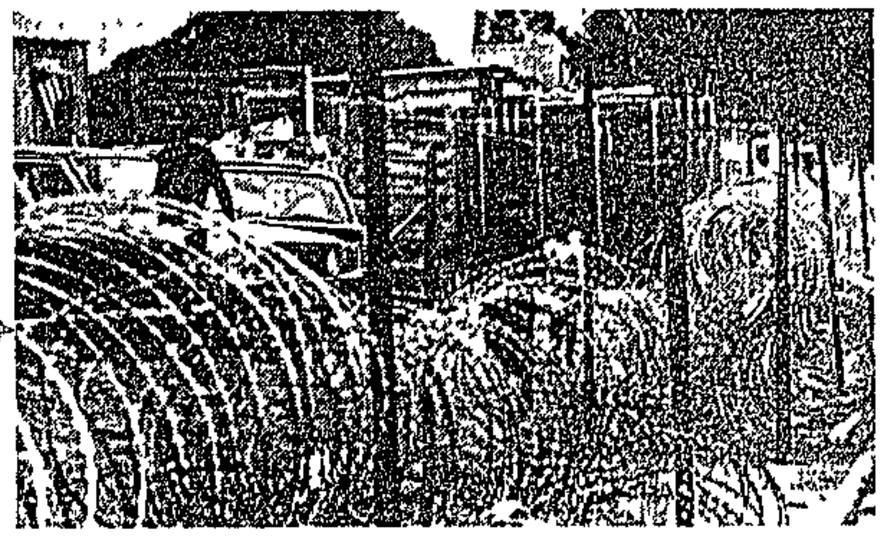
He is also believed to be one of at least 44 people on death row for crimes linked to the unrest that began in 1984. — Staff Reporter and Sapa-Reuter

LAW ENFORCEMENT . . . Special constables stand guard at a break in the razor-wire fence encircling most of KTC. The Divisional Commissioner of the Western Cape, Brigadier Roy During, recently restricted the area to residents only. **BELOW:** Razor-wire at KTC.

Pictures: GLENN SHERRATT

KTC tour, briefing on JMC

CAPE TIMES 15/3/88



Staff Reporter

THE Bureau for Information yesterday openly briefed journalists on the secretive Joint Management Centre (JMC) system and the management of the Peninsula's black townships before taking them on a tour of the ravaged KTC squatter camp.

The camp, greatly damaged last month during fighting between supporters of the ruling Masincedane Committee and supporters of an older, established KTC group, now closely resembles Old Crossroads after fighting there 20 months ago.

It is earmarked for upgrading while thousands of "Old KTC" refugees will be housed at one of three alternative sites "under investigation", Mr Graham Lawrence, deputy director of local authority management, said.

A large tract of land bordering NY78 and Terminus Road in KTC has been cleared of burnt-out shacks and is ready for levelling by bulldozers in preparation for upgrading operations.

A similar KTC area closer to the N2 highway was cleared and bulldozed after fighting on a much larger scale in 1986.

Journalists were taken to the R80-million upgrading project at Old Crossroads and driven around the razor-wire-protected KTC, where armed special constables manned road blocks and stood guard.

JMC chief Colonel Louis Rheede rejected allegations by some residents that the razor-wire unduly restricted movement and was a "nuisance".

"Before we acted we spoke to the Old KTC group and the Masincedane, and both groups wanted law and order there," he said.

Colonel Rheede said the JMC was composed of sub-committees of intelligence, chaired by an unidentified security policeman; security, headed by the special constable chief and station commander of Nyanga police station, Major Alwyn Burger; a constitutional, economic and social committee headed by Mr Lawrence; and a communications committee.

Mr Lawrence said the first of four upgrading phases at Old Crossroads had been completed with 1 200 serviced erven, community centres, schools, trading sites and extensive training and job-creation programmes. The target date for total completion of the plan was 1990.

Asked about the three satellite squatter groups evicted from Old Crossroads during 1986 fighting, Mr Lawrence said a 218-hectare site in Philippi was being considered for a R200-million upgrading project.

"The reality of the local politics dictates that each group must develop in their own area," he said.

INTERNATIONAL

Inquest decision challenged in court

Supreme Court Reporter

MORE than a mere "mail order inquest" was needed on cameraman George De'Ath, who was slain in KTC in 1986, counsel for his sister, Mrs Elizabeth Tiley, has told the Supreme Court.

Mrs Tiley has applied to the court to have the decisions of the inquest on her brother set aside.

The application was orginally brought by Mr De'Ath's father, Mr William Jesse De'Ath, who has since died.

Mrs Tiley asked the court to set aside the findings of magistrate Mr Wessel Marais in August 1987, and his decision not to subpoena for oral evidence people who made affidavits for the inquest.

Mr Marais found Mr De'Ath was "extensively assaulted by a person or persons unknown to the State".

Miss Justice van den Heever and Mr Justice Berman yesterday reserved judgment.

HEAD INJURIES

Mr De'Ath, 34, and his soundman, Mr Andile Fosi, were assaulted on June 10, 1986. Mr De'Ath died of head injuries four days later.

In argument Mr J J Gauntlett, for Mrs Tiley, said Mr Marais had acted beyond the powers of the Inquest Act and had not properly applied his mind to certain evidence.

Mr Marais' decision was clearly vitiated because he privately and independently of the court viewed a police video filmed soon after Mr De'Ath was injured.

This and the fact that he asked policemen at the unit what had happened to Mr De'Ath's final footage and learnt that "it had been sent to London", was a "serious irregularity", Mr Gauntlett said.

In his inquest affidavit, Mr Fosi said he could identify three of about 20 men who attacked him and Mr De'Ath, but Mr Marais said he formed the opinion that their identities would not be cleared up by hearing oral evidence.

Mr Gauntlett said Mr Marais was not entitled to draw the inference that Mr Fosi could not give him the men's names.

DISCRETION

Mr P Hodes, SC, for Mr Marais, said the Inquest Act left the question of oral evidence totally to the discretion of the magistrate.

"The sole purpose of the Act is to determine the identity of the deceased, the date and cause of death and whether any act or omission which constituted an offence was responsible for the death.

"An aspect of this case is whether it was 'witdoeke' or 'comrades' who perpetrated this foul deed, but to find that out would be a meaningless exercise. It would take the matter no further."

Mr Marais, who denied not exercising his discretion properly, said in an affidavit that in his opinion it was not the aim of the Act and unnecessary for the inquest findings to make decisions on whether police were assisting the "witdoeke" and whether police were involved in "tampering with" Mr De'Ath's last tape.

Trojan claim shock

By AYESHA ISMAIL

THE families of two boys killed in the Trojan Horse incident in Athlone in October 1985 will be making a civil claim only for funeral costs — which may be less than R1 000 in each case.

Lawyers are preparing the claims after an inquest court in Wynberg found last week that police had been negligent and consequently responsible for the death of Shaun Magmoed, 16, Michael Miranda, 11, and Jonathan Claasens, 21.

The three died after police hidden on the back of an unmarked truck opened fire on a group on the corner of Thornton Road and St Simon Street.

No action has yet been taken against Lt Douw Vermeulen or the eight men who were under his command at the time of the incident.

Lt Attie Laubscher, the Western Cape police liaison officer, said the matter had been referred to the Attorney-General.

"We cannot comment on whether the policemen would be charged with murder or culpable homicide," Laubscher said.

A lawyer acting for the families of Michael Miranda and Shaun Magmoed said they could claim for funeral costs only because the two were minors.

No claim was being prepared for Claasens because his family was not represented at the inquest.

275 Sowetan

Cape Times 16/3/88 (275)

Goosen shot on purpose — claim

Own Correspondent

GRAHAMSTOWN. — Counsel for the state, Mr W Kingsley, put it to Constable David Patrick Goosen yesterday that he knew exactly what happened at the Great Fish River — he had deliberately shot Mr Mlungisi Stuurman on W/O Leon de Villiers's instructions.

Const Goosen denied it.

W/O De Villiers, 36, and Const Goosen, 27, are being tried in the Supreme Court here on two counts of murder, two of assault and one of attempting to defeat the ends of justice, arising out of alleged incidents at Cradock on July 26, 1986.

Const Goosen could not remember what he had done with his gun after the shot. He could not dispute the evidence that he had "made it safe" and holstered it.

He conceded he was a good shot and scored 85% to 90% at target practice. He could have hit Mr Stuurman in the neck at the range of two or three metres if he tried.

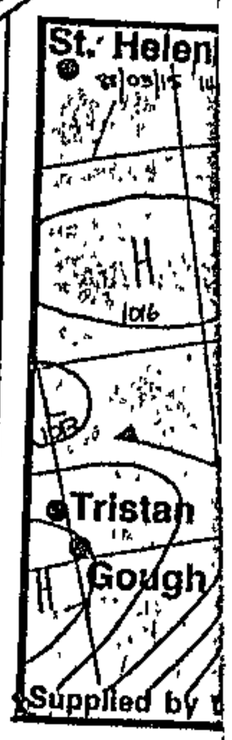
Questioned about his slipping or stumbling before the shot went off, he said he could not remember which happened.

He was more convinced that a "sudden move" by Mr Stuurman had made him shoot.

He said he reported to W/O De Villiers that he had slipped and accidentally shot Mr Stuurman because it was the only way he could describe it at the time.

If the witnesses said he had taken a firm stance before the shot, he could not dispute it because he could not remember.

The trial will continue today.



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41 students appear for 'gathering'

Cape Times 18/3/88

By PETER DENNEHY

FORTY-ONE education students, most of them from the Peninsula Technikon, appeared in the Cape Town Magistrate's Court yesterday in connection with possible charges of attending an illegal gathering as defined in the Internal Security Act, Act 52 of 1973.

The charge sheet was not made available to the press, but the allegedly unlawful gathering apparently took place yesterday at the corner of Plein and Barrack Streets, or alternatively on the route between the Grand Parade and the offices of the Department of Education and Culture in Roeland Street.

Several of the students who appeared are members of the Western Province Tertiary Institutions' Students' Representative Council, which has protested against a decision to severely limit bursaries for student teachers.

The magistrate, Mr M C Tolken, adjourned the matter to April 21 for further investigation, and all were released on their own recognizances.

Mr Franklin Sonn, rector of the Peninsula Technikon, attended the court hearing. Three members of Parliament — Mr Jan van Eck, independent MP for Claremont; Mr Ken Andrew, MP for Gardens and Mr Jasper Walsh, MP for Pinelands — also attended.

Mr M C Tolken was on the Bench. Mr E S Grobbelaar appeared for the State. Mr Essa Moosa, of E Moosa and Associates, assisted by Mr B Waglay, appeared for all the students.

Rand, city Six protests dispersed

Cape Times 18/3/88

POLICE yesterday broke up two demonstrations — one in Cape Town and the other in Johannesburg — which had demanded clemency for the Sharpeville Six.

In Cape Town, police arrested 29 Black Sash members after they ignored warnings to disperse while demonstrating in front of Parliament.

The women, including Black Sash president Mrs Mary Burton, carried a banner demanding clemency for the six, who later were given a four-week stay of execution from the gallows. They had been scheduled to hang this morning.

The women were taken into custody after failing to heed a six-minute warning to disperse.

In Johannesburg, police dispersed a group of about 500 students demonstrating off-campus against the death penalty for the six condemned prisoners.

Two television journalists were detained and their film taken for viewing to see if they had violated state-of-emergency rules regarding the filming of police action.

Lieutenant-Colonel Frans Malherbe, Witwatersrand police liaison officer, said the men taken from the scene of the protest were Mr Willie Kubeka and Mr Z Manona of Viznews.

The students re-grouped inside the campus boundary and there were no further incidents, police said.

● White and black Zimbabweans staged a vigil outside the South African Trade Mission in downtown Harare yesterday, protesting against the scheduled hangings. — Sapa and UPI

Sash women in court

By PETER DENNEHY

TWENTY-NINE Black Sash women appeared in the Cape Town Magistrate's Court yesterday in connection with possible charges of attending an illegal gathering near Parliament.

Among the women were the national president of the Black Sash, Mrs Mary Burton; the national vice-president, Mrs Jenny de Tolly; and the Western Cape regional chairperson, Ms Beverley Runciman.

Others who appeared were Mrs Sue van der Merwe, wife of the Progressive Federal Party MP, Mr Tian van der Merwe; Mrs Val Rose-Christie of the PFP's Unrest Monitoring Action Committee; and a nun, Sister Joan Rafferty.

They appeared with Margaret Nash, Lou Shaw, Sue Philcox, Sarah Christie, Mary Shepherd, Helen Marree (nee Zille), Lynne Munnik, Jane Prinsloo, Annemarie Hendrickz, Cindy Tyrell, Brenda McKay, Anne Schuster, Margaret Matthews, Desireé Burman, Ruth Copelands, Judy Woodward, Karen Chubb, Pam Allen, Margie Probyn, Alison Saayman, Anne Greenwall, Jill Gribble, and Denise Smith.

The state requested a postponement of the matter to April 22 for further investigation. All the women were released without bail, and warned to appear on that date.

The prosecutor said the charge which would be investigated would be one of allegedly attending an illegal gathering as defined in the Internal Security Act, Act 52 of 1973.

They were arrested shortly before 1.30pm in Government Avenue yesterday as they stood in silent protest behind a banner which read "Clemency for the Sharpeville Six".

Cop accused has 'Vietnam stress', says psychiatrist

Cape Times, 22/3/88

Own Correspondent

GRAHAMSTOWN. — A psychiatric expert told the Supreme Court here yesterday he had no doubt that Constable David Patrick Goosen suffered from a post-traumatic stress disorder also known as the Vietnam Syndrome.

Dr Anton Potgieter, former head of the Psychiatric Department at 1 Military Hospital in Pretoria, was testifying at the trial of Warrant Officer Leon de Villiers, 36, and Constable Goosen, 27, on two charges of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents at Cradock on July 26, 1986.

Dr Potgieter, whose thesis was on the pathological aspects resulting from operational stress during the Angola war, told the court of the requirements for making such a finding.

He said he was satisified they existed in Constable Goosen's case. He conceded that they could be fabricated but only by an "extremely well-informed person" giving a "particularly good simulation".

Dealing with Constable Goosen's personality prior to the trauma which caused his condition — a shooting incident in February 1986 — he said he was struck by Const Goosen's inability to evaluate his own emotions.

Dr Potgieter said he was surprised by the calmness with which Const Goosen faced a murder trial.

He appeared to have rationalized the seriousness of his situation by convincing himself that the stabbing was merely a reflex self-defence action without serious consequences.

The shooting he dismissed as an accident.

Asked about Const Goosen's atitude towards the victim, Mr Mlungisi Stuurman, Dr Potgieter said Const Goosen was not sympathetic towards him, but pitied him.

"He was helpless, as helpless as I was in the shack," Const Goosen had said, referring to an incident when he was caught in a cross-fire between the police and a guerilla.

Asked why Constable Goosen had never spoken about his attacks of nameless fears and nightmares before, Dr Potgieter said Const Goosen would consider it "unmanly" to discuss it with colleagues who had experienced a similar incident.

Last moments of freedom — Adiel Samaai, 20, with his six-week-old child Qaasim and wife Nadia.

South 24-30/3/88

Adiel loses appeal — prepares for jail

By AYESHA ISMAIL

A PARKWOOD father, aged 20, is to be separated from his wife and six-week-old baby to begin a 12-month jail sentence for public violence following the failure of his appeal.

Moegamat Adiel Samaai, sentenced in November 1985, said this week: "I have accepted that I have to go to jail. I'm prepared.

"We are waiting for the written judgment from Bloemfontein appeal court before I know when to report.

"I feel much better now that everything is over. The case has been going on for three years."

A Bachelor of Commerce student at the University of Cape Town until last year, he had to abandon his studies.

"I'm going to miss my family — especially my son Qaasim.

"My parents will look after my wife Nadia and child while I'm in prison."

Nadia said they had tried everything to save her husband from jail and his mother, Mrs Gaya Samaai, said she was sad.

Lawyers said they intended petitioning the State President for relief.

The State alleged Samaai was part of 30 to 40 people who stoned a police vehicle in Parkwood in September 1985.

He set two tyres alight, was shot in the hand and buttocks, and arrested.

Samaai quit playing for Devonshire Rovers due to injuries from the shooting.

275

Cape Times 24/3/88 275

No way for a cop to work — colonel

Own Correspondent

GRAHAMSTOWN. — No policeman under the influence of liquor could officially do duty, particularly unrest work where serious decisions had to be made, a former head of the Unrest Unit told the Supreme Court yesterday.

Lieutenant-Colonel D Blignaut was testifying at the trial of two members of the unit, Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents in Cradock on July 26, 1986.

When the evidence of the alleged assault on Mr Mlungisi Stuurman the following day was put to him, he said such conduct was completely unacceptable to him personally and as a policeman.

Sergeant E W Lombard of the police video unit told the court he had been present at the "black-bashing operation" on that night.

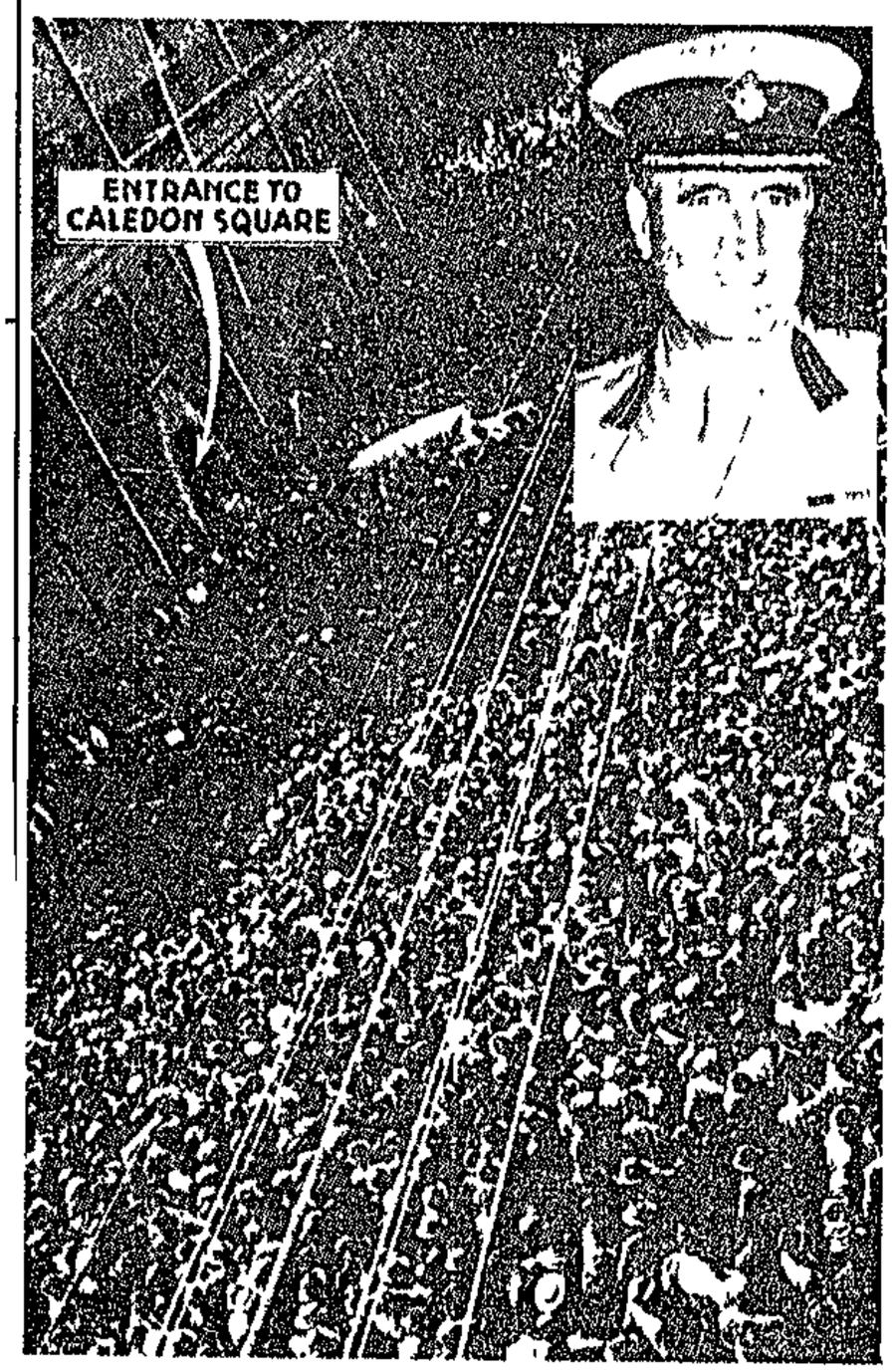
He agreed that thinking back it was completely wrong for a group of inebriated policemen to go into the township. He said he saw nothing wrong with it at the time because his own judgment was clouded by liquor.

The trial continues.

Cop who saved city speaks from the grave

Cape Times 26/3/88

275



FLASHBACK . . . Colonel "Terry" Terblanche and the crowd of 30 000 who surrounded Caledon Square on March 30, 1960. Unarmed, and with cool courage he went in among them and persuaded them through their leader, after giving him an assurance, to return peacefully to the townships.

By ROGER WILLIAMS
Chief Reporter

A POLICE officer accredited with saving Cape Town from a bloodbath in 1960 revealed in his will that he was "dumbfounded" when ordered by a cabinet minister to move armoured vehicles into the city as 30 000 angry blacks marched on Cape Town

Brigadier I P S "Terry" Terblanche revealed this in a statement found attached to his will

He said the then Minister of Justice, Mr Frans Erasmus, gave him the order on March 30, 1960

After 28 years of silence the brigadier, who died at Bellville last week aged 85, recorded "for posterity" what transpired on that momentous day for Cape Town

Under control

Mr Erasmus gave the order in spite of his assurance that the situation was under control and that it would be highly dangerous to take the step the minister was insisting on.

Mr Erasmus instructed him to send armoured vehicles on to Stalplein, near Parliament, and to the Old Supreme Court (now the SA Cultural History Museum), off Church Square.

"I was dumbfounded that a minister of our country could address me in such a manner, and issue an instruction altogether unheard of for a minister.

"When I told him I was also in full control of the security of the Parliament buildings, his response was: 'Carry out my instructions!' "

(The brigadier obeyed the instruction, but ensured the vehicles were kept well out of sight, under the control of senior officers).

Brigadier Terblanche is credited with having saved Cape Town from a bloodbath on the day he later referred to as "the miracle of March 30", on which, with cool courage, he decided to talk rather than shoot when the phalanx of angry blacks marched to the Caledon Square police headquarters to demand to put their pass-law and other grievances to Mr Erasmus personally.

Colonel Terblanche, as he was then, defused a dangerous situation by promising the leader of the blacks, Mr Philip Kgosana, a 23 year-old university student, that he would arrange for him and a small deputation to meet Mr Erasmus later in the day

In his statement he said when Mr Kgosana returned to Caledon Square — having persuaded his followers to go back peacefully to the townships — he was arrested on Mr Erasmus's instructions

'A certain source'

He says when he routinely applied for promotion to a higher rank (brigadier) on his retirement in 1961, this was rejected by Mr Erasmus and that he was later told in confidence by "a certain source" that the minister had disapproved of his handling of the March 30 situation

In an 80th-birthday interview he told me he had set out the details in a statement he had attached to his will — and this was released to me yesterday by his son and the co-executor of his estate, Mr Naas Terblanche.

Brigadier Terblanche said he had remained silent "in the interests of my country and my people", but felt that after his death "the true facts be recorded, for posterity"

Cop on patrol 'didn't know' of incidents

Cape Times 26/3/88

Own Correspondent

GRAHAMSTOWN. — A witness who had been with the alleged "black bashing expedition" in the Cradock township was asked by the Supreme Court yesterday how there could have been stabbings and killings without his knowing.

Sergeant E W Lombard said he could not explain, but he had not been aware of any violence that night, except when he himself had thumped an old man on the chest.

Sergeant Lombard was called by the defence to testify in the trial of Warrant Officer Leon de Villiers, 36, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice arising out of alleged incidents in Cradock on July 26, 1986.

Assessor Mr B P Loots wanted to know how the incidents which the court now know happened could have happened without Sergeant Lombard's knowledge. The policeman could not explain.

Sergeant Lombard also said he did not hear any talk of incidents among members of the unit after they returned to base. Asked how he felt later when he heard people had been stabbed and a man killed, he said that if the allegations were true, he felt very bad about being one of the expedition.

He said the purpose of going into the township that night was to do foot patrols to tempt the stone-throwers and arrest them.

He agreed that the idea of using foot patrols as bait was a form of enticement.

He admitted that he was under the influence of liquor when he went in, and that he had had a free choice as to whether he would accompany the patrol or not.

In answer to Mr Justice Zietsman, he denied that he and WO De Villiers had planned the operation together. They had discussed it, WO de Villiers had made the decision and he had agreed to go along as a driver.

When they left the township he notified the "Op's Room" they were withdrawing. If there had been any incidents, it was his responsibility to report them at the time.

The trial will continue on Monday.

MCAS 275

March 30 1988

COURTS

I knew nothing of KTC order — officer

Supreme Court Reporter

A SENIOR policeman, who saw witdoeke burning shacks in KTC in June 1986, told the Supreme Court he did not know of an interdict preventing such actions.

Captain Paul Loock, giving evidence yesterday in the R312 000 damages claim against the Minister of Law and Order by 21 KTC residents and the local Methodist Church, said he was not aware and was not informed of an interim court order restraining police, army or squatter leaders from attacking or allowing attacks on KTC.

Captain Loock said that from June to November 1986 he was in charge of detectives at Guguletu police station investigating general and unrest-related offences such as arson.

He said he was in KTC in a Casspir on June 9, 10 and 11 1986.

Captain Loock said it would have been suicidal for his Casspir crew of seven to leave their vehicle and attempt to arrest witdoeke for arson in June 1986.

Threat

He said: "It would have been seven men against a few thousand."

It was fair to say that any threat to policemen clearly came from the comrades and that the damage caused on the three days he was there was "practically exclusively" the work of witdoeke, Captain Loock said.

Mr H Viljoen SC, for the residents, in cross-examination: Why did you not act in terms of the law against the side which did not seem to be threatening you?

Captain Loock: I was not equipped to do so. The unrest unit tried to keep witdoeke out of the area I was there to investigate crimes.

The Minister of Law and Order has denied that police assisted in, alternatively failed to prevent, attacks on KTC in June 1986, as alleged by residents.

(Proceeding)

Kakamas shootings: policeman charged

PM(4) 30/3/88

573

Political Staff

A POLICE sergeant has been arrested and charged with the murder of two children shot dead at Kakamas last month, a police spokesman confirmed today.

Sergeant W.J Beyleveldt of the dog squad at Kimberley appeared in court on Monday on two murder charges and 13 charges of attempted murder.

He was not asked to plead and the case was postponed to April 28.

He was released on his own recognizance.

The Kakamas shootings last month resulted in the deaths of Rosaline Cloete (4) and Michael Julies (13). Another 15 people were said to be injured at the time.

According to the police account a crowd started throwing stones when the police tried to arrest a suspect, and it became necessary to open fire.

According to accounts from people in the crowd, the people had gathered out of curiosity and there was no rioting or stone throwing.

Cape Times 31/3/88

Govt praise for police in KTC

Supreme Court Reporter

POLICE on duty in KTC on the second day of factional fighting received a message from Mr Louis le Grange, former Minister of Law and Order, praising them for their work and promising that he would answer any questions.

This was said yesterday by Captain Paul Loock in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC.

Captain Loock told the court that from June to November 1986 he had been in charge of detectives at Guguletu police station investigating general and unrest-related offences, including arson.

He had been in a Casspir in KTC on June 9, 10 and 11, 1986, and had not made any arrests.

An SABC video tape, taken on the day police took several journalists on a tour of the area, was shown to Captain Loock in court.

It showed him outside the Casspir on a few occasions. It also showed hundreds and sometimes thousands of witdoek vigilantes walking next to and behind Casspirs.

Asked by Mr H P Viljoen SC why police had not acted against the witdoeke when the march indicated trouble, Captain Loock said it was usual for the witdoeke to stand around the area and then walk back to Crossroads.

He added: "It is not my duty to contain unrest. I was there for investigations and to stop arson. I was not equipped for unrest duty."

The video film showed the Casspir in which Captain Loock was travelling through KTC passing SADF buffels and other Casspirs while witdoeke walked in the road or at the side.

Mr Justice M R de Kock presided. Mr Viljoen with Mr P Pretorius and Mr A Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr C D Grosel SC and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and insructed by the State Attorney, appeared for the minister.

Police officer tells court of 'vagueness' about affidavit

ARGUS 3/3/88

Supreme Court Reporter

A POLICE officer did not know that an affidavit he made would be used to oppose an interdict restraining police, army or squatter leaders from attacking or allowing attacks on the KTC squatter camp.

This was evidence in the Supreme Court, Cape Town yesterday by Captain Paul Loock in the R312 000 damages claim brought by KTC residents and the Methodist Church against the Minister of Law and Order.

Earlier Captain Loock, who headed detectives at Guguletu police station during the period when KTC was destroyed, had said he did not know of the interdict.

Under cross-examination he said he thought the affidavit concerned a civil claim arising from an incident in which he had shot a priest.

Mr H Viljoen, SC, for the KTC residents: You mention the "applicants" in the affidavit. You must have known the application had something to do with the "witdoeke" and the inhabitants of camps.

Captain Loock: I'm very vague about it. It could be that they told me what it was about, but I can't remember now.

From a video tape shown in court of scenes in KTC, Captain Loock agreed that a radio message from the then Minister of Law and Order, Mr Louis le Grange, had been broadcast.

Mr Viljoen said the message read: "I wish you all of the best. You are doing well. You must act correctly at all times. I will answer the questions."

(Proceeding.)

CAPE TIMES 1/4/88 775

Vlok denies lawyers access to documents

Supreme Court Reporter

THE Minister of Law and Order, Mr Adriaan Vlok, has denied lawyers acting for 21 KTC families in a R312 000 damages action against him, access to documents detailing stock, weapons and ammunition because it would be to "the detriment of state security".

On Wednesday afternoon, in a certificate in terms of Section 66 of the Internal Security Act, Mr Vlok said that as Minister of Law and Order he had personally considered inscriptions in books, documents and registers of the Divisional Commissioner of Police, Western Province, all counter-insurgency units and also the riot squad (Western Province).

The inscriptions relate to the amount of all weapons and ammunition in the distribution registers, all police stations' inventories and all government property registers for the police districts Cape Town, Wynberg and Athlone from January this year and also for the Bellville police district from 1 April last year.

'Security'

● This is the fourth time during the hearing that the government has blocked access to documents in the "interest of state security". Last month the Deputy Minister of Law and Order, Mr Roelf Meyer, blocked access to Joint Management Centres (JMC) documents.

Both the ministers of Law and Order and of Defence were previously subpoenaed to provide certain documents, but declined to do so in terms of the the Internal Security Act.

The hearing continues on April 18.

Mr Justice M R de Kock presided Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents Mr C D Griesel SC and Mr L Visser SC, with Mr F D J Brand and Mr C Y Louw and instructed by the State Attorney, appeared for the minister

Cape Times 12/4/88

Shooting: Cop in court

By PETER DENNEHY

THE policeman who allegedly fatally shot Mr Ebrahim Carelse in the head with a shotgun in a Salt River kitchen in September 1985 was charged with culpable homicide in Cape Town Regional Court yesterday.

Lieutenant John Michael Baird, 29, from Jeffreys Bay, pleaded not guilty to culpable homicide. He did not deny that he shot Mr Carelse.

Lt Baird claimed in an affidavit that he had been within his rights in "arresting" Mr Carelse on suspicion that he "committed or attemped to commit the crimes of sedition or arson".

A 12-year-old witness, who may not be identified, told the court that he was in the kitchen in Burns Road when the shooting took place.

Mr Carelse had walked into the house, the boy claimed, and wanted to "go over the wall to see what was going on outside .. I think there was running and shouting". Earlier he had heard shots and seen people running.

A policeman had run through the house and shot Mr Carelse

Mr A Veldhuizen, for Lt Baird, put it to the boy that Mr Carelse had run into the house, shouted 'Stop die boer', ignored the policeman's shout to halt, pulled the kitchen table into the policeman's way and was about to close the kitchen door when he was shot.

The boy denied this. Mr Carelse had told him to remain in the kitchen and was shot from behind when he opened the kitchen door.

The hearing continues today.

Lt John Michael Baird

Lieutenant tells of Salt River killing

Cape Times 13/4/88

275

Staff Reporter

LIEUTENANT John Baird, accused of shooting Mr Ebrahim Carelse in the head with a shotgun, killing him, yesterday told the Regional Court there was no other way to stop him fleeing.

Lieutenant Baird, who entered the witness box yesterday, said he was on patrol in Salt River on September 5, 1985 when he and a colleague saw a group of men on the corner of Burns and Albert roads.

One of the men held what appeared to be a burning object. When they got closer they saw he was holding a petrol-bomb in one hand and a brick in the other.

The men were standing in front of a business and it looked as if they were about to break in and petrol-bomb the place, he said.

The men ran in different directions when the patrol car approached.

Lieutenant Baird said he had a shotgun and a pistol and had chased after the man with the petrol-bomb and brick. On several occasions he had shouted at the man, whom he identified as Mr Carelse, in both English and Afrikaans to stop.

Mr Carelse had run into 17 Burns Road and closed the door but about a second later he (Lieutenant Bairns) had kicked in the door.

He followed Mr Carelse down the corridor to the kitchen. Mr Carelse ran towards the back door and had pulled a kitchen table in his way and ran out the back door.

"A second later I saw him run into a lane. I did not know where it was leading to. It was dark.

"When the kitchen door closed, I fired the shotgun."

The hearing continues today.

 ARGUS 13/4/88 (275)

Man shot in head: Policeman in court

Court Reporter

A SALT RIVER grandmother knelt next to the body of a man she knew "like a son" and went hysterical after he was shot in the head by a policeman in her kitchen, the Cape Town Regional Court heard.

Mrs Sadea van der Skyff of Burns Road was giving evidence yesterday in the trial of Lieutenant John Michael Baird, 29, who has pleaded not guilty to culpable homicide.

The State alleges that Lieutenant Baird unlawfully shot Mr Ebrahim Carelse on September 5 1985.

Mrs van der Skyff said she had been visiting friends across the road about 9pm that evening when her daughter told her to get the children inside as there was "trouble".

She heard screams and shots from Main Road and hurried to her veranda where some young children were playing.

She said she herded them inside and was talking to them when she heard a noise that sounded like a car back-firing.

Mrs van der Schyff said her granddaughter told her there was a policeman in the house. She went to the kitchen and saw the policeman. Mr Carelse was lying on the floor.

Hysterical

"When I saw he had been shot in the head I was so shocked I became hysterical.

"I asked him 'why did you shoot an innocent man, he's like a son of mine' and the policeman said 'these are the people that make all the trouble'.

"Later, when they came back to reconstruct the incident, he said he had shouted 'staan stil' but I didn't hear that."

Earlier, a 13-year-old boy testified that he had been playing on his grandmother's veranda with his cousins and a friend when he heard shots and shouting from the direction of Main Road.

His grandmother hurried from the house opposite and took the children inside.

"Long gun"

His uncle, Mr Carelse, was in the house and they went to the kitchen together.

Mr Carelse was just about to open the back door to see what was happening outside when a policeman burst in and fired a shot with a "long gun".

The boy said Mr Carelse dropped to the ground and he got a fright and ran away.

He still had nightmares about the incident, he said.

The hearing continues today.

Mr M de Klerk is on the Bench. Mr Frank Silbert appears for the State and Mr A H Veldhuizen, instructed by the State Attorney, for the defence.

Lieutenant Baird

Cape Times 14/4/88

Policeman acquitted in shotgun death

By RONNIE MORRIS

MOMENTS after his acquittal in the Regional Court yesterday on a charge of culpable homicide following the death of Mr Ebrahim Carelse, Lieutenant John Baird burst into tears and was consoled by colleagues.

Lt Baird, 29, the station commander at Jeffrey's Bay, pleaded not guilty to the charge.

Evidence was that Mr Carelse died after being shot in the head with a shotgun in Salt River on September 5, 1985.

The court heard that Lt Baird and a colleague were on patrol in Salt River when they spotted a group of men on the corners of Albert and Burns Roads near a business. One of them (Mr Carelse) was holding a burning object and a brick and he was convinced that the men planned to smash the glass and petrol bomb the premises.

Accepted lieutenant's version

He chased Mr Carelse down Burns Road and shouted to him about four times to stop. Mr Carelse ran into a house. At the house, when he was about to run through the kitchen door, the lieutenant fired a shot from his shotgun.

Passing judgment, the magistrate, Mr M de Klerk, said when the court considered the evidence of two state witnessess, the version of Lt Baird should be accepted.

A 12-year-old boy — he was 10 at the time of the incident — did not impress the court as a witness. He was vague and in many instances he was unsure of important aspects.

Another witness, Mrs Sadea van der Schyff, did also not impress the court as a good witness and could not explain some of her actions.

Mr De Klerk said Lt Baird was an excellent witness who answered questions clearly and did not contradict himself.

Mr F Silbert prosecuted. Mr A H Veldhuizen, instructed by the State Attorney, appeared for Lt Baird.

ARGUS 15/4/88

3-day stayaway: 5 teachers suspended

Education Reporter

FIVE black teachers have been suspended without pay for alleged misconduct.

Mr O M Mbekwa and Mr Ernest Hendla of I D Mkize High School in Guguletu and Mr Thembekile Plaatjie, Mr Vuyo Hlaba and Mr Zolile Fonya of Langa High School have been instructed not to communicate with colleagues and pupils and not to enter schools.

They have been told that failure to obey could lead to charges of insubordination.

One of the suspended teachers said they had been charged with misconduct because they were absent from school for three days in the first term.

"I wanted to know if we were victimised because of the three-day stayaway by black teachers. But the department could not give me a clear answer."

On Wednesday, pupils held a placard demonstration at I D Mkize, demanding that their teachers be reinstated immediately. They said they would not attend classes until their demand was met.

● A telex requesting confirmation of the suspensions was sent to the department on Wednesday. The Argus has not yet had a reply.

Police confirm baton charge at Mitchell's Plain

Argus 18/4/88

Staff Reporter

SCHOOL stayaways and worker protests were expected today over several issues, including the "Sharpeville Six".

At Mitchell's Plain police fired tear gas and baton charged pupils at schools where meetings were due to be held in support of the Six.

Police vehicles were stationed near most schools in Mitchell's Plain and a helicopter circled overhead.

Police surrounded Mondale before 9am, apparently in anticipation of a rally.

A police spokesman confirmed that about 9,55am a police vehicle at Mondale was stoned. Pupils were warned to disperse and when they failed to do so, teargas was used and they were baton charged.

RENT INCREASES

Many township shebeens were closed yesterday and were due to stay shut today in solidarity with calls for the re-opening of the trial of the six people condemned to death in connection with the murder of Lekoa deputy mayor Mr Kuzwayo Dlamini in September 1984.

Mr Dlamini was killed by a mob of residents angered by rent increases.

The Western Cape Students' Congress (Wecsco) demanded the unconditional reinstatement of five teachers in the Department of Education and Training who were suspended earlier this year, the release of all student and teacher activists and a stop to "harassment" of teachers and students.

A spokesman for the Congress of South African Trade Unions (Cosatu) said demonstrations were expected at many factories organised by affiliated unions.

The demonstrations were in response to a decision by the Western Cape Joint Shop Stewards' Council for action in all industrial areas to protest against proposed amendments to the Labour Relations Act.

Many trade unions are firmly opposed to the amendments.

Associated issues are the recent restrictions on Cosatu and 17 other organisations, and the Sharpeville Six.

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Sowetan 17/4/86

Cape demos

SCHOOL stayaways and worker protests were expected in Cape Town yesterday over several issues, including the "Sharpeville Six." At Mitchell's Plain police fired tear gas and baton charged pupils where meetings were due to be held in support of the Six.

Cop denies knowledge of interdict

Supreme Court Reporter

A SENIOR police officer yesterday told the Supreme Court he had not been informed that an interdict — restraining the police, the SADF and the witdoek vigilantes from attacking KTC — had been granted.

Lieutenant-Colonel William Oosthuizen was giving evidence in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families who lost their homes when vigilantes destroyed most of KTC.

Lt-Col Oosthuizen, of the Wynberg detective branch, said he and his investigating team had gone to KTC to look for and arrest people in possession of unlicensed firearms.

His task was not to control unrest but men in his Casspir were armed with regulation side-arms, R1 rifles and shotguns containing buckshot.

He had heard rumours that KTC was to be attacked. Asked if he knew of an interdict granted against the police, army, and the witdoeke to restrain them from attacking KTC, Lt-Col Oosthuizen said he was not informed.

He said he and his team had been in the vicinity of KTC on all three days of the fighting. Should he come across someone who was in the process of using a firearm, his orders were to "eliminate" them. He added that he did not see or arrest anyone with an unlicensed firearm.

The hearing continues today.

Cops' defence closes in murder hearing

Cape Times 8/4/88.

Own Correspondent

GRAHAMSTOWN. — After calling its 11th witness, the defence in the trial of two unrest unit policemen closed its case yesterday — the 67th day of the hearing.

Before the Supreme Court were Warrant Officer Leon de Villiers, 37, and Constable David Patrick Goosen, 27, charged with two counts of murder, two of assault and one of attempting to defeat the ends of justice arising out of alleged incidents at Cradock on July 26, 1986.

The state has indicated it will apply to reopen its case. The application will be heard today.

The last defence witness was Mr Samuel Mhlobo, who testified to seeing Mr Mlungisi Stuurman being trampled in his yard by a policeman.

Cape Times 19/4/88 (p 275)

Parents in school protest

PARENTS yesterday prevented pupils and staff entering Nyongo Primary School in Khayelitsha as they demonstrated for the reinstatement of one of the teachers who had been suspended for alleged misconduct which included stabbing the principal.

According to the Independent MP for Claremont, Mr Jan van Eck, the parents sought the suspension of six other teachers, including the principal.

The police arrived, ordering the parents to disperse and allow school to proceed as usual.

Mr Van Eck asked the parents if they would disperse provided he took up the issue with the Deputy Minister of Education, Mr Sam de Beer.

Cape Times 19/4/88.

Cops clash with students at rally

275

Staff Reporters

THOUSANDS of chanting University of the Western Cape students yesterday held a protest rally on the campus in support of the Sharpeville Six and against the "crisis" in black schools.

After the rally a policeman was injured when placard-bearing students clashed with riot police at the university's main entrance.

Stones and a bottle containing sand were thrown at the police and a policeman was later admitted to the Jan S Marais Hospital with a a broken jaw after being struck by a rock, police said.

In another incident, police confirmed that stones flew and teargas was fired as police confronted scores of pupils converging on Mondale Senior Secondary School in Mitchells Plain where a rally, also in support of the Sharpeville Six, was to be held.

About 800 pupils from many schools in the area arrived at Mondale but the rally was pre-empted when a senior teacher told them to "either go home or back to classes".

Teachers said police arrived at the school in several vehicles just before the rally was due to begin. They allegedly kicked a gate open and entered the school premises to fire teargas.

"I won't say how police got into the school. These allegations (the gate kicking) are always made," said a police liaison officer, Lieutenant Attie Laubscher.

Cape Times 20/4/88 (275)

★ Cap

Acquittal appeal

By RENEE MOODIE

THE state yesterday appealed against last year's Supreme Court acquittal of two policemen charged with murder and attempted murder after the death of a woman and the wounding of three other people.

In September last year Warrant Officer Paulus Kruger, 36, and Constable Ernest Villet, 27, were acquitted of murdering Miss Sarah van Wyk, 21, and of attempting to murder three others during unrest in Bellville South in August 1985.

Evidence was that the two men hid at the corner of Industry Road and Armada Crescent and fired shotguns seven times at a fleeing crowd.

They had been ordered to eliminate those who acted against the police.

In his judgment, Mr Justice C T Howie said he would have found Warrant Officer Kruger guilty on all charges and Constable Villet guilty on the attempted murder charges as their order was so unlawful that a reasonable man would not have felt it was his duty to carry it out.

He was overruled by his two assessors who found that the two men had carried out an order which had to to be seen in the context of the day's events.

Mr H G Klem, SC, for the state, yesterday applied for leave to argue on a question of law before the Appeal Court.

He said the judge should have informed the assessors that facts found by them to be true meant the two policemen had caused more damage than was necessary to carry out their orders and that the defence of acting under orders was not applicable.

Mr Dirk Uijs, who appeared for Constable Villet, said that when all the court's findings were seen in perspective it was clear that the factual finding by the majority of the court was correct and there was no room for a reversal of the facts by the Appeal Court.

Mr A Veldhuizen for Warrant Officer Kruger, said the state had submitted that the question of whether the extent of the order had been overstepped, was a question of law and that the judge's view should therefore be binding.

This was incorrect and the question rather was whether the two men had acted reasonably.

Mr Justice Howie reserved judgment.

Mr Klem was assisted by Mr W Downer

Cops 'unable to prevent fighting'

CAPE TIMES 20/4/89

Supreme Court Reporter

A SENIOR police officer told the Supreme Court yesterday that there were not enough police present to stop fighting which broke out in KTC between residents and the witdoek vigilantes in June 1986.

Lieutenant-Colonel William Oosthuizen was being cross-examined in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families.

Responding to Mr H P Viljoen, SC, Lt-Col Oosthuizen conceded that he had seen large numbers of witdoeke move into KTC in the presence of one Casspir.

Even if there had been 10 Casspirs present, he said, police would not have been able to prevent 800 witdoeke from entering KTC.

Police numbers were sufficient if they wanted to shoot to kill, but there were not enough police to try to arrest the witdoeke.

He had seen police use teargas to disperse the vigilantes.

Asked if he would have given an order to shoot if residents of Rondebosch had been attacked and arson committed, Lt-Col Oosthuizen said he would have ordered his men to shoot if he could not do anything else.

He agreed that he felt less responsible towards KTC residents than those of Rondebosch which was a white area. Greater material damage would be caused to Rondebosch, said.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar, and instructed by the legal Resources Centre, appeared for the residents. Mr C D Griesel SC and Mr L Visser SC, with Mr C Y Louw and F D J Brand and instructed by the State Attorney, appeared for the minister.

Days of anger: Independent MP Jan van Eck (top, left) mediates between pupils and riot police at Engjongo primary school. Below, pupils from ID Mkhize school hide their faces behind placards Pictures: ERIC MILLER Afrapix

Blazing barricades as pupils clash with police

22-28/4/88 W/Mail 27

By GAYE DAVIS, Cape Town

WESTERN Cape schools flared in revolt this week as thousands of pupils engaged in stayaways, demonstrations, rallies and marches, clashing violently with police.

In echoes of the turmoil of 1985, pupils set up burning tyre barricades, stoned police and other vehicles and were teargassed and baton-charged by police in a number of incidents across the Peninsula, starting last Friday.

Instructions issued to principals in high schools in Mitchells Plain — scene of several clashes between police and pupils — indicate a hard-line response by the police

According to information given to the *Weekly Mail*, principals were informed by the regional inspector of "coloured" education that police were "sick and tired" of pupils disrupting tuition. In future police would:

- Enter school grounds and "physically put" pupils back in their classrooms if they were discovered standing around outside
- Remain until teachers could continue teaching
- Thereafter keep the school under continuous observation.

The instructions have precipitated an apparent conflict between police and the Department of Education and Culture in the House of Representatives, which administers "coloured"

● To PAGE 2

Judgement today in land-mines trial

JUDGEMENT in the Messina "land-mine" trial began yesterday in a courtroom packed to capacity, and will continue today.

Mr Justice JPO de Villiers confirmed that the state had dropped three of 41 charges against Mthetheleli Mncube, 27, of Soweto, and Mzondeleli Nondula, 24, of Queenstown. They still face several charges which carry the death penalty.

The men are charged with murder, terrorism, treason and illegal possession of arms and ammunition. The dropped charges relate to alternative counts of terrorism and illegal possession of explosives.

Justice De Villiers said the accused would be judged separately as they had not acted with common purpose.

Mncube has been charged with the deaths of a tractor driver, a passenger in a truck and two policemen in the Messina area.

Nondula allegedly laid landmines which caused the deaths of members of the De Nysschen and Van Eck families. — Sapa

● See PAGE 7

22-28/4/88 W/Mail

P.T.O.

Violence flares at Cape schools

22-28/4/88 W/Mail

●From PAGE 1

schools.

However, the Western Cape police liaison officer, Lieutenant Attie Laubscher, told the *Weekly Mail* that police and the department were in "close contact" to ensure pupils attended school and that "no intimidation" took place.

Some principals are unhappy about the instructions, believing they could fuel a situation one described as "very sensitive and explosive.

"It's as if they are trying to force normality at the point of a gun," he said. "If the authorities overreact, this thing will go up in a ball of flame and then we'll be back in 1985."

The plight of the Sharpeville Six, the continued detention and harassment of teachers and pupils in "coloured" schools, the sacking and suspension of several teachers in black schools and the fact that several hundred pupils have been denied readmission to black schools were cited as the basis for this week's protests.

Police confirmed the following

●Last Friday Rylands High pupils staged a placard demonstration in support of the Sharpeville Six, then set up a burning tyre barricade — stoning police before being dispersed

●On Monday, as pupils at black and "coloured" schools staged stayaways, walkouts and held alternative programmes around the Sharpeville Six, police clashed with about 500 University of the Western Cape students after a campus rally attended by several thousand students. A policeman had his jaw broken by a rock, police said.

In Mitchells Plain, police teargassed high school pupils heading for a mass rally at Mondale High School. Police surrounded the premises before again firing teargas to disperse pupils.

Teargas and batons were also used to disperse pupils who later gathered at Glendale High School.

At the nearby Spine Road High School, police teargassed pupils who, according to sources at the school, had been attending classes and were in the grounds because it was break-time.

In the Elsies River and Bonteheuwel areas, police vans and a post office vehicles were stoned.

On Monday night, a meeting called by the Western Cape Teachers' Union in protest against the continuing detention and alleged police harassment of teachers and pupils at Manenberg High School was prevented from going ahead by police acting in terms of the Emergency regulations.

●On Tuesday police prevented pupils from holding a rally at Cedars High in Mitchells Plain before baton-charging them.

Monday also saw "total stayaways" at eight black high schools. The Department of Education and Training would not confirm or deny this.

In "coloured" schools, *Weekly Mail* sources reported stayaways and walkouts at schools in Mitchells Plain, Athlone, Bonteheuwel, Salt River, Wynberg, Elsies River, Grassy Park and Retreat on Monday.

On Wednesday Mitchells Plain pupils staged walkouts in

Cape Times 22/4/88

Bursary march students in court

Court Reporter

THE rector of Peninsula Technikon, Mr Franklin Sonn, accompanied 40 education students yesterday when they appeared briefly in the Magistrate's Court in connection with contravening the Gatherings and Demonstrations Act.

The students, mostly from the Technikon, were not asked to plead and the hearing was postponed to June 15.

Their appearance follows a march in the city on March 16 by student teachers.

Protest

The students marched from the Grand Parade to the offices of the Department of Education and Culture in Roeland Street to protest against changes to the department's bursary scheme.

The students entered the court quietly and lined up in four rows behind the dock.

The prosecutor, Mr J M McEwan, told the court that Ms Lucia Kekane, 22, was in Johannesburg and a warrant for her arrest was authorized and held over.

● They are Mr Jacob Khumalo, 19, Mr Ndungane Mcekelo, 30, Mr Yeli Tshabalala, 22, Mr Gladman Speckman, 22, Mr Vivian Philip Braaf, 21, Mr Michael Tarentaal, 22, Mr Benett Kenneth Bailey, 26, Mr Michael Henry Kleyn, 20, Mr Peter Mabena, 23, Mr Johan Africa, 19, Mr Stephen Mark Brown, 21, Mr Graham Siebritz, 20, Mr Bles Rosi, 30, Mr Glenville Meyer, 23, Mr Marthinus Mouton, 20, Mr Nceba Loki Cwati, 20, Mr Bongani Moeti, 20, Mr Dumisan Kumalo, 20, Mr Albert Mtembu, 19, Mr Mzwabantu Mahola, 21, Mr Brian Kiewiets, 21, Mr Sidwill Hugo, 22, Mr Edward Raymond, 21, Mr Vumani Mtati, 24, Mr Morris Mannikus, 22, Mr Ian Feris, 21, Mr Allan Victor Jenneker, 18, Mr Frederick Volkwyn, 25, Mr Trevor Adolph, 22, Mr Petrus van der Horst, 19, Mr Martin Beukes, 22, Ms Colleen Hulley, 24, Ms Vivienne Botha, 22, Mr Jacobs Dassie, 21, Mr Peter Newman, 21, Ms Sandra Christoffel, 19, Mr Edward Regue, 21, Mr Ephraim Makgathi, 19, Ms Jacqueline Bailey, 19, and Mr Stephen Rhyn, 19.

ARGUS 22/4/88 275

KTC arson: No police action 'inexplicable'

Staff Reporter

A SENIOR police officer told the Supreme Court it was "inexplicable" that police had not taken action against witdoek vigilantes setting fire to shacks in KTC.

Lieutenant-Colonel William Oosthuizen was being cross-examined yesterday in the R312 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 KTC families.

Mr H P Viljoen, SC, showed the court a video clip of events in KTC in June 1986 showing police arresting an Anglican priest, the Rev John Freeth, and ignoring a group of witdoeke crossing the road about 100m away and entering a shack next to one already burning.

Lieutenant-Colonel Oosthuizen agreed that it could be assumed the witdoeke entered the shack to set it alight.

Mr Viljoen said the policemen "bundled" Mr Freeth into a van and drove away instead of stopping the vigilantes.

Lieutenant-Colonel Oosthuizen said he would have taken action against the witdoeke had he been present.

He agreed that it was inexplicable that the police had not taken action.

Mr Viljoen referred to the minutes of a meeting on the morning of the first day of violence in KTC, which was attended by senior officers from various departments, including security police, railway police and the army and representives from the departments of Constitutional Development and Information.

It was noted in the minutes that Lieutenant-Colonel Oosthuizen told the meeting that "blacks from the city are going to march to Pollsmoor (prison) to free Mandela".

Mr Viljoen asked him why he had not mentioned rumours that KTC was going to be attacked.

Lieutenant-Colonel Oosthuizen said he had not taken the rumours seriously.

He had not mentioned the rumours or thought it necessary that precautions should be taken, in spite of an interdict granted by the Supreme Court restraining the police, army and witdoek leaders from aiding or participating in attacks on KTC, because "such rumours were seldom true".

(Proceeding)

Police shot in Soweto ambush

Cape Times 23/4/88

275

JOHANNESBURG. — Four municipal policemen and a civilian were shot and wounded when their vehicle was ambushed in Emdeni, Soweto, yesterday.

The police had been arresting residents for non-payment of rent.

The shootings happened about 1am, according to police, when a hidden gunman opened fire — apparently with an AK-47 — on the vehicle in which the police were travelling.

Senior Sergeant Gregory Beck, 31, who had been driving the vehicle, was shot five times. He said he had been returning to headquarters in Dube, Soweto, when he and his men were ambushed.

"I felt the shots hit me, and my leg went dead. It was broken. I knew I had to get away, so I used my left leg to work the accelerator and kept on going.

Search launched

"A few streets away we came to open veld and I stopped the vehicle and we crawled into the grass and lay down."

He said they had been arresting people for rent arrears.

A police spokeman said a search had been launched for the gunman.

The civilian was shot in the neck and the four policemen in various parts of the body.

A house in the area was also damaged, the spokeman said.

● At Ravensmead, Cape Town, a group of people stoned and damaged a delivery vehicle yesterday, according to the latest police unrest report.

The report also said a group stoned a bus at Bonteheuwel. — Sapa

375

Acquittal appeal fails

AN APPEAL by the state against a Supreme Court acquittal of two policemen on murder and attempted murder charges was yesterday dismissed.

In September last year Warrant Officer Paulus Otto Kruger, 36, and Constable Ernest Villet, 27, were acquitted of murdering Miss Sarah van Wyk, 21, and three others during unrest in Bellville South in August 1985.

They said they had been ordered by Captain Ockert van Schalkwyk to "eliminate" those who acted against the police.

In his judgment, Mr Justice C T Howie said he would have convicted W/O Kruger on all charges and Const Villet on the attempted murder charges as the order was so unlawful that a reasonable man would not have felt duty-bound to carry it out.

He was overruled by his two assessors who found that the order had to be seen in the context of the day's events.

Mr H G Klem SC, for the state, applied for leave to argue on a point of law before the Appeal Court. He said the judge should have informed the assessors that facts they found to be true meant that the two policemen had caused more damage than was necessary and that the defence of acting under orders was not applicable.

Mr Justice Howie yesterday said the court had unanimously found that W/O Kruger was ordered to eliminate rioters; that he and Capt Van Schalkwyk believed drastic steps were needed; that they knew the shots would be fired from close quarters to at least inflict serious injuries.

On a question of fact, the assessors found that the policemen's actions were consistent with the order given. There was no factual finding that they had caused more damage than necessary.

On a question of law, Mr Justice Howie said he had found that the order was unlawful but on the factual finding he decided in relation to the policemen's state of mind, it was clear they had accepted the order as lawful.

Seven held after 'incidents' on Cape Flats, say police

ARGUS 27/4/88

Staff Reporter

EMERGENCY UPDATE

POLICE today released two sentences of information about widespread incidents on the Cape Flats involving schools and pupils yesterday.

In its daily unrest report the police Public Relations Directorate in Pretoria said police arrested seven youths in Athlone after "incidents in which streets were barricaded" and that a girl under 18 was "arrested after a group had gathered illegally".

Yesterday The Argus asked police to confirm incidents in Mitchell's Plain, Bonteheuwel and Athlone which could not be reported in terms of the emergency regulations.

Police liaison officer Lieutenant Denise Benson was unable to do so before The Argus went to Press.

Later, reporters were referred to today's unrest report.

The report also said three delivery vehicles were damaged in separate incidents of stone-throwing by groups of youths in Ravensmead and "no injuries were reported".

Education: Fear of chaos, confrontation

By DENNIS CRUYWAGEN
Education Reporter

THE response of the authorities to the education crisis "is a recipe for chaos and confrontation" according to a group of "concerned educationists" who include the heads of the universities of Cape Town and the Western Cape.

They said in a statement that an explosive situation had developed steadily at coloured and black schools in the Peninsula this year.

Signatories to the statement are University of Cape Town vice-chancellor Dr Stuart Saunders, University of the Western Cape rector Professor Jakes Gerwel, Peninsula Technikon rector Mr Franklin Sonn, acting chairman of the Western Cape region of the Institute of Race Relations Sir Richard Luyt, and Moulana Ebrahim Moosa, national director of the Muslim Youth Movement.

They said the frustrations and grievances of pupils, teachers and parents have been met with silence from the authorities and education departments had reacted aggressively.

They said. "Today, the security forces are effectively threatening to occupy schools in the name of 'law and order'.

"We want to say clearly: education cannot happen at gunpoint The response of the authorities is a recipe for chaos and confrontation that destroys all hope of normal schooling and undermines a meaningful educational process"

They called for an end to the harassment of teachers and pupils, the release of detainees and for democratic organisations to be allowed to meet freely.

MINIMUM

They urged the Department of Education and Training to reinstate suspended teachers.

Their demands were the minimum basis for negotiation and peace in schools, they said.

At a press conference called by the group, Mr Sonn said it would be useless and a waste of time for the group to speak to education authorities "because they do not control schools".

The major issue was the Government's refusal to allow pupils and teachers to express themselves, he said.

Dr Saunders said it was unacceptable that more than 1 000 black pupils had been refused admission to high schools this year

Professor Gerwel said. "Who is running education now: the education authorities or the Joint Management Centres? It is educationally unacceptable to try to teach at the point of a gun."

Schools told of police threats to take action

Education Reporter

THE Department of Education and Culture confirmed today it had instructed school inspectors to tell principals of a police threat to force pupils into classrooms

"Yes, we instructed all chief inspectors to tell principals of the police threats," said Mr Thinus Dempsey, liaison officer in the department.

"We did it in the interest and safety of our pupils."

Mr Dempsey said police told the department last week that they would enter schools where pupils were milling around, physically force them into classrooms and remain on school premises until teachers resumed normal programmes.

DIRECTIVE

"I want to make it clear that we did not draw up the new measures, neither did we ask the police for assistance. We do not co-operate with the police. They informed us of their plans.

He said Mr D J Rabie, regional inspector of schools in Mitchell's Plain who told principals in the area of police threats, had not acted of his own accord.

"He followed our directive."

The instructions were similar to those the department gave to inspectors and principals to explain police powers when the state of emergency was extended in 1985, he said.

Attendance at schools in Athlone and Mitchell's Plain was low yesterday and some schools were empty

Crisis in Cape Flats education

Schools empty

Cape Times 28/4/88

By CHARL DE VILLIERS and ANDRE KOOPMAN

TENS of thousands of black and coloured schoolchildren yesterday left classrooms virtually empty as a schools protest, described by teachers as the worst in the Peninsula since 1985, entered its third day.

Absenteeism of between 80% and 90% was claimed in some areas. Students joined a growing protest following an official warning that police would physically enforce classroom attendance.

Senior schools in Mitchells Plain and Athlone were hardest hit with "total boycotts", Mr Tinus Dempsey, spokesman for the Ministers' Council in the House of Representatives, said last night

"Classroom attendance ranged between normal and total boycotts, with many of the 93 coloured high schools reporting 60% to 70% attendance," he said.

Mr Dempsey said he could not identify the schools involved nor provide exact attendance figures, but said yesterday was the "high point" of this week's protest.

The leader of the Labour Party, Mr Allan Hendrickse, said during the introduction of his budget as Minister of Education and Culture in the House of Representatives that teachers at some schools were being tried by pupils conducting "people's courts". (See Page 2).

In spite of the state of emergency, coloured secondary schools and colleges were going through "unprecedented orchestrated turbulence" and the DEC was experiencing huge problems with "pupils who busy themselves with alternative or people's education", he said.

Teachers monitoring the schools situation estimated that Tuesday's non-attendance figure for the Peninsula ranged between 60 000 and 70 000 — and yesterday's was estimated to be even higher

Kasselsvlei Senior Secondary teachers said that almost the entire student body had stayed at home yesterday

At Bellville Senior Secondary there had been a

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£8 000 (R32 000)

Cape Times 28/4/88

From page 1

Schools

90% non-attendance yesterday, said teachers at the school, while at Mitchells Plain's 12 schools "between 10% and 20% of pupils attended", teachers said. In the Athlone area, the site of most of Tuesday's unrest incidents, attendance was reported to be virtually nil.

Police yesterday confirmed the detention of eight pupils allegedly involved in the setting up of barricades and attending illegal gatherings

Pupils' representative bodies previously demanded the immediate readmission of 1 540 black pupils denied registration at the beginning of the year, the scrapping of student identification passes at black schools and a halt to the "police harassment and detentions"

In a related development, more than 1 000 Heathfield parents, teachers and pupils have strongly rejected protracted school boycotts as a means of solving the current education crisis

At a meeting this week it was, however, proposed that alternative forms of protest — which "educated and involved the entire community" — be adopted, a spokesman for the Heathfield Parents', Teachers' and Students' Association (PTSA) said last night

Barricades of anger

South 28/4-4/5/88 (275)

BARRICADES flared in Western Cape townships this week as angry pupils took to the streets in protest at security force actions and the continuous harassment and detention of teachers and pupils.

At an urgent press conference this week, top educationists criticised police action at schools.

The conference heard that surveillance of teachers and pupils had reached "frightening" proportions.

Walkouts

Earlier, letters from the Department of Education and Culture (DEC) warned that police would "physically" put pupils back into their classrooms.

At Department of Education and Training (DET) schools this week pupils staged walkouts and stay-aways in protest against the suspension and dismissal of teachers.

Pupils are also angry over the department's locking out of hundreds of pupils, the blue-card system and security force actions.

This week five teachers from I D Mkhize and Langa high, suspended by the department for being absent

• TO PAGE 3

harged

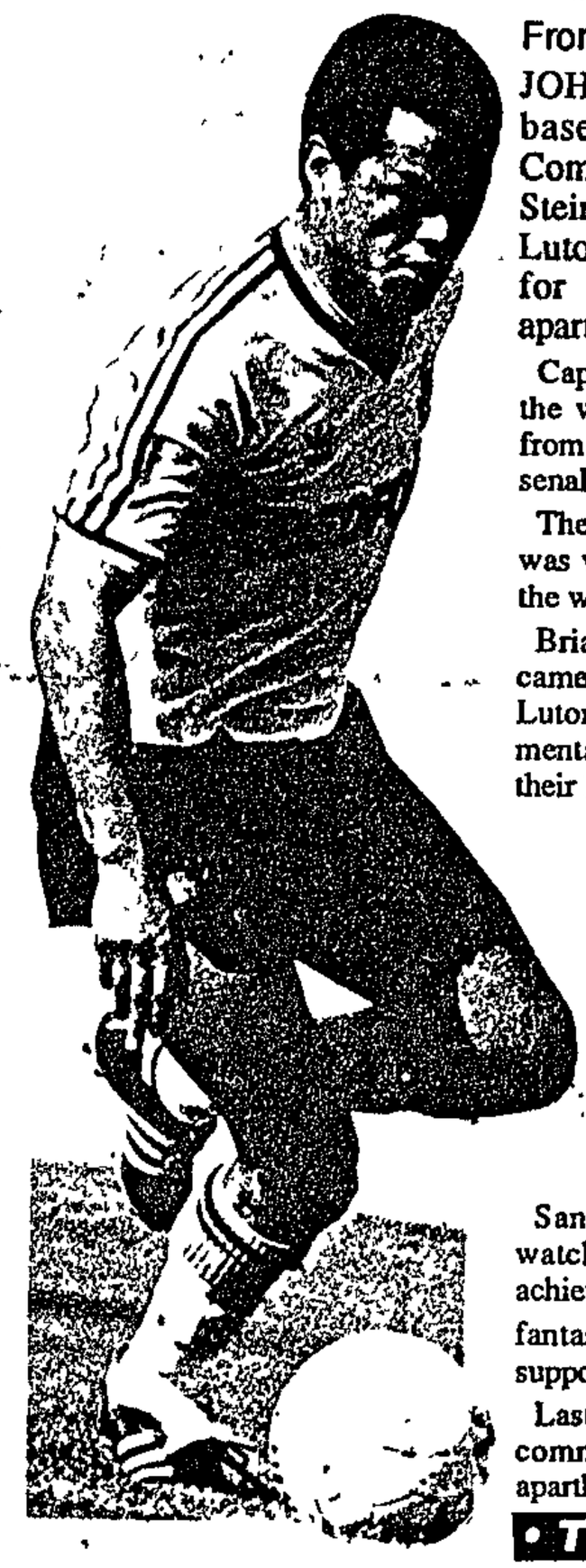
ument with another resident.

e three policemen - Constable A M utte, Constable P J Koen, and Con- le C Serfontein - first appeared in t on April 21.

e case has been referred back to the rney General pending further investi- ns into charges of murder, alterna- y, culpable homicide.

South

Exiled to fame!



From AMEEN AKHALWAYA

JOHANNESBURG. — The London-based SA Non Racial Olympic Committee (Sanroc) has hailed Brian Stein's brilliant soccer performance for Luton Town on Sunday as a "triumph for everyone involved in the anti-apartheid sporting struggle".

Cape Town-born Brian scored the first and the winning goal in Luton's trilling come-from-behind 3-2 victory over favourites Arsenal in the Littlewoods cup final.

The match at Wembley Stadium in London was watched by millions of viewers all over the world, including South Africa.

Brian and his younger brother Mark, who came on as a substitute and helped inspire Luton's dramatic recovery, had been instrumental in securing Luton's first major title in their 103-year history.

Banned in SA

Their father, Isaiah, who was banned in South Africa, left on an exit permit for England nearly 20 years ago. He is a member of Sanroc.

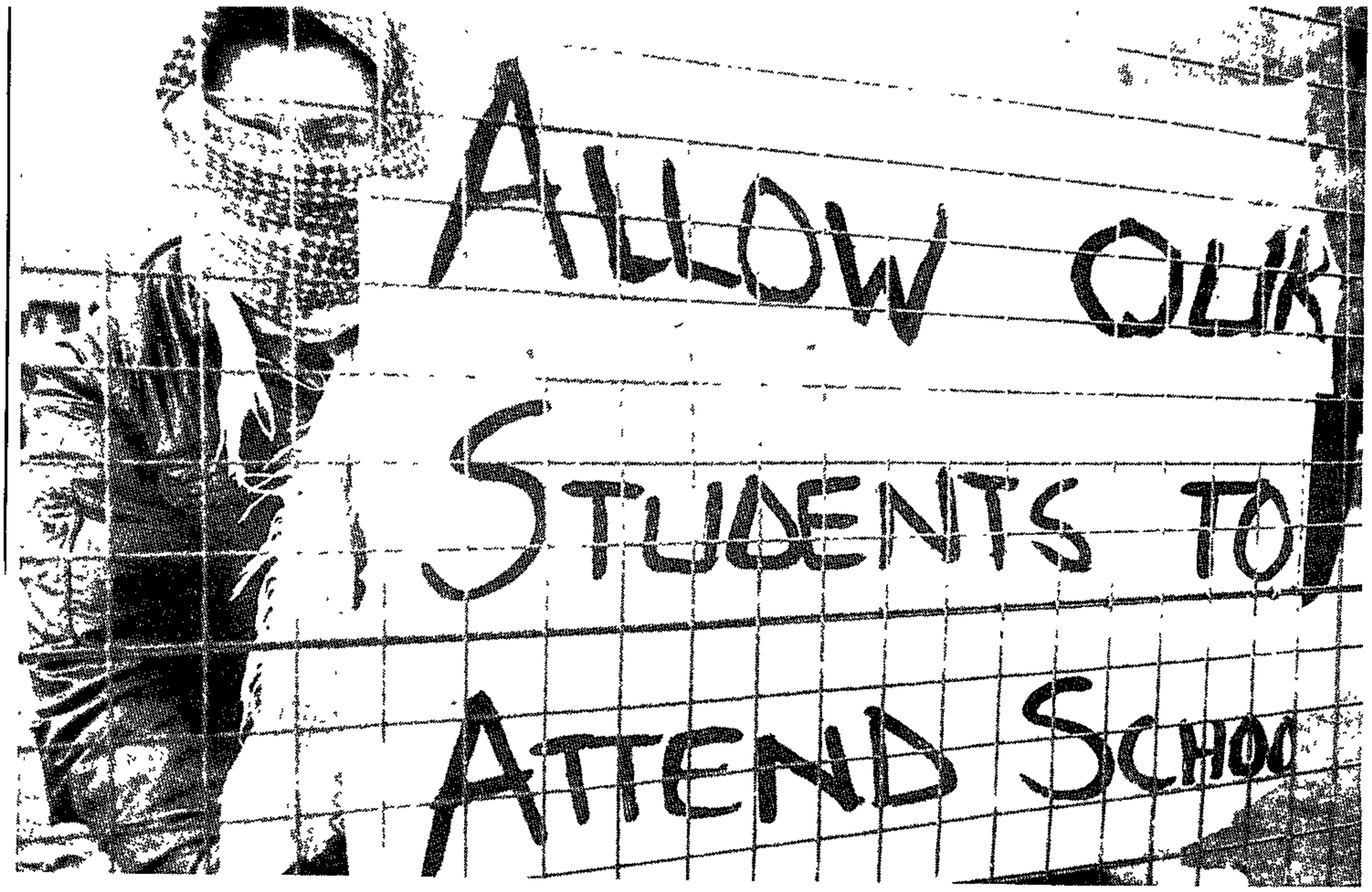
Brian has represented England and Mark is an England prospect. Isaiah Stein told SOUTH from London this week: "It feels great."

Sanroc chief Sam Ramsamy, who has watched the Stein brothers grow up and achieve fame, said: "It was fantastic. Brian is one of Sanroc's greatest supporters.

Last year the United Nations give him a commemoration certificate for his anti-apartheid work in sport.

• TO PAGE 2

P.T.O



Pupils protest at Alexander Sinton High School in Athlone

Six pupils in court

Sowt 28/4

(275)

• FROM PAGE 1

without permission, were formally charged with misconduct.

Mr Osborne Mbekwa, Mr Ernest Henda, Mr Vuyo Hlaba, Mr Thembekile Plaatjie and Mr Zolile Fonya now have 14 days to admit or deny the charges.

In schools on the Cape Flats tension mounted this week as groups of students burned tyres in some streets and a few erected barricades.

In Mitchells Plain, Athlone and Bonteheuwel there were several unrest incidents which SOUTH is unable to report under the Emergency Regulations.

Following these incidents many pupils were arrested.

Six appeared at the Athlone Magistrates Court on allegations of public violence. They were released into the custody of their parents and the case was postponed to May 20. The six students are from Sinton, Spes Bona and Groenvlei high schools.

At the press conference at the University of Cape Town, police action was criticised by educationists who expressed concern at the mounting schools crisis.

They included UCT vice-chancellor Dr Stuart Saunders, UWC rector Professor Jakes Gerwel, and Mr Franklin Sonn, president of the Cape Teachers Professional Association (CTPA) and rector of the Peninsula Technikon.

Some accused the education authorities of working "hand-in-glove" with the police

The lack of press coverage of events at the schools was also criticised.

Mr Andile Jonas, speaking as a "concerned educationist" and member of the Democratic Teachers Union (Detu), said he challenged and totally disagreed with a letter sent by the DET to parents blaming the schools crisis on "agitators and political organisations".

Sonn said the government was denying students and teachers the democratic right to express their grievances.

"Once students are denied the opportunity to express themselves, this heightens rather than lessens the tensions."

Gerwel questioned whether education was being run by the education authorities or by the Joint Management Centres (JMCs).

Educational disaster

"In our schools, it is educationally unacceptable to try to educate at the point of a gun. As educationists we have to protest in the strongest terms Exclusion of children from schools, for whatever reasons put forward, is criminal.

"The systematic and continual harassment and the exclusion of teachers from schools is an educational disaster."

Mr Jan van Eck, independent MP for Claremont, said: "We are not dealing here with the Minister of Education, we are dealing with the security forces. If this continues the situation will worsen."

Moulana Ebrahim Moosa, of the Muslim Youth Movement, said the violence on school premises was outrageous.

Representatives of township Parents, Teachers, and Students Associations (PTSAs) said they were unhappy with the press coverage of the crisis.

Mr Lawrence Hoepner, a Wectu teacher, told the conference he had been dismissed after 10 years at Manenberg High.

"The degree of electronic surveillance taking place in Manenberg is quite unbelievable," Hoepner said.

Tapes had been made of conversations which took place on open fields, in the living rooms of parents, in classrooms.

"It is really quite frightening. The situation at Manenberg has not changed at all. It is unbearable. There is a hand-in-glove relationship between police and the department. The department has high-ranking officials sitting on the JMC's.

A press statement endorsed by, among others, Detu, Wectu, Edasa, The Black Sash, Wecsco, and the Call of Islam, was read at the conference.

It said the response of the authorities was a "recipe for chaos and confrontation."

"We call for an end to the harassment of teachers and student, and for the release of detainees. We ask that democratic organisations be allowed to meet freely and consult with their membership, free from threats and intimidation. All dismissed teachers and suspended teachers must be unconditionally reinstated, as well as excluded DET students.

"These are the minimum preconditions necessary to ensure a basis for negotiation and peace in the schools," the statement read.

Cape Times 28/4/88

Vigilante orders from SAP van

Supreme Court Reporter

A POLICE video film taken on the first day of fighting in KTC showed a witdoeke vigilante say over a police public address system that people were needed at KTC.

The video, shown in the Supreme Court, Cape Town, was to enable Mr Clifford Dikeni, a lecturer in African languages at the University of Cape Town, to translate what was said in Xhosa into English.

Mr Dekeni is a witness in the R312 000 damages claim by the Methodist Church and 21 families against the Minister of Law and Order arising from the destruction of most of KTC by witdoeke.

The minister has agreed to pay R200 000 of the claim, should the action succeed.

Mr Dikeni was yesterday shown a scene where a witdoek addressed others in Xhosa through a police van's public address system. Major Dolf Odendaal, second in charge of the riot squad, was in the background.

"Where people are needed is at KTC, at Mahobe Drive, at the plastic/canvas shelters and at the centre."

'Well done'

The camera then pans across to the devastated satellite camps at Crossroads. The scene, filmed at the bottom of Mahobe Drive, showed many witdoeke and a police van and Casspir in the background.

A speaker said in Xhosa: "If we get somebody who has died here or who has been stabbed, well ... amongst you that person has to be buried because we didn't sign for that. Thank you. Where people are needed is at KTC."

Another scene shows scores of witdoeke massing in the road near shacks while a white police van cruised slowly. In the background smoke and flames could be clearly seen.

A voice said in Xhosa — which Mr Dekeni said sounded like a white man's voice because of the pronounciation: "Do not resist asseblief tog. Just go to your homes ... don't go in there ... get out of that place ...

"You have done your job, well done! Go home ... ... Go, you have done your duty."

The hearing continues on Monday.

Pupils 'try' teachers

Political Staff

TEACHERS at some schools were being brought to trial by pupils who conducted "peoples' courts", the leader of the Labour Party, Mr Allan Hendrickse, said yesterday.

Introducing his budget as the Minister of Education and Culture in the House of Representatives, Mr Hendrickse said the coloured community was going through an era of "unprecedented orchestrated turbulence" at secondary and college level despite the state of emergency.

He said the education department found itself wedged between two factions.

On the one hand it had to contend with the unwillingness of the government to divorce education from its ideology of separateness, while on the other it was confronted with elements of radicalism.

"The House of Assembly still fails to seize opportunities to enhance its credibility in the eyes of the moderate, fair-minded people of South Africa by back-pedalling and free-wheeling on the road of reform to which it claims to be committed," he said.

Mr Hendrickse said that at secondary school level, the department was now experiencing huge problems with "pupils who busy themselves with alternative or people's education".

Such people, he said, "wilfully stay away from classes, conduct 'peoples' courts' where teachers are brought to trial, demand the appointment or transfer of school staff and even demand to address the school at assemblies".

And at college level the department had the problem of students resorting to uncalled for, unprofessional and indefensible actions as a means of "airing their grievances".

He said his department was no longer prepared to "play a spectator-role amidst threats of boycotts and similar protests".

Peoples' education was merely a part of the whole pattern of an alternative structure for South Africa, and by bringing such a structure into being alongside recognized structures, the proponents of such education intended it to replace the present structure once the latter had become "discredited and abandoned".

Pupil protest continues in Cape schools

Star 29/4/88

275

CAPE TOWN — Barricades of burning tyres straddled several streets in Cape Town's coloured townships yesterday, the fourth day of student protests over racially-segregated education.

In Bonteheuwel township, a burning bus sent a plume of black smoke into the sky.

Teachers estimated that up to 70 000 black and coloured pupils boycotted classes in the Cape Town area this week in response to a call for a three-day stayaway.

Pupils returned to school yesterday, but few attended normal classes, according to soms. At several schools, pupils milled around school premises and, at others, organised "alternative" classes.

Students are demanding the release of detained colleagues, the re-instatement of 1 500 pupils who, they say, have been "locked out", an end to corporal punishment, and abolition of the passes which black pupils must show before being allowed into school.

The Minister of Education in the House of Representatives, the Rev Allan Hendrickse, told Parliament on Wednesday that coloured secondary schools and colleges were going through an era of "unprecedented orchestrated turbulence".

Secondary schools were experiencing huge problems with "pupils who busy themselves with alternative or people's education".

Such pupils "stay away from classes, conduct 'people's courts' where teachers are brought to trial, demand the appointment or transfer of school staff and even demand to address the school at assemblies," Mr Hendrickse said. — Sapa-Reuter.

The burning question: Who runs the schools? Police or educationists

By GAYE DAVIS, Cape Town

AS thousands of Western Cape pupils staged a three-day stayaway this week, leading educationists warned of an "explosive situation" being fuelled by a hard-line response from education authorities and police.

At a press conference called this week to focus on the situation in black and "coloured" schools, which has received scant coverage in local newspapers, sharp criticism was levelled at educational authorities.

"It's educationally unacceptable to try and educate at the point of a gun," said University of the Western Cape rector Professor Jakes Gerwel. Referring to security force presence and "interference" in schools he said: "Who is running education now — the departments or the Joint Management Centres?"

Franklin Sonn, rector of the Peninsula Technikon and head of the Union of Teachers' Associations said: "The most important point at issue is the government's denial of the democratic right of teachers and pupils to express their grievances. Do they assume the grievances will go away if not addressed?"

It would be a waste of time to try and speak to education authorities "because they do not control schools", he said.

Issues underlying last week's widespread protest action by pupils at schools across the Peninsula include:

- The situation at Manenberg High School, where teachers — members of the Western Cape Teachers' Union — and pupils have been detained
- The suspension of five teachers in black schools — all members of the Democratic Teachers Union
- The refusal by black education authorities to readmit about 1 000 pupils to schools on grounds that their applications were late
- The banning of meetings

This week's stayaway, which saw attendance plunge at schools in the Athlone, Bellville, Retreat and Mitchells Plain areas, was fuelled by anger at police action against pupils last week, when demonstrations were broken up with teargas and baton-charges.

Police told "coloured" education authorities last week they would "physically put" pupils back in their classrooms and remain on school premises until teaching resumed.

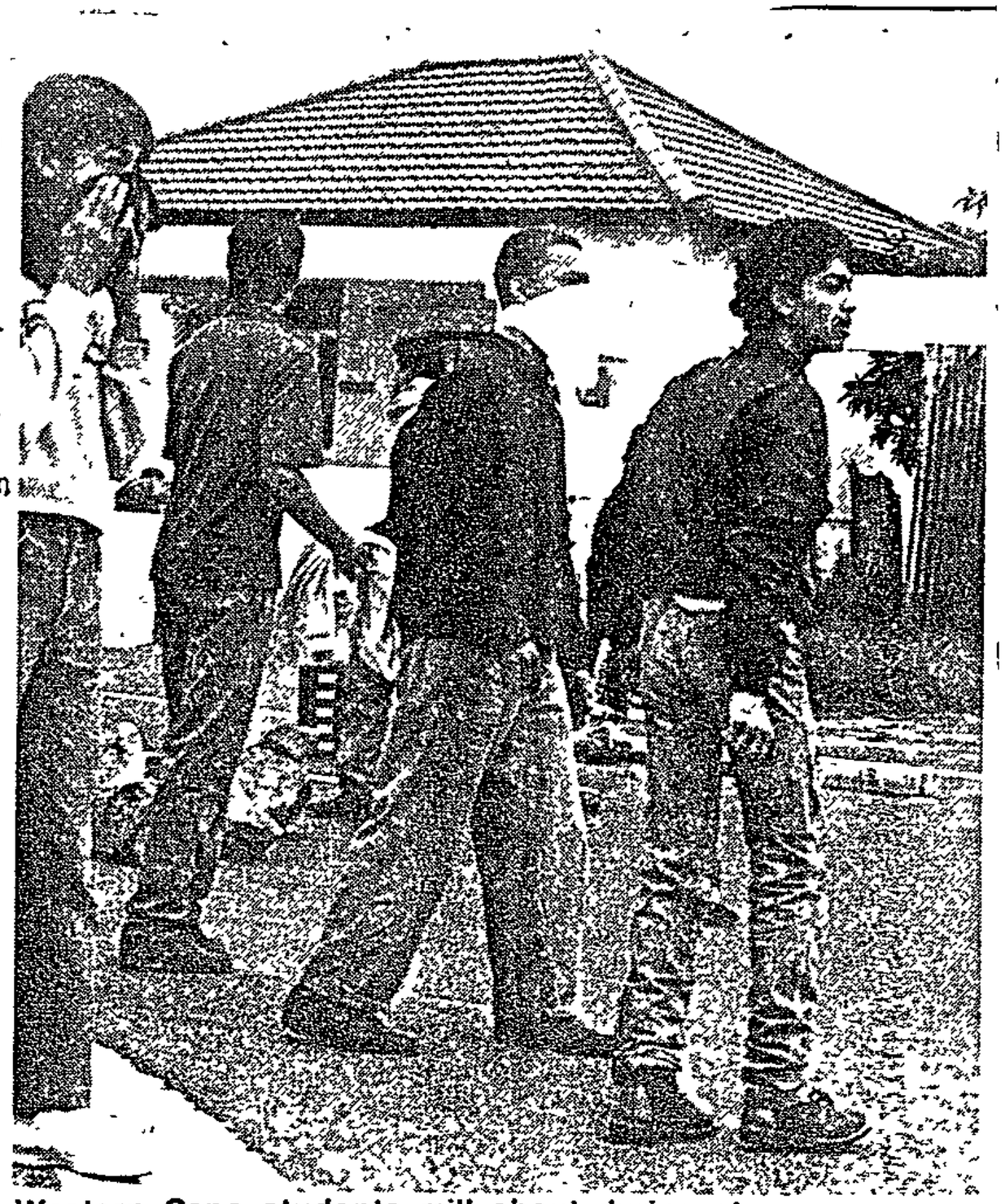
"Today, the security forces are effectively threatening to occupy schools in the name of 'law and order'," a statement issued at the press conference said. "The response of the authorities is a recipe for chaos and confusion that destroys all hope of 'normal' schooling and undermines any meaningful education process."

There had been "no serious attempt" to address grievances or negotiate with "recognised leadership".

Endorsed by Sonn, Gerwel, University of Cape Town vice-chancellor Dr Stuart Saunders and a range of organisations, the statement set down "minimum preconditions" to ensure a basis for negotiation and peace in schools:

- Security forces should "stay away" — their presence "would only worsen a volatile situation"
- Harassment of teachers and pupils should stop and detainees be released;
- Democratic organisations should be allowed to consult their membership without threats or intimidation
- Dismissed and suspended teachers should be unconditionally reinstated and pupils denied readmission to schools should be able to enrol.

The police have meanwhile denied that they are taking over education, saying their presence at schools was directed at preventing intimidation.



Western Cape students mill about during stayaway

Picture: ADIL BRADLOW

Weekend Argus 29/4/88 275

EMERGENCY UPDATE

argus 29/6/88

Arson at prestige RC school in Athlone

275

Staff Reporter

TWO offices and two classrooms at St Columbus High School in Athlone have been badly damaged by fire.

Police said arsonists were responsible.

The Cape Town fire brigade sent 12 firemen in two tenders to the prestige Roman Catholic school in Newton Avenue about 10.15 last night.

Firemen said the offices of the headmaster and secretary were ablaze and the fire had spread through the roof to two classrooms.

They brought the flames under control, preventing the fire from reaching the main building.

EXTENSIVE

Today's police unrest report included one sentence about the fire.

"At Athlone (Cape Town) arsonists caused extensive damage to a local school," the report said.

Fire destroyed a bus after it was petrol-bombed in Bluegum Avenue, Bonteheuwel, yesterday afternoon.

Police said a man was slightly burnt.

In another unrest-related incident in Bonteheuwel a private vehicle was stoned and a man was slightly injured, police said.

Back to school

Cape Times 29/4/88

Police 'won't interfere' — Hendrickse

By ANTHONY JOHNSON and CHARL DE VILLIERS

THE government yesterday agreed to keep police from entering school premises as pupils returned to their classes in their thousands.

Labour Party leader Mr Allan Hendrickse, who is also the Minister of Education and Culture in the House of Representatives, said last night that the undertaking had been given to him by the Minister of Law and Order, Mr Adriaan Vlok.

The move follows a huge protest stayaway at black and coloured schools in the Peninsula after an official warning which said that police would physically enforce classroom attendance.

Mr Hendrickse said Mr Vlok yesterday gave him an undertaking that police would not enter school premises unless requested to do so by principals.

'Intimidation'

Mr Vlok could not be reached last night. However, a spokesman for the minister, Brigadier Leon Mellet, said police at no stage had said that they would force children to go to school. The controversial warning had not been issued by the police

"The police's task is only to secure the safety of those who wish to go to school but are prevented from doing so by intimidation"

Earlier, Mr Hendrickse said in Parliament that he had asked the police to "refrain from entering school premises, and particularly to maintain a low profile in the situation being exploited by irresponsible persons"

A circular telling principals that police could act against pupils not attending school had been sent in the interests of pupils and had been "blown out of proportion", he said.

Teacher organizations and education authorities yesterday welcomed the "good" attendance figures at the Peninsula's coloured and black schools in the wake of the three-day protest

Mr Tínus Dempsey, spokesman for the Ministers' Council in the House of Representatives, described the return to school by an estimated 60 000 to 70 000 pupils as "wonderful".

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From page 1

Schools

Cape Times 29/4/88

Though no official comment from the Department of Education and Training (DET) could be obtained, a reliable source close to the department said there had been a "magnificent return" by students following the "poor attendance" in black schools over the past week.

Speaking in the House of Representatives earlier, Mr Hendrickse had accused the Cape Times of "exploiting" a "difficult situation" in reporting that black and coloured classrooms in the Peninsula had been "virtually empty" on Wednesday

He said attendance at coloured schools in the Peninsula had been between 83% and 94%

Later Mr Hendrickse acknowledged that he had been mistaken and had quoted yesterday's attendance figures, not those for Wednesday

Mr Dempsey described the Cape Times report on Wednesday's widespread absenteeism in the Peninsula — estimated as high as 90% — as "very close to the mark".

Sporadic incidents of unrest connected with the schools protest were reported by eyewitnesses yesterday, including the setting up of "burning barricades" in Athlone and the gutting of a bus in Bonteheuwel.

Police spokesmen could not confirm the incidents last night.

In a related response to the schools protest, a spokesman for the Western Cape Teachers' Union (Wectu) last night said the organization was "most impressed at the disciplined return to schools by the majority of pupils".

Wectu had, however, warned of the impending "crisis" earlier in the year because of the "harassment, detention and dismissal of its members at Manenberg Senior Secondry School and the locking out of students at black schools", he said

Though there was high attendance at most schools throughout the Peninsula yesterday, a small number still had relatively few pupils in classes, including Uitsig, Ravensmead and Florida senior secondary schools

Cathkin High School was closed yesterday after teachers advised students to go home

Assurance from police on schools

Argus 29/4/88

By TOS WENTZEL
and DALE LAUTENBACH
Political Staff

POLICE today undertook not to "beat children back into schools" or to act against class boycotters.

This follows a meeting yesterday between the Minister of Law and Order, Mr Adriaan Vlok, and the Rev Allan Hendrickse, chairman of the Ministers' Council in the House of Representatives.

A spokesman for Mr Vlok today confirmed Mr Hendrickse's talks with the Minister.

He said the department's attitude was that the police would not beat children back into schools or act against those who boycotted school.

Picture: LEON MÜLLER, The Argus

MINISTERS MEET: Mr Adriaan Vlok and the Rev Allan Hendrickse deep in conversation at a military function on the Grand Parade yesterday. Later, Mr Hendrickse announced he had an agreement from Mr Vlok that police would stay off Cape Flats school premises.

INTIMIDATORS

However, the police would act against intimidators outside schools to ensure the safety of other schoolchildren, the spokesman said.

These were the assurances given to Mr Hendrickse.

The meeting followed a widespread stayaway from Cape Flats schools on Wednesday.

It was the culmination of a three-day protest by pupils against developments at schools, including letters to Mitchell's Plain principals from a Department of Education and Culture school inspector warning that police would "enter schools if they see pupils milling around and physically force them back into their classrooms".

REFRAIN

During debate on his budget vote in the House of Representatives, Mr Hendrickse, who also holds the education portfolio, said attendance at Western Cape schools was between 83 and 94 percent yesterday.

He announced that in talks with Mr Vlok and Deputy Law and Order Minister Mr Leon Wessels he had "asked the police to refrain from entering school premises and to maintain a low profile in the situation being exploited by irresponsible persons."

He gave pupils the "assurance of addressing grievances" but made a "special appeal to them to prepare for the future and for participation in new structures and a new South Africa by using the present facilities, inadequate as they may be, to implement the belief in education for liberation".

He said yesterday's attendance figures were Athlone 86 percent "in spite of a 10,3 percent attendance at one school", Bellville 90 percent with 56 percent at Bellville South Senior Secondary, Mitchell's Plain 83 percent with 68 percent at Glendale Senior Secondary and 62 percent at Bergsig Laan Senior Secondary.

STRESS

Attendance in Paarl was 94 percent and in Wynberg 91 percent.

"It's not as alarming as people would like to think," he said.

He said he wanted to emphasise that there was no agreement or co-op-

(Turn to page 3, col 1)

Assurance on schools

(Continued from page 1)

erative arrangement between his department and the police.

The warning issued by his department was done sincerely and in the interests of the students' well-being, he said.

● As reported in the late final edition of The Argus, police took no action yesterday when challenged by pupils to enter the grounds of Cathkin High School in Heideveld.

Police, who arrived when youths burnt tyres in the street near Cathkin, looked on as teachers escorted pupils off the premises and closed the school.

RIOTS + DISTURBANCES

CAPE

MAY - DEC 1988

and crashed during the night.

Cape Times 2/5/88 275

Deda woman stabbed in weekend unrest

A WOMAN was stabbed in the back and killed by a group of people at Deda, a black residential area near Maritzburg, the police public relations division said in their overnight unrest report.

The woman's house was also set alight and was slightly damaged.

At Sobantu, also near Maritzburg, 32 youths were arrested after an incident in which tear-smoke was used to disperse a gathering.

And in stoning incidents at Kleinskool near Port Elizabeth and at Mitchell's Plain, a bus and a delivery van were damaged. — Sapa

Trojan Horse: A-G refuses to prosecute

MGW 3/5/88

275

By STEPHEN WROTTESLEY
Crime Reporter

THE Attorney-General of the Cape, Mr Neil Rossouw, has declined to prosecute policemen in two cases arising out of the the killing of people during unrest on the Cape Flats.

One involves the so-called "Trojan Horse" incident in which three people died when police popped up from boxes on the back of a lorry and opened fire during the height of the unrest in Athlone in 1985.

In March this year, a Wynberg magistrate found a police lieutenant and his task force responsible for the killings, and found negligence was involved.

In the second case, Mr Rossouw has declined to prosecute Brigadier Martinus Mans, former district commandant of Bellville, and Captain Okkie van Schalkwyk, former head of the district's riot unit.

After the two policemen were acquitted of murder following an unrest incident in Bellville in 1985, police said the case had led to charges of defeating the ends of justice and perjury being investigated against the officers.

Commenting on the Trojan Horse decision, Mr Rossouw said the Criminal Procedures Act allows for a private prosecutions by persons who prove "substantial and peculiar interest", when the attorney-general declines to prosecute.

Mr Rossouw said that before to his decision not to prosecute, he had received indications there might be a private prosecution.

FOR SUBSCRIPTION INQUIRIES — TELEPHC

DID 4/5/88

Cape A-G will not prosecute police officers

275

CAPE TOWN — The Attorney-General of the Cape, Mr Neil Rossouw, has declined to prosecute policemen in two cases arising out of the killing of people during unrest on the Cape Flats.

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HOUSE OF DELEGATES

†Indicates translated version.

For written reply:

General Affairs.

Umzinto: erection of prison

6. Mr M RAJAB asked the Minister of Justice

(1) Whether it is the intention of the Prisons Service to erect a prison near Umzinto; if so, (a) when is it anticipated that (i) building operations will be (aa) commenced and (bb) completed and (ii) the new prison will be taken into use and (b) what is the estimated cost of the project;

(2) whether interested parties were consulted on this matter; if not, why not; if so, (a) what interested parties, (b) when and (c) with what results;

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

The MINISTER OF JUSTICE.

(1) Yes. A new prison for 355 prisoners is envisaged

(a) (i) (aa) Civil works commenced on 27 August 1987 and subject to the availability of funds, construction of the buildings is scheduled to commence during 1989

(bb) The projected construction period is 30 months, and it is expected that building works will be completed during 1991/1992, provided that funds are available throughout that period.

(ii) The prison will be inaugurated as soon as possible after completion

(b) The estimated cost of the project is R22,6 million

(2) (a) (b) and (c) Yes. The SA Prisons Service registered the need for a new prison to replace the existing prison at Umzinto with the Department of Public Works and Land Affairs during 1967. Since then liaison has taken place with various interested parties over a wide spectrum which cannot be dealt with within the scope of this reply However, should the honourable member require details regarding representations by or contact with a specific individual, interest group or body, the information will gladly be furnished.

(3) No.

Own Affairs·

Qualified teachers employed temporarily

59. Mr P I DEVAN asked the Minister of Education and Culture:

Whether any professionally qualified Indian teachers were employed as temporary teachers by his Department as at the last school-day in 1987; if so, (a) how many of these teachers (i) were absorbed into the permanent staff in 1988 and (ii) are still employed in a temporary capacity and (b) in respect of what date is this information furnished?

The MINSITER OF EDUCATION AND CULTURE.

Yes.

(a) (i) Nil

(ii) 248

(b) 20 April 1988

Durban-Westville: persons qualified as teachers

60. Mr P I DEVAN asked the Minister of Education and Culture·

(1) Whether any persons qualified as teachers at the University of Durban-Westville in 1987; if not, why not; if so, how many,

(2) whether any of these teachers were in the employ of his Department as at the latest specified date in 1988 for which information is available; if so, how many were so employed in a (a) temporary and (b) permanent capacity?

The MINISTER OF EDUCATION AND CULTURE:

(1) Yes, 367

(2) Yes

(a) 163

(b) Nil

Professionally qualified teachers: records

61. Mr P I DEVAN asked the Minister of Education and Culture

Whether his Department keeps records of all professionally qualified Indian teachers, if not, why not, if so, how many such teachers were not in the employ of his Department as at the (a) last school-day in 1987 and (b) latest specified date in 1988 for which information is available?

The MINISTER OF EDUCATION AND CULTURE.

Yes

(a) 33

(b) 204 as at 20 April 1988.

Persons expected to qualify as teachers

62. Mr P I DEVAN asked the Minister of Education and Culture

How many persons are expected to qualify as teachers at the end of 1988 at the (a) University of Durban-Westville, (b) Springfield College of Education and (c) Transvaal College of Education?

The MINISTER OF EDUCATION AND CULTURE

(a) 313

(b) 179

(c) 62

Qualified teachers dismissed

67. Mr K CHETTY asked the Minister of Education and Culture·

Whether any qualified teachers employed by his Department were dismissed in 1987, if so, (a) how many and (b) why?

The MINISTER OF EDUCATION AND CULTURE

Yes

(a) 9

(b) Dismissals due to redundancy and abscondment

Teaching posts: applications from qualified teachers

72 Mr K CHETTY asked the Minister of Education and Culture

(1) Whether any qualified teachers from (a) Natal, (b) the Transvaal and (c) the Cape Province who have applied for teaching posts with his Department are still waiting to be appointed, if so, how many in each case as at the latest specified date for which figures are available;

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

The MINISTER OF EDUCATION AND CULTURE:

(1) Yes

(a) 177

(b) 22

(c) 5

As at 20 April 1988

(2) No.

Politically related disturbances: pupils involved

73. Mr K CHETTY asked the Minister of Education and Culture.

(1) Whether any Indian pupils were involved in politically related disturbances at schools falling under the control of his Department during the latest specified period of four years for which figures are available; if so, (a) how many pupils, and (b) which schools were involved, in each of these years;

(2) whether any schools were damaged as a result of such disturbances during this period; if so, (a) which schools, (b) what was the total amount of the damage, (c) what amount was spent on repair costs, and (d) out of what sources of revenue were these repair costs paid, in respect of each of these years;

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

The MINISTER OF EDUCATION AND CULTURE

(1) Yes — 1984 to 1987.

(a) Not known

made profit.

Cape Times 4/5/88 (275)

call (021) 77-2259.

DET not seeking any confrontation

From A B FOURIE, Director-General, Education and Training (Cape Town):

PERMIT me to comment on some allegations in a letter by Sue Philcox (Letters, April 26).

The claim that "it would seem the DET does not want the schools to run successfully" is a conclusion drawn from a number of allegations based on incomplete information and questionable assumptions.

Ms Philcox's very real concern for all facets of education is shared by the Department of Education and Training, which does not seek confrontation or anything else which might impede or jeopardize normal schooling. The successful provision of education is the sole objective.

It should be evident that while minor infringements are part of any enterprise involving adolescents, at a certain point it becomes necessary for those responsible for the enterprise to draw lines and, where unavoidable, confront those who would endanger the learning process for others.

Ms Philcox gives the impression that "hundreds of pupils who wish for schooling" who are, apparently, denied available facilities by the Department, are prepared to accept their roles in the educational partnership.

Unfortunately there is a militant minority able with, we believe, considerable misguided sympathy, to thwart and sabotage the educational engagement.

There are a number of duties associated with the right to education. While space in your paper prevents detailed treatment, it is sufficient to note that unless pupils behave in a reasonable, civilized way, an education authority cannot do its duty. The authority also has a duty to those who do wish to learn.

In an attempt to provide some factual basis for an appraisal of the tragic situation the following is germane.

● Teachers are professionals who undertake contractual obligations. Breaches of contract are investigated according to fixed procedures implemented by all education departments. Teachers, as professionals, have recourse to procedures to ensure their rights.

One feels constrained to ask a number of questions about Ms Philcox's letter; questions which bring to light certain implications.

First, "five teachers were suspended on what appear to be set-up charges". Suspension occurs when serious breaches of contract are being investigated The Department implements this procedure only after discussion with the teachers concerned and requests for adherence to contractual obligations.

Ms Philcox would seem to have taken it on herself to appraise professionalism ("These teachers are able and caring"). One assumes they are or they would not have been appointed but one must wonder about Ms Philcox's criteria. Caring about what? The long-term welfare of their pupils? Their professional responsibilities? Their firm belief in ideals which they cannot reconcile with Departmental policies? If the last, then one must respect their integrity but ask why they have not either aired their grievance through a recognized professional association to the Minister or, if they felt compelled to do so, resigned. Whatever their end, professionalism should prevent collusion or any other action which thwarts pupils acquiring knowledge

To cite another series of judgements: "There seems little point in the state spending millions on black education if their officials are permitted to create such resentment in the schools and in the community by antagonizing pupils, teachers and parents."

No official is ever permitted to do these things. However adolescent resentment toward adults as authority figures has been recorded since Egyptian times. While the Department takes cognizance of this and does all in its power to create harmonious school communities, it can hardly be held culpable for all resentment.

Regulations are being finalized to extend new structures for parents and communities to have even more representation in decisions on education. These encompass matters from school uniforms to the curriculum. Comprehensive avenues exist for parents and communities to express grievances.

The Deputy Minister of Education, Mr Sam de Beer, and senior officials have on a number of occasions held lengthy talks with teachers and parents in areas where schooling is being jeopardized. On more than one occasion they have received assurances from parents and teachers that they would play their part in normalizing schooling.

Any contribution which Ms Philcox can make towards expediting the swift return to normal schooling would be most welcome by all concerned.

A-G declines to prosecute policemen over killings

Star 4/5/88

275

Own Correspondent

CAPE TOWN — The Attorney-General of the Cape, Mr Niel Rossouw, has declined to prosecute policemen in two cases arising from the killing of people during unrest on the Cape Flats.

One case involves the "Trojan Horse" incident in which three people died when police opened fire in Athlone in 1985.

In the other case, Mr Rossouw has declined to prosecute Brigadier Martinus Mans, former district commandant of Bellville, and Captain Okkie van Schalkwyk, former head of the district's riot unit.

After the trial of two policemen acquitted of murder following an unrest incident in Bellville, police announced that charges of defeating the ends of justice and perjury were being investigated.

Mr Rossouw said it was normal in such cases for departmental inquiries to be held.

4/5/88 375

Trojan Horse: Families of shot boys to be paid compensation

Staff Reporter

THE families of two boys killed in the "Trojan Horse" incident in Athlone three years ago are to be compensated for their funeral expenses by the Minister of Law and Order, Mr Adriaan Vlok.

In a letter the Minister informed attorneys acting for the families of Michael Miranda, 11, and Shaun Magmoed, 16, that he would pay for their funeral expenses and legal costs.

Attorney Mr Gary Jansen said today that each family would get about R900.

Yesterday the Attorney-General of the Cape, Mr Niel Rossouw, said he had declined to prosecute the policemen involved in the Trojan Horse incident in which three people died after police hidden in boxes on the back of a lorry opened fire in Athlone in 1985.

In March an inquest court ruled that a police lieutenant and his task force were responsible for the killings and that negligence was involved.

Mr Jansen said the families of the two boys would decide at the weekend about a private prosecution.

Blast in SAP barracks

JOHANNESBURG. An explosion rocked the SAP single quarters in Kagiso township near Krugersdorp early yesterday causing extensive damage but no injuries.

In another, apparently insurgent-related, incident a handgrenade was flung into a private home in Mamelodi near Pretoria. No one was injured but the house was damaged, police said.

A Pretoria police spokesman said the Kagiso blast happened 45 minutes after midnight.

The device used has not yet been identified but an intensive investigation is under way to find the bombers.

Forensic experts visited the scene yesterday morning, the police spokesman said.

The explosion was one of several unrest incidents reported by police in the past 24 hours.

Also in Kagiso, a private house was damaged by arsonists.

On the East Rand, a delivery vehicle was heavily damaged when it was set alight in Kwa-Thema.

At Mitchells Plain a private vehicle was damaged by stone-throwing youths, two of whom were arrested.

At Zwide in the Eastern Cape, a school classroom was damaged by arsonists. — Sapa

Cape Times 6/5/88

Court told of

ARGUS 10/5/88

COURTS

Claim police burnt shacks 'unthinkable'

Supreme Court Reporter

IT would have been against a policeman's culture and training to take sides in the conflict in KTC in June 1986, the Supreme Court has heard.

This was said under cross-examination by the former Commissioner of Police, General Petrus Johannes Coetzee, in the R200 000 Supreme Court damages claim by 21 KTC residents and the local Methodist Church against the Minister of Law and Order.

General Coetzee said it was "unthinkable" that police would take part in the burning down of shacks in KTC because it clashed with the entire culture and "milieu" of the police.

It was the duty of the police to act against people who violated the rights of others.

But, he said, their actions in an unrest situation would be no different from those when involved with everyday combating of crime in other spheres.

"In essence, the attitude of the police to an ordinary criminal was no different to a 'comrade'," General Coetzee said.

"Policemen deal with offenders every day. They don't develop a dislike for them. Their training teaches them that even criminals have rights."

Mr Henri Viljoen SC (for the plaintiffs): What is the attitude of black officers and young men in the field to people who kill and injure their colleagues? Speaking humanly, they just cannot remain unscathed. They must be hostile towards these people... doesn't this allow antagonism to build up?

Murder, robbery

General Coetzee: Exactly the same problems affect all other policemen, in murder and robbery for instance, but it doesn't knock them off their stride. The force does not get thrown off balance by this type of thing.

Mr Viljoen: Is a reference to the comrades in the police force a reference to the enemy?

General Coetzee: No. The extremely gruesome necklace murders — committed mostly by comrades or anti-government activists — may affect the young impressionable policeman, but the force is not negatively affected by them.

The general said the burning of the Crossroads satellite camps in May 1986 was so serious that he made his one and only visit to the area then.

He had ordered the barbed wire fence to be erected in Mahobe Drive to keep the two sides apart as he did not think a "mere" police presence would achieve this aim. The fence was not to keep people away from their burnt-out homes.

● The plaintiffs have alleged that the police assisted in, alternatively failed to prevent, "witdoek" attacks on June 9, 10 and 11 1986, which destroyed KTC.

The Minister has denied complicity.

(Proceeding)

Cape Times 10/5/89 (375)

Cradock murder trial: 'No one saw fatal shot'

Own Correspondent

GRAHAMSTOWN — Nobody saw the fatal shooting of Mr Mlungisi Stuurman at the Great Fish River, the defence argued in the Supreme Court here yesterday.

Defence counsel Mr C J Jansen, SC, was in the second day of his argument at the trial of Warrant Officer Leon de Villiers, 37, and Constable David Patrick Goosen, 27, on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise out of alleged incidents at Cradock on July 26, 1986.

In its argument, the state abandoned one of the assault charges because of the unreliability of the complainant's evidence. It did, however, ask for conviction on the other charges.

The defence asked for an acquittal on the second assault charge on the grounds, firstly, that there was no reliable evidence that Const Goosen had used a knife, and secondly that the state had failed to show that the complainant, Mr Michale Qhina, had been assaulted by police.

On the muder of Mr Andile Plaatjies, the defence argued that there was such confusion and contradiction that the court could not accept the state case as proved beyond a reasonable doubt.

Mr Jansen went on to analyse the events of the Saturday morning and said there were added elements of collusion and in some instances blatant lies.

Turning to the actual shooting, he said Const M P A Booyens had not seen it because he, according to his own evidence, had turned away.

Const R Fourie could not have seen it because Const Booyens was between him and Mr Stuurman and would have obstructed his vision.

It was, however, significant in the light of the psychiatric evidence that Const Fourie had seen a "sudden movement" by Mr Stuurman immediately before the shot went off.

Cop killed man 'under stress'

Cape Times 11/5/88

Own Correspondent

GRAHAMSTOWN. — The defence asked the Supreme Court here yesterday to find that Constable David Patrick Goosen had shot Mr Mlungisi Stuurman by reflex action — a non-action — while in a "post-traumatic stress disorder flashback".

Constable Goosen, 27, and Warrant Officer Leon de Villiers, 37, are being tried on two counts of murder, two of assault and one of attempting to defeat the ends of justice.

The charges arise from alleged incidents at Cradock on July 26, 1986.

Mr C Jansen, SC, argued that the state could not dismiss the psychiatric evidence as academic.

The state's attempt to counter the evidence of Dr Anton Potgieter had not succeeded.

There was no reason to doubt Const Goosen's post-traumatic stress syndrome existed.

Const Goosen's evidence that he was in fact in an anxiety state at the time of the shooting was more than a reasonable possibility.

It was significant that Const M P A Booyens had not seen Const R Fourie when the shot was fired. He saw a sudden movement by Mr Stuurman, exactly the sort of thing Dr Potgieter had said could have triggered Const Goosen's reflex action.

It was also significant that Const Goosen worried a great deal about why he had fired.

Mr Jansen also asked the court to reject Const Booyens' and Const Fourie's evidence about tossing the body into the river.

Apart from the absurdity and physical impossibility of their description, the fact was also disproved by the state's own evidence.

It was impossible that the body could have been carried three metres and then thrown three metres into the river as the witnesses testified.

The trial will continue today.

Cape Times 11/5/88 275

★ C

GENERAL AT COURT ... General Johan Coetzee at the Supreme Court yesterday.

Coetzee tells of 'fence' at KTC

Court Reporter

GENERAL Johan Coetzee, former Commissioner of Police, was yesterday called as a witness in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families arising from the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986.

The general — who told the court he is now attached to the Department of Foreign Affairs and served on a commission of enquiry in Bophuthatswana — told the court that by mid-1986 the unrest had reached such proportions that normal policing duties were in themselves a security risk.

After his only visit to the burned-down Crossroads satellite camps in May 1986, he had ordered a barbed wire fence to be erected along Mahobe Drive to keep the two fighting sides apart He did not think a "mere" police presence would achieve that aim.

Asked by Mr H Viljoen, for the residents, if it did not occur to him that the fence kept the expelled people from their property, General Coetzee said "I tried to prevent a slaughter of people I was more concerned with the situation as I found it and to stop further loss of life"

The hearing continues today

Mr Justice M R de Kock presided Mr Viljoen appeared with Mr P Pretorius and Mr A M Omar Mr C D Gnessel SC and Mr L Visser SC, with Mr C Y Louw and Mr F D J Brand and instructed by the State Attorney, appeared for the minister

Former commissioner cross-examined

Police part in KTC fires 'unthinkable'

Star 11/5/88

275

Own Correspondent

CAPE TOWN — It would have been against a policeman's culture and training to take sides in the conflict in KTC in June 1986, a former Commissioner of Police said yesterday.

General Petrus Johannes Coetzee was under cross-examination in the Cape Town Supreme Court.

Culture

The court is hearing a R200 000 damages claim by 21 KTC residents and the Methodist Church against the Minister of Law and Order.

General Coetzee said it was unthinkable that police would participate in the burning down of shacks in KTC because it clashed with the entire culture and milieu of the police.

He said that although, broadly speaking, it could be said it was a case of the "witdoeke" against the "comrades" (in Crossroads and KTC) during May and June 1986, the overall situation was not so simplistic.

He agreed it was the duty of the police to act against people who violated the rights of others by forcing them to stay out of work or by forcing them to buy groceries only at certain shops.

He agreed with a description of policemen by Mr Henri Viljoen, SC, for the plaintiffs, that when it came to action designed to weaken the State's authority, police could be seen as "soldiers in the trenches" protecting it.

But, he said, their actions in an unrest situation would be no different from those when involved with everyday combating of crime in other spheres.

"In essence, the attitude of the police to an ordinary criminal was no different to a 'comrade'," General Coetzee said.

"Policemen deal with offenders every day. They don't develop a dislike for them. Their training teaches them that even criminals have rights."

Mr Viljoen: "What is the attitude of black officers and young men in the field to people who kill and injure their colleagues.

Speaking humanly, they just cannot remain unscathed They must be hostile towards these people ... Doesn't this allow antagonism to build up?"

General Coetzee: "Exactly the same problems affect all other policemen, in murder and robbery for instance, but it doesn't knock them off their stride.

"The Force does not get thrown off balance by this type of thing."

Mr Viljoen: "Is a reference to the 'comrades' in the police force a reference to the enemy?"

General Coetzee: "No. The extremely gruesome necklace murders — committed mostly by 'comrades' or anti-Government activists — may affect the young, impressionable policeman, but the Force is not negatively affected by them."

Anxious

He was very unhappy about the burning of the satellite camps and was anxious not to have criticism in the case of KTC.

The plaintiffs have alleged that the police assisted in, alternatively failed to prevent, "witdoek" attacks on June 9, 10 and 11 1986, which destroyed KTC.

The hearing is proceeding.

'Trojan Horse': Govt won't act

STAR 11/5/88

The *Minister of Justice, Mr Kobie Coetsee*, said in the House of Assembly yesterday that he was not prepared to intervene over the decision by the Cape Attorney-General not to prosecute the policemen involved in the "Trojan Horse" shootings in Athlone in 1985.

(275)

Replying in the debate on the Justice and Prisons Vote, he said, however, that one remedy would be to apply for a certificate allowing a private prosecution.

The Attorney-General would closely monitor such a prosecution and should it appear to be succeeding, he could take over the case and the State would bear the cost, Mr Coetsee said.

'Coetsee must intervene'

Star 12/5/88

A decision by the Cape Attorney-General not to prosecute the policemen found by a magistrate to be responsible for the "Trojan Horse" shooting of three children in Athlone in 1985 should be overruled by the Minister of Justice, **Mrs Helen Suzman (PFP Houghton)**, said yesterday.

Speaking in debate on the Justice Vote in the House of Assembly, she said the Minister, Mr Kobie Coetsee, had the power to overrule the Attorney-General and this was an ideal opportunity.

The magistrate who had investigated the shooting had clearly found the policemen responsible and the Minister "should not allow this travesty of justice" to take place, she said. — Sapa.

'Private prosecution' to be instituted

'Trojan Horse' deaths: families to lay charges

Star 13/5/88 (275)

By Tim Cohen

An unusual "private prosecution" is to be instituted against the policemen involved in the "Trojan Horse" incident — a move likely to again focus attention on South Africa's criminal law system.

South African criminal law came under the international spotlight recently following the conviction of the Sharpeville Six for murder in terms of the doctrine of common purpose.

Criticism of the case led to an unprecedented outburst by Acting Chief Justice Rabie who said any attack on the independence of the judiciary "should be rejected with scorn".

Now attorneys acting for the families of two youths killed in the "Trojan Horse" incident said this week they have been instructed to go ahead with a private prosecution following the Attorney-General's decision last week not to prosecute the policemen involved.

Three youths died in the incident, which happened during widespread unrest in Athlone near Cape Town three years ago.

In summing up the evidence submitted at the inquest, Magistrate Mr G Hoffman said Athlone was "besieged by rioters" at the time; barricades were set up and burning tyres were strewn across roads.

Rioters normally fled when police vans appeared and so, on October 15, three senior officers of the South African Police, the Railways Police and the Defence Force decided to send an unmarked vehicle into Athlone on a previously agreed route, Mr Hoffman said.

A Transport Services truck was used for the operation and three wooden crates were placed on the back, each containing two armed policemen.

At a point on the route, after stones had been thrown at the truck, more than 39 rounds of triple-A shot and buckshot were fired at a crowd of about 200 people, and three people aged 16, 21 and 11, were killed, the magistrate concluded.

Evidence

The incident was captured on video by two foreign television crews, BBC and CBS, and both videos were handed in as evidence at the inquest.

In March this year Mr Hoffman ruled that a police lieutenant and his task force were responsible for the killings and that negligence was involved.

But the Attorney-General of the Cape, Mr Niel Rossouw, has said he does not intend to prosecute the eight policemen.

And Minister of Justice Mr Kobie Coetsee said in Parliment this week that he was not prepared to intervene over the Attorney-General's decision.

Mr Coetsee said neither inquest hearing nor the evidence presented proved any causal link between the policemen and deaths of the three people.

Lawyers totally discount the possibility that the Attorney-General was in any way politically biased in not prosecuting the policemen involved.

They point to at least three possible defences the policemen could bring.

But now the families of two of the three boys who died, Michael Miranda (11) and Shaun Magmoed (16), have decided to launch a private prosecution in terms of the Criminal Procedure Act.

A private prosecution — a criminal charge which is brought by a private person rather than by the State — can be laid by anybody who has a "substantial and peculiar interest" in the issue.

'Wronged'

They exist, in the words of a Wits University criminal law lecturer, "so that people who believe they have been wronged don't reach for the shotgun under the bed".

The reason a criminal action — which aims at punishment — is being sought, rather than a civil action for damages, is that the youths were not breadwinners and therefore their families cannot claim substantial compensation for loss of support.

A civil action was in fact launched in this case and the funeral expenses of two of the boys were paid by the Minister of Law and Order.

In an out-of-court settlement he paid the parents of two of the deceased R900 and R750.

Now, says attorney Mr Gary Jansen, the parents of the youths say they would like to see justice done. Lawyers have not yet formulated charges and have not decided in which court to bring the action.

If the charge is murder, the action will have to be brought in the Supreme Court.

This might make a significant difference to the families of the deceased, because if they lose they might be asked to pay legal costs, which will be substantial

If the charge is culpable homicide it might be brought in a Regional Court, where it would be heard by a magistrate, who is not empowered to hand down a verdict of murder.

But whichever court is decided on by the lawyers, the State will be watching proceedings carefully.

The State is empowered in terms of the Criminal Procedure Act to step in at any stage and take over the prosecution.

According to the Wits lecturer, if the prosecution looks as if it is going well, the State is likely to step in.

"The State has an obvious interest in avoiding embarrassment as a result of its initial failure to prosecute," he said. "But of course its real motivation for taking over the prosecution would be its responsibility to see that justice is done."

DID 17/5/88 (275)

Dead policeman legend on Flats

CAPE TOWN — Warrant/Officer Hendrick 'Barrie' Barnard, one of the two policemen killed in the Sun Valley, Fish Hoek, shootout was a legend on the Cape Flats.

Although few knew what he looked like, almost everyone in the squatter communities of Crossroads and KTC knew of him, especially during the violence of 1986.

Many squatters who lost homes and possessions in pitched battles and arson attacks claimed that W/O Barnard was either responsible or had something to do with it.

A year later he was seriously injured in a grenade attack on his car.

A policeman with 20 years' experience, 10 of them in the Guguletu area, W/O Barnard was the driver for the second in command of Cape Town's reaction unit, Major Dolf Odendal.

W/O Barnard's official record stated that he was a dedicated policeman who worked long hours "without pay and in exceedingly dangerous circumstances during which he at times barely escaped death."

In 1983 he was given an honourable mention in Force Orders by the Commissioner of Police, General Mike Geldenhuys — one of the highest commendations for a policeman. — Sapa

Cape Times 18/5/88 275

200 teachers absent

MORE THAN 200 teachers were absent from black schools in the Peninsula on February 15, 16 and 17 this year, apparently as a result of a call for a three-day boycott of classes, the Minister of Education and Development Aid, Dr Gerrit Viljoen, said yesterday.

Replying to a question from Mr Ken Andrew (PFP Gardens), he also said 166 teachers were absent on February 11.

Cop 'did not know' if order was told to all

Cape Times 19/5/88

Supreme Court Reporter

A STAFF officer of the Divisional Commisioner of Police, yesterday told the Supreme Court he did not know if the contents of an interdict — restraining police, the SADF and the witdoek vigilantes from attacking KTC — had been conveyed to all members of the riot squad.

This was said by Lieutenant-Colonel Hewitt Wright in the R200 000 action brought against the Minister of Law and Order by the Methodist Church and 21 families arising from the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986.

Lt-Col Wright said the then Divisional Commisioner of Police, Brigadier Chris Swart had regarded the interdict as so important that not only were two senior officers required to know it's contents but also to attach their signatures to it.

The two senior officers, a Col Mans, Divisional Inspector charged with unrest and a Col Visser, an officer commanding the riot squad both received a copy of the court order.

Shortly before the burning of KTC, Brig Swart had been transferred from Port Elizabeth and an incident in Langa township in the Eastern Cape been fresh in his mind. So when the order was granted the brigadier tried to take precautionary measures.

Precautionary

It was the duty of Col Visser to see that every officer and policeman in the Riot Squad were told of the court order.

Asked by Mr H P Viljoen SC, for the residents, what he would have done had he been in Col Visser's shoes, Col Wright said he would have called a meeting with his platoon officers, discussed the interdict with them and would then have expected them to convey it to all ranks under them.

As a staff officer of Brig Swart, he had ordered Col Visser to convey the interdict to his men and see to it that the conditions were obeyed.

Lt-Col Wright said he did not know if the interdict had been brought to the attention of each member of the riot squad.

However after the Supreme Court interdict Brig Swart had ordered that proper precautionary measures be taken, he said.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the residents. Mr C Y Louw, instructed by the State Attorney, appeared for the Minister.

ARGUS 19/5/88 (75) (BCB)

Constable stabbed, dies

PRETORIA. — A special constable was stabbed to death and another was seriously injured during a patrol at Emdéni, Soweto, last night.

The police public relations division in Pretoria said today that two special constables were checking a vehicle when they were attacked by a group of people. Both were stabbed in the chest, one fatally.

At Veeplaas, Port Elizabeth, a delivery vehicle was destroyed by fire after a mob hurled a petrol-bomb into the cab. — Sapa.

Cape Times 24/5/88 275

'No orders to destroy KTC'

Staff Reporter

POLICE would not be party to the destruction of a community as their task was to protect, Lieutenant-General Bert Wandrag told the Cape Supreme Court yesterday.

He was giving evidence in the KTC damages trial which has been running since September last year. The Methodist Church and 21 families are sueing the Minister of Law and Order for R200 000 in an action arising from the destruction of most of KTC by witdoek vigilantes in June 1986.

General Wandrag, the Chief Deputy Commissioner of Police, told the court he was in charge of controlling unrest throughout the country.

In 1986, 4 691 men — 10% of the police force — had been withdrawn from other duties and deployed in unrest areas, he said.

Mr G D Griessel, SC, asked the general to comment on suggestions that the burning took place "at the orders of the government, and that the police would be the tool through which the government would achieve the burning down of KTC".

General Wandrag said he took orders from the Commissioner of Police, not the Minister, and he knew of no such orders.

"They would be unlawful orders. It would be absurd to give me such orders. I would have refused," he said.

If a conspiracy had existed among a few individual policemen to help the witdoeke to burn down KTC, he would eventually have heard of it, he testified. In his experience, unlawful police actions never remained secret.

The term "comrades" was used throughout South Africa for "radical elements", who were often involved in unrest, he said.

Asked whether police regarded "comrades" as "the enemy", he replied that a man who transgressed the law was a criminal, not an enemy.

To him, members of the African National Congress were criminals, "not the enemy", he said. "The principle is to try to arrest the man."

The hearing continues.

Mr Justice M R de Kock presided. Mr G D Griessel SC, with Mr C Y Louw and Mr F Brand and instructed by the State Attorney, appeared for the Minister. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the church and the families.

Cape Times 24/5/88

Public violence appeal

BLOEMFONTEIN.— The appeal of Adrian Cleophas, of Bellville South, against his prison sentence for public violence, was allowed by the Appeal Court yesterday.

The court allowed that a fine or imprisonment be substituted for imprisonment.

He was convicted in the Parow Regional Court on February 5, 1986, and sentenced to five years, of which half was conditionally suspended.

He was ordered to pay R50 to the police for their vehicle that was damaged in the violence.

An appeal to the Cape Supreme Court was dismissed on September 30, 1986.

Yesterday Mr Justice Hefer ordered that Cleophas be fined R750 (or one year), plus three years conditionally suspended for five years. — Sapa

Crossroads victims remembered

Staff Reporter

CROSSROADS squatters ended their commemoration of the deaths of more than 30 people who were killed in "witdoek" vigilante violence two years ago with a prayer service on Sunday in Nyanga East.

Mr Christopher Toise, leader of the Portlands Cement satellite camp, yesterday said the three satellite communities routed in the violence of May 17 to 21, 1986, held prayer services last Tuesday and on Sunday to "remember the sisters and brothers who died at the hands of witdoeke".

"The more than 500 people who attended the last meeting — including members of the PFP Unrest Monitoring Committee, the Masincendane, Nyanga Bush, Nyanga Extension and Portlands Cement committees — extended a special word of thanks to all the churches who opened their doors to the many thousands of refugees," he said.

Policeman collapses in dock during verdict

From PAT CANDIDO AR645
The Argus Bureau 24/5/88

GRAHAMSTOWN. — Judgment in the murder trial of two riot squad policemen was postponed when one of the accused collapsed from a suspected heart attack in the dock.

Warrant Officer Deon de Villiers, 37, who is appearing with Constable David Patrick Goosen, 27, on two charges of murder, two of assault and one of attempting to defeat the ends of justice, collapsed about 15 minutes after Mr Justice Zietsman started giving his verdict yesterday.

He was taken to hospital.

When the court reconvened at 2pm Mr Chris Hansen, SC, for the defence said Warrant Officer de Villiers had been admitted to hospital and an ECG had shown certain irregularities.

The policemen are charged with murdering Mr Wheanut Stuurman, 18, and Mr Andile Plaatjies, 25, at Cradock in July last year. They are also charged with assaulting Mr Zixolisile Goniwe, 20, and Mr Michael Qhina, 45.

The judge said Warrant Officer de Villiers had progressed well in the police force. He had overcome bouts of epilepsy but had developed a serious drinking problem.

"It is amazing that his officers did not pick this up," the judge said.

Constable Goosen was a withdrawn and lonely person because of his very dark complexion which led to jibes and insults. He would do anything to keep the friends he had.

INITIATION

The judge said the other members of the unit were young and inexperienced.

At the Police Club in Cradock there had been a blood brother ceremony which the court considered to be a type of initiation and a great deal of liquor had been consumed.

He said the absence of control and discipline was cause for grave concern.

The judge said they had been given no instructions to go into the township the night of the alleged offences.

Cop's transfer discussed after KTC violence

Cape Times 25/5/88

LIEUTENANT-General Bert Wandrag, Chief Deputy Commissioner of Police, said the possibility of Major Dolf Odendaal, second in charge of the Peninsula riot squad, being transferred had been discussed last year, but could not say if it was as a result of the destruction of KTC.

He said this during in the Supreme Court yesterday during cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families, arising out of the destruction of KTC by Witdoek vigilantes between June 9 and 11.

Asked if the transfer was as a result of dereliction of duty or other reasons, Gen Wandrag replied that only the Commissioner of Police would know.

He had been informed by the Commissioner of Police about the transfer, and told that the Commissioner knew of allegations made against Major Odendaal in the Western Province.

Gen Wandrag said had he received an unlawful order to destroy KTC, he would have refused to.

The Minister of Law and Order was the political head of the police, but all orders came via the Commissioner of Police.

The hearing continues today.

Mr Justice M R de Kock presided. Mr G Griessel SC, with Mr C Y Louw and Mr F D J Brand, and instructed by the State Attorney, appeared for the Minister. Mr Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the church and the residents.

Early release for 6 pupils

Cape Times 25/5/88

By CHRIS STEYN

SIX of the seven Wynberg pupils convicted of public violence in 1985 have been released from Pollsmoor Prison.

The teenagers — who became known as the "Wynberg Seven" — were released on Thursday last week after having served just over 11 months of their year sentences. The seven were escorted to prison by their parents on June 18 last year after losing a year-long battle to stay out of jail.

They were imprisoned after a petition for leave to appeal against their sentences of between one and three years was rejected by the Chief Justice in Bloemfontein.

The six released are: Ms Venetia de Klerk, 20, Ms Dee Dicks, 20, Mr Julian Stubbs, 20, Mr Shoukie Enous, 19, Mr Naasir Masoet, 19, and Mr Igshaan Amlay, 19.

Family overjoyed

Family of all six said yesterday they were overjoyed at their early release.

The family of Ms Dicks told the Cape Times that they would only comment on her release at a press conference, scheduled for June 1, at which it was hoped all six would be present to talk about their experiences.

Mr Amlay's mother, Mrs Zuleiga Amlay, yesterday said she was "very, very happy" about her son's unexpected release.

'Mixed feelings'

Mr Masoet told the Cape Times that his release left him with "very mixed feelings".

"I have difficulty coping with people. I still have two suspended sentences hanging over my head. I need time to recover," he said.

Mr Enous' mother, Mrs Majeda Enous, said her son had gone back to school to complete his matric. "He was immature when he went inside. But he is very mature now," she said.

Mr Stubbs' sister, Karin, told the Cape Times, that he was "well, but very quiet — we are so pleased to have him back; it is like he was never gone".

Mrs Katie de Klerk said her daughter Venetia had completed matric in prison before starting a Business Management diploma.

Wayne Jordaan, aged 20, who was sentenced to five years, of which two were suspended, is still in jail.

HOME AGAIN . . . Mr Showqie Enous reunited with his parents, Mr Ebrahim and Mrs Majeda Enous.

Picture. ANNE LAING

Man shot by private guards

Cape Times 25/5/88 276

PRETORIA. — A man was wounded when private security guards fired birdshot to disperse a group of people stoning a delivery vehicle in Diepkloof, Soweto, the police public relations division reported on Monday night.

Three delivery vehicles were damaged in incidents of stone throwing in Bishop Lavis, and six schoolchildren were arrested after stones were thrown at trains in Khayelitsha. — Sapa

ARGUS 25/5/88

Intimidation verdict on Khayelitsha men set side

Court Reporter

EIGHT Khayelitsha men found guilty by a Mitchell's Plain magistrate of intimidation have had their convictions set aside by two Supreme Court judges.

They are: Mr Thomas Ngwane, 35, Mr William Moleleki, 38, Mr Ndakusiva Bokova, 31, Mr Bonsile Jonga, 52, Mr Shadrack Nontaza, 34, Mr Nelson Konana, 41, Mr Jackson Jack, 49, and Mr Dickson Maremene, 45.

They were found guilty of intimidating three Khayelitsha women by threatening to assault and necklace them if they refused to denounce a Crossroads leader who had moved to Khayelitsha.

Two others, Mr James Dumeli, 42, and Mr Alfred Matunzi, 43, were acquitted.

The case was referred by regional court magistrate Mr F Botes to the Supreme Court for review.

This week Mr Botes told the eight men and their representatives, Miss S Chetty and Mr Joel Krige, that Mr Justice Fagan and Mr Justice Tebbutt had set their conviction aside.

Trojan Horse: Why Coetsee declined to push for prosecutions

CAPE TIMES 26/5/88 275

WHY did the Attorney-General of the Cape not prosecute the policemen concerned in the Trojan Horse incident in which three young people were killed by police in an unrest situation in Athlone in 1985?

Two of the dead were shot in the back.

The police had concealed themselves in crates on a truck and opened fire on the crowd with shotguns. In an inquest in February this year a magistrate ruled that the police had been negligent.

Following are Hansard extracts from a speech on May 10 in the House of Representatives by the Minister of Justice, Mr Kobie Coetsee, replying to questions on the Attorney-General's decision:

Coetsee

Rossouw

I HAVE the Attorney-General's report here, in which he explains how it happened that he came to (his) decision .

It is so that at first certain stone-throwers were prosecuted After the case against the stone-throwers had been terminated, the Attorney-General received a letter from the attorneys asking him to issue a certificate of non-prosecution, *nolle prosequi*, with a view to a private prosecution.

Because of the confusing evidence the Attorney-General then decided first to institute a judicial inquiry *(inquest)*in terms of the available legislation The judicial inquiry began on December 7 and ended on March 3, when magistrate Hoffmann delivered his complete finding . .

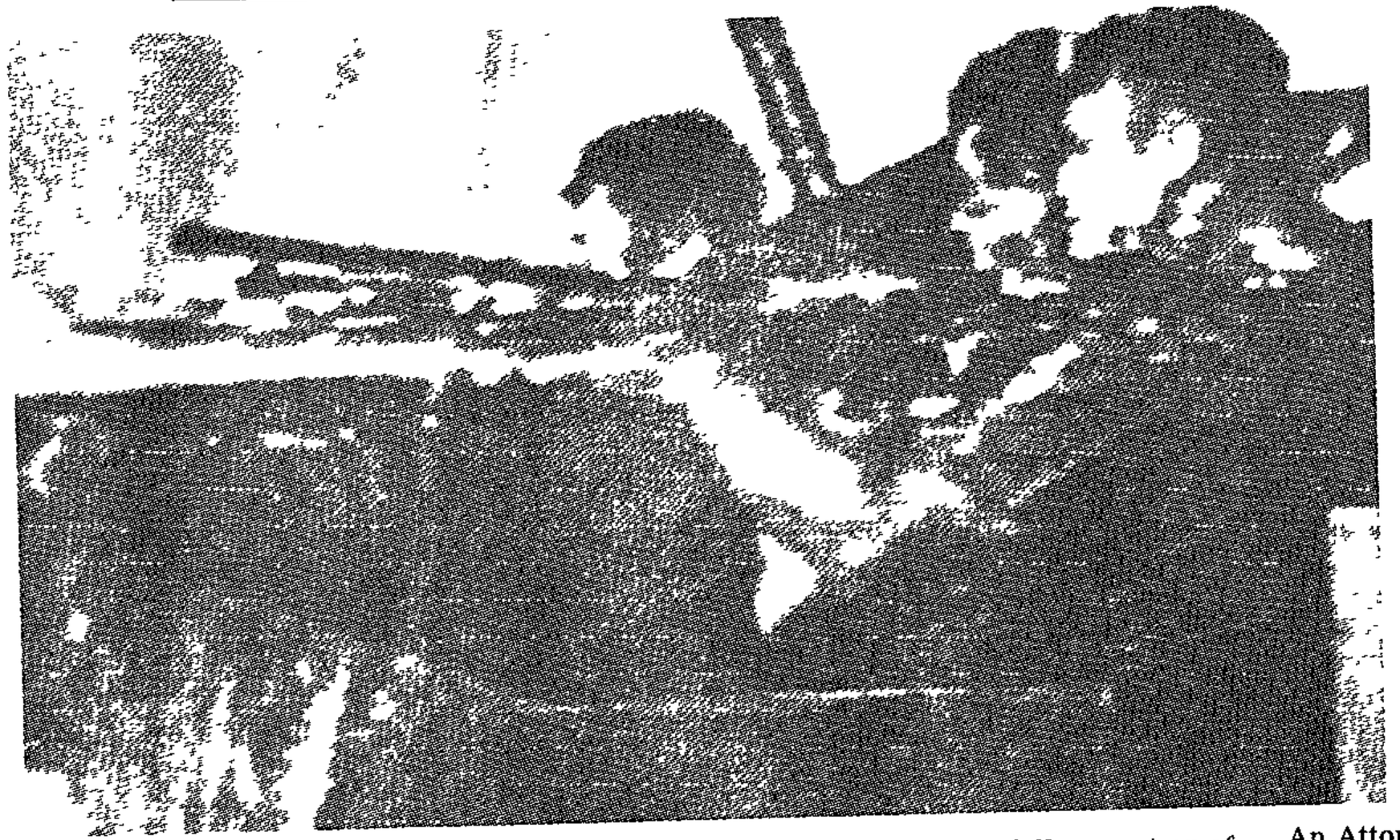
In his judgment the magistrate blames Lieutenant Vermeulen and the policemen under his command for the deaths

The Attorney-General signifies, with respect, that the magistrate acquitted himself excellently of the task given him, but points out that the magistrate was not called on to produce a finding similar to that of a criminal court judgment. No trial took place and therefore no accused persons appeared before him.

After completion of all investigations and the obtaining of information, the Attorney-General formed a committee on which he and four members of his staff served They examined the case incisively, with a view to prosecuting.

From the investigation [illegible] given a full exposition of the policy which applies in regard to Attorneys-General and how I apply it, and in this regard I refer [illegible] Members to

An Attorney-General's duty is to institute a prosecution after he has given attention to all the possible facts and there is an indication for [illegible]



A still from video film of the Trojan Horse incident in Athlone in which three young people died.

Sash backs Suzman on 'travesty'

Helen Suzman

From MURIEL CREWE on behalf of the Black Sash, Cape Western Regional Council (Mowbray):

THE Black Sash would like to endorse the scathing attack made by Helen Suzman in Parliament on May 11 in which she designated the Attorney-General's refusal to prosecute the policemen involved in the Trojan Horse shooting as a "travesty of justice"

We need to recall that three boys were killed by what the inquest magistrate called negligence and that he found "no shred of evidence" to suggest that they were guilty of public violence The Minister has offered to pay compensation to each family of R900! In no way can this pittance (or indeed any price) be considered recompense for the loss of life and of family bereavement.

It is also reported that the Attorney-General has declined to prosecute in the case of two senior officers involved in the Bellville South ambush shooting which resulted in the death of one girl and injury to three others

The court found the attack was the result of orders given by these men to "eliminate" suspected troublemakers and therefore found them culpable. In addition, the judge found them to be guilty of perjury and defeating the ends of justice

Since it is in the power of Minister Coetzee to overrule the Attorney-General's decision, the Black Sash calls on him to do his duty by the country and ensure that all the policemen involved are prosecuted and justice is seen to prevail

Cape Times
26/5/88

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the investigation, nor the evidence heard at the original hearing, including the findings resulting from the judicial inquest, had brought to light a causal connection between the actions of a specific policeman and the death of a specific person.

As a lawyer the honourable member knows that to make out a *prima facie* case there must be a causal connection, even if the consequence only appeared at a later stage. Without this, criminal accountability cannot be proved beyond reasonable doubt. There are also other legal problems which make prosecution so problematical that it is not justified.

The Attorney-General goes on to say that a civil claim on the grounds of the deaths of the three persons might succeed. A claimant must naturally prove on a balance of probabilities that the other man is responsible for his loss.

This does not mean that this decision is wrong. The Attorney-General of the Cape has a good, impressive and objective record. The Hon Member asks me to intervene because I am in possession of the powers to do so. On various occasions, but also very recently, I have Hansard 1985, House of Delegates column 1213.

I indicated that a Minister of Justice would only intervene in an Attorney-General's decision in highly exceptional cases. Although I have the powers to do so, it will only be done in highly exceptional cases. It was done in only one case, in the 1920s, and after that I myself took action, by way of an exception, to arrange to bring about uniformity regarding the prosecution of parking meter violations.

The question of non-prosecution cuts both ways, however. For example, this weekend the Attorney-General announced that he would not prosecute certain clergymen who contravened the Gatherings and Demonstration Act regarding the proscribed area around Parliament. I have also been informed that the Attorney-General of the Transvaal does not have sufficient reason to prosecute there, because there was no unrest (interjections). *(This was apparently a reference to the AWB demonstration at the Union buildings: Ed, Cape Times.)*

Among the clergymen, we understand, (were) Desmond Tutu, Naidoo, Boesak, Chikane and others (interjections).

that they might lead to a successful prosecution

To launch an unsuccessful prosecution regarding something which is already a delicate matter is enough to prejudice his office (interjections). If the Attorney-General were to decline to prosecute, there is another remedy available. That remedy is the *nolle prosequi* remedy. Thus he can issue a certificate, and anyone who thinks he has made an incorrect decision can take that certificate and take that case as far as the Attorney-General could do

We have proved that we do not protect people in the service of the State if they commit offences. However, we must also not yield to the feeling that we will apply the administration of justice left and right to make our own viewpoint apply, because we might also be wrong.

Therefore I plead for confidence in the officials who take these decisions.

Mr P A S Mopp: Mr Chairman, the Attorney-General is not under attack here, but I would like to ask the Hon Minister whether it would not have been better for the court to have ruled that there is no *nexus*. Here the public on the one hand...

Chairman of the House: Order! The Hon Member should just put his question; I cannot allow a discussion.

Mr P A S Mopp: With all due respect, sir, one cannot put a question without laying a foundation. In the eyes of the public, on the one hand, there is the inquest verdict, which points a finger at some guilt by some party, but on the other hand there is the professional reasoning of the Attorney-General, which precludes the prosecution.

Would it not have been better if the Attorney-General had presented all the facts at his disposal to a court of law for the court to make a pronouncement?

The Minister: Mr Chairman, if an Attorney-General did not make this primary judgment, the number of cases reaching our courts would double five or six times over...

I would like to make the point that as Attorney-General he must make himself answerable to the legal community of South Africa, if he takes a decision simply to satisfy a certain community — which could have happened in this case. Furthermore, he has also to do with practical considerations such as possible malicious prosecution, where the facts are not available at all... I urge you to use that remedy, apply for a *nolle prosequi*. Under the circumstances, however, I cannot justify intervening or breaking the age-old policy of not interfering with the Attorney-General's decision...

Suspected terrorist shot in Ficksburg

26/5/88

PRETORIA. — A man suspected of being a trained terrorist was shot and killed after being confronted by members of the Bloemfontein divisional riot unit on Tuesday, police said yesterday.

The statement said the riot unit, acting on information received from the security branch, confronted the man at about 1.15 pm in the Ficksburg area.

The man produced an F1 grenade, which police said was of "communist origin", but was killed before he could throw it.

Police also reported that two men men were hacked to death wih pangas in Mpumalanga, near Hammarsdale.

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A delivery vehicle was extensively damaged in a petrol bomb attack in Port Elizabeth's Soweto township.

Schoolchildren in Meadowlands, Soweto, robbed a delivery vehicle of groceries that were being transported, police said.

And in Port Elizabeth, the Congress of South African Trade Unions claimed yesterday a meeting of its Eastern Cape region was disrupted by police on Tuesday night. Captain Bill Dennis, police liaison officer for the Eastern Cape, admitted that police were present at the meeting but said no action was taken. He said police had received information that the emergency regulations could be contravened.— Sapa and Own Correspondent

CAPE TIMES 07/5/88 275

Policemen to hang for murder

Own Correspondent

PORT ELIZABETH. — Relatives sobbed bitterly in a packed Grahamstown Supreme Court yesterday when two former members of the unrest unit were sentenced to death for the murder of an 18-year-old youth at Cradock during July 1986.

Earlier, Mr Justice Zietsman had found that Warrant Officer Leon de Villiers, 37, and Constable David Partick Goosen, 27, had jointly decided that Mr Mlungisi Stuurman had been too badly assaulted to release or detain, and that he would have to be "taken out" (killed).

Though Const Goosen had done the actual shooting, he found that they were both responsible, and found both guilty of murder.

He also convicted them of attempting to defeat the ends of justice by persuading other members of the unit to give a false account of the shooting.

Mr Justice Zietsman rejected the defence argument that both accused had had their susceptibilities blunted by long and stressful duty with the unit among murder, death and violence in the townships to the extent that the value that they placed on human life had been lowered.

He rejected that low intelligence and alcohol addiction amounted to extenuating circumstances for De Villiers or a dependant personality resulting from a traumatic childhood and problems of a dark complexion for Goosen.

He found that alcohol had not affected De Villiers' judgment, and though his intelligence was below average, he was a trained and experienced policeman.

He said that there was no evidence that Goosen was influenced by De Villiers.

Mr Stuurman had offered no resistance and gave no provocation. Witnesses said he was an innocent person who had been unlawfully arrested. The accused had killed him to conceal their own unlawful assault on him, and the court could find no circumstances that reduced their moral blameworthiness.

Mr Justice Zietsman sentenced them to six months each, conditionally suspended for three years, on the attempting to defeat the ends of justice charge.

Addressing the court on behalf of the accused, Mr C Jansen SC said that they both felt "bitter remorse" for having assaulted and allowing Mr Stuurman to be assaulted.

They appreciated that this assault had led to Mr Stuurman's death.

He said having found that there were no extenuating circumstances, the court had no alternative but to sentence them to death for the murder.

He granted indemnity to the three state witnesses who had been warned as accomplices — Constables R Fourie, M D Neveling and M P A Booyens.

ARGUS 27/5/88

Picture: ANDREW INGRAM

FREE AGAIN: Celebrating their freedom are five of the "Wynberg Seven": In front, Dee Dicks and Venecia de Klerk; and back, from left, Showqie Enous, Julian Stubbs and Naasir Masoet. They were convicted of public violence in 1985 and have served 11½ months in Pollsmoor Prison. They lost a year-long battle to stay out of jail when the Chief Justice rejected their petition for leave to appeal against their sentences last June. Another member of the group, Igsaan Amley, has also been freed. But the seventh member, Wayne Jordaan, is still serving a three-year term.

Unlawful police action 'won't be tolerated'

By TOS WENTZEL
Political Correspondent

THE Minister of Law and Order, Mr Adriaan Vlok, today gave the assurance that unlawful actions by members of the police would not be tolerated.

He was speaking at a Republic Day function in his constituency Verwoerdburg and said he was giving the assurance on behalf of himself and the Commissioner of Police.

Mr Vlok was speaking against the background of the death sentences passed on two members of the riot police in Cradock recently.

When members of "this proud force" were charged with murder, serious assault and misdeeds and were afterwards sentenced to long terms of imprisonment and even to death this caused tremendous concern.

When a policeman was guilty of a misdemeanour it could never be condoned. Justice would take its course, even if it meant that the disclosure of such a misdeed harmed the image of the force, he said.

The police had served the country and its people proudly and diligently and would continue to do so.

DETAINEES

The Minister also referred to the question of children in detention.

While the Government did not wish to detain any child or juvenile unless it was absolutely necessary the police sometimes had no choice as was the case with horrendous crimes such as necklace murders, arson and looting.

It was no secret that children were being misused by revolutionaries who did not care if young lives were lost as long as their "senseless and selfish goals" were reached.

At present no one under 16 was in detention and of those aged 16 to 17 there were fewer than 100 in custody.

Cape Times 2/6/88

Sentence delayed for 'Upington 25'

UPINGTON. — Defence lawyers yesterday won an extra nine months in their battle to save the lives of 25 people convicted of killing a policeman here.

Mr Justice J Basson gave the lawyers until February next year to prepare evidence in mitigation of sentence of the 25, all from Upington's Paballello township.

The case of the "Upington 25" bears similarities to the "Sharpeville Six" trial, which provoked a storm of protest around the world.

Several of the 25 were convicted on the basis of "common purpose" with those who actually killed Constable Lucas Sethwala on November 13, 1985.

The 25, the biggest group to be convicted of murder in a single South African trial, were yesterday in high spirits as they waved to the 30 relatives who crowded the small courtroom.

Aged between 20 and 60, the group includes three women, among them 20-year-old Ms Annie Duba whose daughter Innocentina was born exactly a year ago in prison.

Should Mr Justice Basson not find extenuating circumstances to the killing, which occurred at the height of the unrest, he will be obliged by law to sentence all 25 to death.

Sporadic riots erupted along the township's roads two days before the murder, after the 25 000 residents were told of rent increases. Residents say police killed four people.

On the day of the killing, about 3 000 people gathered at a township soccer field to debate the increase. The judge rejected evidence that residents had been urged by a police officer to assemble at the grounds to discuss grievances.

The meeting was dispersed by police firing teargas. A group broke away from the crowd and ran past Constable Sethwala's house in Pilane street.

Residents say the attack on the house began after the constable opened fire with a shotgun on the crowd fleeing from the pandemonium at the soccer field.

The policeman fled his house, but was caught by the enraged mob a short distance away. One of the assailants grabbed his gun and broke it on Constable Sethwala's head, killing him instantly.

The mob then kicked his body and set it alight.

All 25 pleaded not guilty. Following their conviction, lawyers called several experts to argue in mitigation of sentence. — Sapa-Reuter

Protesters meet Archbishop Tutu.

Anti-sanctions protesters meet Tutu

The Argus Bureau

PORT ELIZABETH. — Archbishop Desmond Tutu was met at the airport here today to by placard-bearing anti-sanctions protesters.

About 150 people from four organisations braved the cold to wait for him.

First to arrive were a handful of members of Victims Against Terrorism. Mr Sean McCallum, a technikon student, said a branch was being formed in the city and had the support of many businessmen who were concerned about unemployment.

Next a busload of people led by former community councillor Mr Tomsanqa Linda, arrived. He said more than a 100 people in his group did not have jobs or food and people like Archbishop Tutu, who supported Ford motor company leaving the city, had no right to visit Port Elizabeth where people were starving.

Mr Linda, who formed the United Conciliation Party and was an adviser to the Ibhayi Town Council, said he spent every day "fighting the Marxist onslaught".

The third group comprised members of the Positive Student Organisation at the University of Port Elizabeth, which is affiliated to the National Student Federation.

Mr Edward Bramley said Archbishop Tutu's campaign abroad sharply contrasted with the views of thousands left jobless after the withdrawal of American companies.

Archbishop Tutu's "call for starvation of blacks as a means to achieve political objectives" had been rejected by most blacks in the region, he said.

They questioned Archbishop Tutu's motives for propagating hardship on others as a means of furthering aims not shared by those affected.

The fourth group comprised members of the Northern Areas Management Committee and of the Labour Party.

Cape Times 10/6/88

275

Airport protesters arrested

PORT ELIZABETH. — Seven people were held briefly by the police following yesterday's demonstration at the airport here against the Anglican Archbishop of Cape Town, Bishop Desmond Tutu.

The bishop had to walk through a gauntlet of abuse from some 250 banner-waving demonstrators when he arrived at the H F Verwoerd Airport for a day-long visit to the city.

At a lunch in the city soon afterwards, attended by prominent members of commerce and industry, Bishop Tutu asked how, under a state of emergency, the protest had been allowed.

Cape Times 13/6/88

Groups kill 3 at weekend

PRETORIA. — The SAP reported three deaths in weekend unrest.

At Seerfontein in Natal, a man was killed in fighting between two groups, the weekend unrest report said.

At Lamontville, near Durban, a man was killed by a group.

At Maritzburg, a group stabbed a 16-year-old youth to death.

In other incidents of unrest, arson and stonings were reported.

At Mpulalanga, Natal, two private homes homes were extensively damaged by arsonists, and at Mpoyeni near Howick, arsonists extensively damaged a bus.

At KwaZekele, Port Elizabeth, a delivery van was extensively damaged by a petrol bomb. — Sapa

 Argus 14/6/88

A 'Sharpeville' at KTC if police had fired, says general

By MICHAEL DOMAN
Supreme Court Reporter

IF police had shot people during the conflict in KTC in 1986, hundreds — possibly thousands — could have died, creating another "Sharpeville", the Supreme Court has been told.

General Ronnnie van der Westhuizen, former Western Cape Divisional Commissioner of Police, was giving evidence yesterday in the R200 000 damages claim by 21 KTC residents and the Methodist Church against the Minister of Law and Order.

General van der Westhuizen said he was convinced that the head of the unrest unit, Major Dolf Odendal, tried everything in his power to prevent the burning of KTC.

Taken fright

"According to my information the destruction could not be avoided," he said.

During cross-examination, Mr Henri Viljoen SC, for the plaintiffs, suggested that if the leaders had been wounded by police, others might have taken fright and run away.

General van der Westhuizen said: "Several were shot in the unrest and that didn't stop them.

"(If police had fired) ... there could have been a few thousand (bodies). It could have been another Sharpeville. A life is more important than a hut."

Mr Viljoen: There were women and children in the huts. Were their lives not put in danger by police not stopping the attacking men?

General van der Westhuizen: Nobody died.

The court heard that an investigation team headed by General van der Westhuizen concluded after the burning of the Crossroads satellite camps and KTC that "witdoeke" from Crossroads were responsible.

He said no leaders were identifiable in the "witdoeke" ranks, even with the help of Major Odendal, and there was no-one he knew of who could be charged for burning KTC.

General van der Westhuizen said human nature did not make him feel sympathy for the "witdoeke" who suffered the enforcement of stayaways, consumer boycotts, kangaroo courts and necklace murders.

He said: "All are subject to the law. I was impartial to both 'witdoeke' and comrades. One just does one's job.

"If a policeman lets his feelings take over he can't do his job."

General van der Westhuizen said he was not involved in any conspiracy to support the "witdoeke" and he would have found out if someone like Major Odendal had decided on his own to help the "witdoeke".

"All policemen are not his friends. He would have been stupid to take such a decision."

General van der Westhuizen said he had read a May 1986 Supreme Court order restraining the police, the army and squatter leaders from attacking or allowing attacks on KTC, but none of the affidavits supporting the application, which alleged earlier misconduct by policemen.

"I was present in KTC on June 9, 10 and 11 1986 and I was kept up to date on the situation. I felt the allegation that police helped the 'witdoeke' was unfounded.

"If complaints had been sent to me, I would have had them investigated."

Handed Major Odendal's "transgressions file" (oortredingsregister) by counsel for the Minister, Mr G D Griessel SC, General van der Westhuizen said Major Odendal had never been found guilty of any irregularity or offence.

General van der Westhuizen said the file contained no complaints relating to Major Odendal's actions in KTC on June 9, 10 and 11 1986.

ANC flag

Evidence was that two complaints of assault had been made against Major Odendal, but the Attorney-General declined to prosecute in both cases.

The file contained reference to Major Odendal wrestling with mourners for an African National Congress flag draped over the coffin of ANC member Ashley Kriel in July 1987.

"The flag constituted an offence in terms of a Government Gazette," General van der Westhuizen said.

● The Minister has denied police assisted in or failed to prevent attacks by "witdoeke" which destroyed KTC.

(Proceeding.)

CAPE TIMES 14/6/88 (275)

Dolf Odendaal 'should get a medal', says general

Supreme Court Reporter

FORMER Divisional CID chief Major-General Ronnie van der Westhuizen yesterday told the Supreme Court that he had not read affidavits in interdict papers containing allegations of police misconduct.

He was giving evidence in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families, arising from the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986.

In the same trial, the court heard that it was recommended that no steps be taken against Major Dolf Odendaal, second in command of the Peninsula riot squad, for his actions at the funeral of slain ANC guerilla Mr Ashley Kriel, on July 18 last year

In reply to a question by Mr H P Viljoen SC, for the residents, General Van der Westhuizen said he had not read the affidavits attached to the interdict application because he did not consider it his duty to do so.

He had been to KTC during the three days of fighting and did not see police fail to take action against the witdoeke, nor had he seen police helping them. The allegations against the police were not investigated because there had not been any "definite evidence".

If allegations had been valid, police would have been guilty of an offence and he would have been told about it. Allegations of police complicity in the destruction of KTC had not been reported to him or to any police station.

Asked if the cause of the destruction of the satellite camps at Crossroads had been established, General Van der Westhuizen said that in his opinion residents in Old Crossroads became "sick and tired of being intimidated by the comrades" who lived in the neighbouring camps, and drove them out.

No witdoeke had been identified as leaders of the attack on KTC and even Major Odendaal had not known who they were.

If Major Odendaal had taken part in a scheme to destroy KTC, he would not have been able to keep it quiet because an investigating team would have found clues, he said.

He was convinced that Major Odendaal had done everything in his power to keep the fighting witdoeke and comrades apart and "should get a medal" for what he had done, General Van der Westhuizen said

On the issue of Major Odendaal's behaviour, the general referred to complaints made in July last year by some clerics over the police's use of teargas at the funeral of slain ANC member Mr Ashley Kriel.

Complaints had been received from the Rev Lionel Louw and Dr Charles Villa-Vicencio, both of the Western Province Council of Churches, over the firing of the teargas and the scuffle between Major Odendaal and clergymen over an ANC flag draped over Mr Kriel's coffin.

The Minister of Law and Order had ordered an investigation into the matter and had invited Mr Louw and Dr Villa-Vicencio to view the police video and make a sworn statement. Both declined the offer, General Van der Westhuizen said.

The matter had been investigated by a senior police officer and no action had been recommended against Major Odendaal. The major's personal departmental file did not reflect a departmental conviction for any irregularity, he said.

No other complaints about the behaviour of Major Odendaal were received and neither did the family of Ashley Kriel complain.

Major Odendaal's file did not reflect any complaints about his actions in KTC and if an oral complaint had been made, a senior police officer would have approached the complainant and submitted a statement to police headquarters in Pretoria, the general said.

The hearing continues today.

Mr Justice M R de Kock presided. Mr G D Gressel, SC, with Mr C Y Louw and Mr F Brand, instructed by the State Attorney, appeared for the minister. Mr Viljoen, with Mr P Pretorius and instructed by the Legal Resources Centre, appeared for the residents.

Several church services to mark June 16

THE mother of Hector Petersen, the first person to be killed in the 1976 Soweto uprising, will be a speaker at one of several church services planned for June 16.

Many meetings and events have been scheduled throughout the country to mark the 12th anniversary of the day that changed the course of South African history.

Tens of thousands of workers are expected to commemorate the day with hundreds of shops remaining shut as well.

A spokesperson for the National Council of Trade Unions (Nactu) said many trade unions had already won June 16 as a paid public holiday.

Traders

Spokespersons for the Western Cape Traders Association and the Council of Muslim Meat Traders said most traders would not open.

However, it will be business as usual at most big supermarkets. A spokesperson for Pick 'n Pay said there was no reason why the chain's supermarkets should remain closed on June 16.

Meanwhile, the South African Council on Sport (Sacos) has asked its codes to cancel any fixtures scheduled for the next three days.

The service featuring Mrs Petersen and Mrs Truter, whose sons died in Soweto and Bonteheuwel respectively, is to be held at the Metropolitan Methodist Church in Greenmarket Square at 2pm.

Prayers

Other services to be held include: St Marys in Nyanga East, from 10 am to 2 pm; the Holy Cross Anglican Church in Nyanga East, from 9 am to 10.30 am; and the Congregational Church in Rondebosch, from 3 pm.

A vigil will also be held from 6 am-5 pm at the Christ Church in Kenilworth, to be followed by a service until 6 pm.

Several churches will also be saying special prayers on Sunday, June 19, in remembrance of those who died in the 1976 unrest.

Youth, civic and cultural organisations will participate in a June 16 commemoration evening at the Samaj Centre in Gatesville, Cape Town.

General: No prior warning of attack

Cape Times 15/6/88

275

Supreme Court Reporter

MAJOR-GENERAL Ronnie van der Westhuizen, former Divisional CID Chief, yesterday told the Supreme Court he had not received advance warning of the attack on KTC and after the camp was destroyed no evidence was found that witdoek vigilantes were responsible.

He said this during cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families after the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986.

The general said there was no proof that the witdoeke had destroyed KTC and that in a "war situation" anyone could wear a white strip of cloth (by which witdoeke are identified) and remove it the following day.

He did not see anyone wearing a white cloth take part in the destruction of KTC and neither did he know that a large armed group of people had moved from Crossroads to destroy KTC. He conceded that shacks were set alight but said this could have been done by the comrades.

Asked by Mr H P Viljoen, SC, for the residents, if it was not illogical that comrades would destroy KTC, their own stronghold, Maj-Gen Van der Westhuizen said the comrades could have infiltrated KTC and burnt it down and blame it on Crossroads residents.

Asked why the witdoeke on the police videos were not arrested, Maj-Gen Van der Westhuizen said the witdoeke shown on the videos were standing at the side of the road and did not commit any crime.

Asked if he was aware that on June 9, 1986, the witdoeke had told Major Dolf Odendaal that they were going to burn down KTC, Maj-Gen Van der Westhuizen said he was not.

If Major Odendaal had in fact received such information it would have been his duty to stop the group.

The hearing continues today.

Mr Justice M R de Kock presided. Mr G D Griessel SC, with Mr C Y Louw and Mr F Brand, and instructed by the State Attorney, appeared for the minister. Mr Viljoen, with Mr P Pretorius and instructed by the Legal Resources Centre, appeared for the residents.

o/h only

Our year in the cells: By the middle-class kids who went to jail

'We learned a lot in Pollsr oor' ... the youngsters from Wynberg after their release

Picture: RASHID LOMBARD

Freed after serving 12 months, six youngsters from Wynberg whose trial made front-page news, talk to GAYE DAVIS about life inside

THEY could be foreign exchange students returned from a year abroad, swapping experiences and anecdotes

But the stories these 20-year-olds tell are prison tales of smuggling food and baking *tronkkoek* (jail-cake) over illicit stoves. Their year away from home was spent in Cape Town's Pollsmoor Prison, serving sentences for public violence convictions.

Dee Dicks, Venetia de Klerk and Julian Stubbs are three of the group which became known as the "Wynberg Seven" during the year it took to exhaust every legal avenue to keep them out of jail.

Along with 19-year-olds Showqie Enous, Naasir Masoet and Igshaan Amlay, they were released last month after serving all but 19 days of their 12-month sentences. Still in jail is Wayne Jordaan, 20, who was sentenced to an effective three years.

When they entered Pollsmoor last year, a helicopter circled over the heads of the more than 200 people who had gathered to say goodbye. While warders — some restraining dogs — and police watched, relatives and friends raised clenched fists and sang *Nkosi Sikelel' iAfrika* and *We Shall Overcome*.

"We were scared," said Dicks. "The first thing we saw was that long corridor. It seemed unending. The prison seemed enormous."

It also smelled "of disinfectant and polish and prisoners".

"We had to force ourselves to follow the sergeant through the section. When we went through the courtyard men yelled obscene things at us from above. We thought, Oh God, what is going to happen to us?" Stubbs said.

Unlike those of hundreds of other youngsters imprisoned for public violence by South African courts, their case caught the attention of newspapers: here were seven children from middle-class homes, going to jail following one of many stone-throwing incidents at high school rallies during boycott-ridden 1985.

The "Wynberg Seven" believe the media attention helped: none of the other prisoners laid a hand on them and within months they were enjoying privileges other prisoners had to wait years for.

When their petition for leave to appeal was dismissed by the Chief Justice, they began counselling sessions with University of Cape Town psychologists and talked to former political prisoners and detainees.

Once inside, though, they were on their own.

The boys wore drab green prison garb, the girls ill-fitting dresses. "They didn't have our sizes," said De Klerk. "Someone took them in for us using a blade and blanket thread — although it wasn't allowed."

They hardly touched their first prison meal. "It was soya mince with a boiled egg, samp — we didn't even know what that was — and green beans," said Dicks.

Later, they would fantasise about the food they'd eat on their release.

Said Dicks: "We ate in the dining-room, breakfast at 7.30am; mealie meal, milk, bread and jam and coffee. Lunch at 10.30am; four slices of brown bread with a mix of white marge and jam we'd scrape off with matchsticks, it was revolting. Supper was boiled meat and vegetables. You'd eat between 3 and 3.30pm and then get locked up again.

"At the beginning we got terribly hungry, we didn't have any privileges which allowed us to buy things.

"You'd *smokkel* (smuggle) some bread and make breadcrumbs Then you'd take Kool Aid and add water, or cocoa for chocolate-flavour, and mix it with sugar and white marge and pack it into your stainless steel dish.

"To cook it you'd make a *lampie* (little lamp) with toilet paper and boot polish, smearing the polish on the paper while you rolled it into a wad, putting in plastic and other stuff that would burn with little smoke. We used these to cook and heat water. The cake tasted OK but had no yeast, it just fell into your stomach."

Most of their time was spent sleeping and studying: Stubbs completed an electronics course by correspondence, the others did schoolwork. Dicks knitted jerseys for babies in the prison creche, De Klerk was a seamstress.

But it wasn't easy. Cell searches, when they had to strip, were humiliating, Dicks and De Klerk said. When they menstruated, they had to show warders their underwear before being issued with sanitary towels.

Eating in the dining room was under the watchful eye of warders; any communication with other prisoners was forbidden.

Efforts were made to keep them apart from political prisoners: "You weren't supposed to mix with them, but as time went on we sorted things out. We'd sit in the yard, play chess and chat," said Stubbs.

The girls sent messages of support and solidarity to prisoners awaiting trial for treason but otherwise had no contact.

They adjusted to the routine of prison life, and counted the days.

Their ordeal over, they're now considering their futures. Political activity is high on their agendas. If anything, their year in jail helped clarify and harden their opposition to apartheid. They're not ashamed of having been in prison. It's given them status and they're proud of it.

"The government thought it was teaching us a lesson when it put us in jail. Well, we learned a lot while we were there But I don't think it was the lesson the government wanted us to learn," said Stubbs.

The SA Prisons Service liaison officer, Colonel DJ Immelman, said: "Ex-prisoners often subjectively relate their experiences as if they were the facts. The SA Prisons Service is satisfied that all prisoners entrusted to its care are treated humanely and in a responsible manner.

"Prisoners cannot receive maximum privileges immediately after admission, privileges are granted according to a prisoner's behaviour and adaptation and we would like to stress that no prisoner receives preferential treatment.

"In order to ensure an orderly prison community and to maintain institutional security it is a world-wide prison procedure to search prisoners to detect and control contraband. Searches are conducted with due regard to the dignity of the person involved."

"We learned a lot in Pollsmoor" ... the youngsters from Wynberg after their release

"At home you take it for granted you can go into the kitchen and make a snack. We drank lots of water and smoked a lot. How to split matches was one of the first things we learned. But we made plans to get extra food."

She would tie two dress belts to either end of her towel, climb on to a cupboard and perch at the cell's window. "I'd throw the towel out along the sill and a woman on a special diet next door would put food on it and I'd carefully pull it back in."

In the male section, the boys ate in their cells, labour strictly divided according to the edict of the *huisbaas* — cell leader.

"The other prisoners were jealous of our special treatment," said Stubbs. We didn't get any aggro from the other prisoners, though.

"In the big cells everyone had their job: the *balie* boy cleaned the toilet, basin and shower; the *beker* (cup) boy put out the mugs for coffee; the *lepel* boy collected the spoons. We had to clean the floors.

"We hadn't had any exercise for about six weeks, so we stopped work. As we'd hoped, the *huisbaas* went and complained to the sarge, threatening to *moer* (beat) us. Sarge told him to leave us alone."

Fears of being sexually molested were also unfounded.

"We'd sleep until midnight and wake up to study, when it was quiet. We'd see the *huisbaas* and his lieutenant get up and look to see who was new in the cell and lie next to them. If the person wasn't interested they'd leave them alone. They never touched us — only those prisoners who had no choice but to do it for food and smokes," Stubbs said.

Birthdays were made special: when Dicks turned 20 a fellow prisoner "baked" a tart made of jelly, yoghurt and condensed milk over a candle.

The boys would make *tronkkoek*:

Langridge prosecuted. Mr G Gower appeared for Mr Mhustanga.

17/6/88

George woman held by police

Own Correspondent

PORT ELIZABETH. — A Lawaaikamp woman, Mrs Nofatu Vywer, was arrested and held briefly by police on Wednesday morning after municipal authorities demolished her house and confiscated her building materials.

In the police unrest report issued yesterday morning, it was said a group of blacks had "gathered illegally" at Lawaaikamp.

Three people were "removed" from the area by police and one man was arrested.

De'Ath inquest to be reopened

Cape Times 18/6/88

Supreme Court Reporter

THE inquest into the death of ITN cameraman Mr George De'Ath will be reopened following the setting aside yesterday of a decision by the inquest magistrate not to hear oral evidence from Mr Andile Fosi, Mr De'Ath's soundman at the time of his death.

The judgment handed down by Miss Justice Leonora van den Heever — Mr Justice Berman concurring — also directed that the inquest magistrate, Mr W J P Marais, or any other magistrate who may hear the inquest, call Mr Fosi to give oral evidence.

Mr Marais was also ordered to pay the costs.

In his finding on August 13 last year, Mr Marais found that Mr De'Ath had died on June 14, 1986, and that his death was caused by "a head injury and the consequences thereof".

Where he was required to determine whether the death was brought about by any act or omission involving or amounting to an offence on the part of any person, Mr Marais had found: "Yes — the deceased was extensively assaulted by a person or persons unknown to the state."

Mr Gordon Ian Rushton, the attorney acting for Mrs Tiley (Mr De'Ath's sister), said in an affidavit that the film made by Mr De'Ath before the fatal assault — which had been in police custody for some time — had a "freeze frame" superimposed from a certain point.

Evidence was that Mr De'Ath filmed "to the very last" and the disappearance of the last minutes of the film called for an explanation, Mr Rushton said.

A video film (with soundtrack) prepared by Mr De'Ath, as well as others made by the South African Police Video Unit and other television networks of events in Crossroads that day, were available to the magistrate.

Mr Marais viewed only the police tape.

Professor L S Smith, formerly chief State Pathologist and Professor of Forensic Medicine at UCT, had concluded that oral evidence of the circumstances of Mr De'Ath's death could be important.

Miss Justice Van den Heever said there could be not be a "full, fair, public inquiry on incomplete or conflicting affidavit evidence as to relevant facts".

It was true that the identity of Mr De'Ath's attackers could not be determined from the documents before Mr Marais, but had Mr Fosi been questioned, particularly about available video material relating to people — particularly vigilantes — in the vicinity shortly before the attack, it was certainly "not beyond the bounds of reasonable possibility that he would be able to point out one or more of the people he is confident of being able to identify".

Mr J J Gauntlett, instructed by Findlay and Tait, appeared for Mrs Tiley. Mr P B Hodes SC, assisted by Mr W J Louw and instructed by the State Attorney, appeared for Mr Marais

3 injured, 4 held in weekend unrest

Star 20/6/88 (275)

Crime Reporter

Three people were injured in weekend unrest incidents which included petrol-bombings, stabbings and stone-throwing, police said.

Four people were arrested after the incidents.

A man was stabbed by a mob in Mpumuza, near Edenvale, Maritzburg. He was not seriously injured.

At Inanda near Durban, unknown gunmen fired a shot at a bus, wounding the driver in the stomach. He is in a satisfactory condition.

DRIVER HURT

Another driver was injured in Nyanga, Cape Town, after a petrol bomb was hurled at a private vehicle, causing extensive damage.

A motorist was slightly injured in New Brighton, Port Elizabeth, after his vehicle was extensively damaged when it was set alight.

In other incidents, two men were arrested at Spartan near Kempton Park, after workers were intimidated into not going to work.

At Imbali, near Maritzburg, a mob stoned a home. Two men were arrested.

Bus fired at, driver injured

CAPE TIMES 20/6/88

PRETORIA. — A bus driver was injured when unidentified people fired a shot at a bus at Inanda, Durban police reported at the weekend.

The driver, who was wounded in the stomach, is reported to be in a satisfactory condition.

In the on-going unrest in Natal, extensive damage was caused to a vehicle after it was set alight by a petrol bomb at Hammarsdale.

In Mpumuza, near Edenvale, a man was stabbed with a knife.

A home at KwaNdendezi, near Pinetown, was extensively damaged after it was petrol-bombed.

The driver of a private vehicle was slightly injured when his vehicle was extensively damaged by a petrol bomb at Nyanga.

At New Brighton, Port Elizabeth, a private vehicle was set alight, slightly injuring the driver and extensively damaging the vehicle.

olive

Army dismantles KTC razor-fence after requests

ARGUS 24/6/88

Staff Reporter

THE razor-wire fence put up by security forces to keep warring factions in the KTC squatter camp apart was taken down today by the army.

The mayor of the town committee of Cape Town, Mr Roland Njoli, said at a Press conference that many requests had been made for the fence to be removed when the fighting in the area had stopped.

Eight people died in fighting at KTC in January this year.

Mr Njoli said KTC, named after Kakaza Trading Centre on the corner of NY 78, had been earmarked as phase two of Crossroads in a 1979 agreement by Mr Piet Koornhof, then Minister responsible for the area.

"The area has a history of conflicting interests between factions occupying the land," said Mr Njoli.

Mr Njoli said the struggle had culminated on January 8 this year in "senseless violence which resulted in the loss of eight lives" and more than 600 houses.

Mr Njoli said the town committee had approached the security forces and asked for a fence to be put up between the warring groups, after representation from several groups.

There had been numerous requests to have the fence removed and no further incidents had occurred after it was put up.

"The fence was never intended as a permanent solution," Mr Njoli said.

'Ambush' on the road to airport

Cape Times 24/6/88

275

Crime Reporter

AN "ambush" of concrete slabs and a large tree trunk dumped on the busy N2 freeway near the D F Malan Airport turn-off caused damage of at least R10 000 when two cars smashed into the obstruction.

"A number of people were chanting in the nearby bushes — I think they were waiting to attack the driver of any car that stopped," said Newlands motorist Mr Larry Whitfield, whose luxury car struck the barricade on Wednesday night.

The owner of a Wetton laundry and dry cleaning concern, Mr Whitfield was heading for the city in thick mist about 11.30pm "when all of a sudden a big truck skidded on and off the road in front of me".

"As I passed it my car struck a concrete kerb in the road. There were about four of these concrete blocks and a big tree trunk," he said.

Another car driven by a young woman also struck a concrete kerb, exploding a front tyre.

A security officer in one of the cars forced to stop controlled the traffic flow.

Police officers were on the scene within minutes and helped to move the debris, by which time the chanting had stopped.

A police spokesman, Captain Reg Crewe, confirmed the incident and added that police patrolled the area but that no arrests were made.

● Similar incidents were recorded during the unrest in 1985 when branches and other objects were dragged on to roads obstructing the flow of traffic. At the time, police warned motorists about the danger of travelling along the N2.

Cape Times 25/6/88 275

BACK TO NORMAL ... Soldiers remove rolls of razor-wire from the pavements at KTC. Picture ADIL BRADLOW

KTC razor-wire fence comes down

By PETER DENNEHY

SOLDIERS began taking down the razor-wire fence around KTC yesterday at the request of Mr Roland Njoli, the mayor of the Cape Town Town Committee, who has also applied for funds to upgrade the area.

The fence was erected four months ago after a series of violent incidents in KTC and its surrounds in which eight people died and more than 600 dwellings were destroyed.

Mr Njoli said during a Bureau for Information press conference at the committee's Fezeka offices yesterday that he knew of no violence in the area since the fence had gone up.

"A number of people", whom he did not name, had asked for the fence to be removed, he said They were the same ones who had asked for the fence in the first place.

Asked whether he had consulted Mr Gladstone Ntamo, a leader of the Masincedane Committee, Mr Njoli said: "We have spoken to the people who have come to us. Some people don't want to come to our offices."

Mr Njoli also said a brick settlement was "the only answer". Last year, this reporter interviewed a "comrade" who told him his group was holding out for brick houses from the government, while others were prepared to settle for less.

Mr Graham Lawrence, deputy director of local government affairs at the Cape Provincial Administration, said the total cost of the KTC development would be R15 million, with a first phase of R6 million, which should start next April.

Affidavits ruled as admissible evidence

Star 28/6/88 (275)

EAST LONDON — The presiding judge ruled yesterday that the affidavits of three of the accused on trial in the East London Supreme Court for an alleged "necklace" murder were admissible as evidence.

Eighteen Stutterheim residents have pleaded not guilty to charges of murder, public violence, arson and other related alternative charges, allegedly committed in the township on November 4 1985.

A "trial-within-a-trial" resulted after the defence tested the admissibility of the statements made by three of the accused to a policeman.

Mr Justice E M du Toit said the court unanimously agreed that the State had proved the three made the statements voluntarily. — Sapa.

De'Ath: fresh evidence

By GAYE DAVIS

ANDILE Fosi, the soundman who believes he can identify some of the people who attacked ITN cameraman George De'Ath in Crossroads in 1986, will be called to give evidence when the inquest into De'Ath's death is reopened.

However, it is not certain when the new hearing will take place. The original inquest magistrate, whose decision not to call Fosi was set aside in the Cape Supreme Court last week, can appeal against the finding.

De'Ath died of severe head injuries after he and Fosi were attacked while covering the destruction of parts of the squatter settlement by *witdoek* vigilantes.

Miss Justice Leonora van den Heever found the inquest magistrate had misjudged what could and should have been sought by means of oral testimony.

If Fosi had been questioned, it was "not beyond the bounds of reasonable possibility" that he would have pointed out one or more of the people he was confident of being able to identify.

W/Mail 27 24-30/6/88

Cape Times 30/6/85

4 cars damaged

PRETORIA. — Four vehicles were damaged in unrest in the past 24 hours.

According to police a man in Dobsonville, Soweto, was robbed of his vehicle which was then set alight.

At KwaZakele near Port Elizabeth a vehicle was petrol-bombed twice. In another incident in the area, a vehicle was stoned.

In a third incident in the area, a vehicle was petrol-bombed. — Sapa

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Musica

I wasn't there, says killer accused

EAST LONDON — The chairman of the Stutterheim Youth Congress yesterday denied he had been with a group of youths who burnt a sportsman to death at Mlungisi township on November 14 1985.

Mr Llyod Pupu Mgwangqa (34), appearing in the East London Supreme Court, is charged with burning to death Mr Ndileka Magala.

He and nine co-accused face other charges including public violence and arson. They have all pleaded not guilty. Eight of the original 18 accused have been acquitted.

Mr Mgwangqa denied Miss Neliswa Fupi's evidence that he and Mr Sipho Matyala had asked her to attend a meeting, saying that anyone failing to do so would have their homes set alight.

He also denied he had attended the meeting or had been in the group that set Mr Magala alight and stoned his house.

Under cross-examination Mr Mgwangqa said he had been chairman of the congress in 1985. The aim of the congress was to bring the youth together.

The hearing continues. — Sapa.

2 more cleared of 'necklacing'

Star 30/6/88

EAST LONDON — Two more of the accused in the Stutterheim "necklace" trial were acquitted in the East London Supreme Court yesterday.

They are Mr David Magala (19) and Mr Notu Homani (19).

On Tuesday six of the 18 accused were found not guilty and discharged.

They faced a charge of murdering Mr Ndileka Magala who was burnt to death in Mlungisi township on November 14 1985. They were also charged with public violence and arson.

They had all pleaded not guilty. — Sapa.

Cape Times 4/7/88

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Police dogs scatter angry SATS patrons

By CHRIS BATEMAN

POLICE with dogs dispersed hundreds of people at Bellville station yesterday when scores of frustrated up-country-bound ticket holders tried in vain to secure third-class train seats for the second consecutive day.

Passengers later angrily confronted SATS officials and demanded alternative transport or their money back after the Trans-Karoo left about 11am, its three third-class coaches filled to capacity.

The crowded platforms were the result of black schools reopening after mid-year holidays yesterday and weekend trippers returning home.

One man was bitten by a police dog as people scattered on the platform.

The SATS superintendent of passenger services for the Western Cape, Mr "Boeti" Roux, admitted that the volume of ticket carriers had "caught us with our pants down" and that too few coaches had been provided.

He said an extra Trans-Karoo train with 12 third-class coaches had been laid on and broadcast for 7.40pm yesterday.

Third-class tickets were usually valid only for day of issue, making it "impossible to know in advance what demand is — they buy them at 101 stations on our system", he said. Other classes could be booked in advance, he said.

All Saturday's tickets were accepted as valid yesterday, he said.

Mr Michael Fortuin of Ravensmead said his aunt from Britstown would "now have to apologize on behalf of the railways" for arriving a day late at the Britstown Old-Age Home where she worked.

Mrs Vivienne Van-Ster , of Eerste River, said it was the third time she had travelled to Bellville station since Saturday.

"If only they'd admit and say sorry, we are wrong — that's all we ask "

Mr Roux said he knew of 39 people who were "left behind" on Saturday but was unable to quantify yesterday's stranded passengers.

He said yesterday was the first time the problem had arisen and promised that SATS would have extra coaches on standby at the same time next year.

● A police spokesman confirmed that "police were called in after complaints were received" and said he would investigate the complaint of a dog-bite and witnesses' claims that dog-handlers dispersed the crowd.

Man killed in attack on house

Cape Times 5/7/88

PRETORIA. — A man was killed when a mob hurled petrol bombs and fired shots at a house near Durban.

Police said in their daily unrest bulletin that an occupant of the house in KwaDengezi, Durban, was shot in the neck and chest. The house was extensively damaged.

Another house in the area was also badly damaged in a petrol-bomb attack.

Petrol bombs were hurled at houses in Deda, near Taylor's Halt in Natal, and at Imbali in Maritzburg and vehicles in Paarl East, Paarl, and at Lingelihle near Cradock were extensively damaged after being set alight. — Sapa

Lodger testifies at Rev Kani inquest

Groans heard long after shots

By PETER DENNEHY

A LODGER at the home of the Rev Cameron Kani, who was shot dead in his garage in New Crossroads on February 2 this year, told an inquest court yesterday of hearing groans from the garage more than half-an-hour after the first shots.

Mr Mlungisi Nyabaza said he, his brother and the two Kani sons were being "held at gunpoint" by a policeman in the front room of Mr Kani's house, 410 Dykophu Close.

"We pleaded with him to allow us to go outside to see how Rev Kani was. He said to us that if we went outside he would blast our heads off.

"We had no alternative but to listen to him groaning in pain."

Mr Nyabaza noticed that the first two ambulances that had arrived left, "apparently without treating Rev Kani". According to earlier police evidence, Lieutenant Eugenus Bester, who had been wounded in a shootout, was taken away in the first ambulance.

Warrant-Officer Hendrik Rossouw of Unrest Unit 10 testified that Mr Kani had initially seemed dead to him. He went into the house for 15 to 20 minutes to "secure" the house, and only when he came out did he hear a groan.

Disarm a .375 magnum

He then called another ambulance. WO Rossouw also explained that he had had to "disarm" a .375 magnum that was picked up and handed to him. He had accepted that there was no need to take fingerprints.

Constable Theunis Rosslee had touched it first, WO Rossouw said. He himself had removed spent cartridges.

WO Rossouw said some of the bullet marks, on the lead garage-door counter-weights, indicated shots must have been fired from inside the garage. Mr Kani had been wearing a dark jacket, he said.

Mr Nyabaza, the lodger, said the 52-year-old Mr Kani had returned home about 10pm and had been working on his car in the garage by the light of a bulb on an extension cord.

When he heard shots hitting the inside of the garage, he peeped out of the toilet window, but could see only a right arm on the garage floor. He heard two more shots being fired.

A torch was shone through the window, and a policeman asked whether he knew the "skollie" who had just been shot dead there. He denied knowing him, as he did not yet know it was Mr Kani.

"Rev Kani has been a lay preacher with the Reformed Methodist Church for many years," Mr Nyabaza said. He had never seen a firearm in the house.

Mr Nyabaza said in a statement to police, who woke him up at 4am one morning, that he had been "influenced" by certain people to say certain things, but had refused to make a false statement. He was not prepared to say who "influenced" him, as he was afraid of intimidation and for his life.

The hearing continues.

Mr G Hoffman was the magistrate. Mr Johan Stabbert, instructed by the State Attorney's office, appeared for the Minister of Law and Order. Mr Piet Steyn appeared for the Attorney General's office. Mr Jeremy Gauntlett, instructed by Mr Justin Hardcastle of Malinicks, appeared for the Kani family.

Man killed in 'terror' shootout

Star 6/7/88

275

Own Correspondent

CAPE TOWN — A man was shot dead in Gugulethu township in the Peninsula yesterday after police were held at bay for nearly four hours during an operation to arrest an alleged trained terrorist.

Police afterwards found arms and ammunition.

Major Jan Calitz, chief police liaison officer in the Western Cape, said that at about 4.15am members of the Reaction Unit went to a house after receiving information that a "trained terrorist" was hiding there.

While searching the house a shot was fired at them. They and several occupants withdrew from the premises.

More shots were fired at the police during the next few hours. When it was light enough to see, police re-entered the house and a 20-year-old man was shot dead.

Major Calitz said he was armed with a Makarov pistol.

Boy saw minister stagger when shot

Court Reporter

THE Rev Cameron Kani was holding both hands above his head and staggering backwards as a policeman fired a volley of shots at him, a 15-year-old boy who watched the incident through the window of a garage, told a Wynberg inquest court yesterday.

This was evidence in the inquest into the death Mr Kani, 52, who was shot dead in the garage of his home in New Crossroads on February 2.

Earlier the court heard that Mr Kani had been a lay preacher with the Reformed Methodist Church for many years.

In a statement the youth, who may not be named, said he was in a room in the yard of the house when he heard someone running over the roof of the room.

He then heard a single gunshot being fired from a distance.

When he walked into the backyard he saw that Mr Kani was still working on his motor car in the garage.

Soon after he returned to his room, he heard about five shots being fired from the front of the garage.

"I rushed out of my room and went to the window at the back of the garage." He saw Mr Kani staggering back.

He said Mr Kani had a "lead light" in his hand and he heard the sound of shots being fired. "I saw him drop the light and a policeman came into view.

"He was holding a gun in front of him with both hands stretched out.

"This policeman then started firing a volley of shots while Rev Kani was still staggering backwards, holding both hands above his head.

When the last of the volley was fired, Rev Kani collapsed, falling backwards.

The youth said there were two policemen now. The one who had fired walked over to Mr Kani and "I heard him groan in Xhosa and say: 'Oh my children'."

The policeman then swore and "aimed where Rev Kani's head was and fired one shot at very close range".

A special constable informed the boy, his brother and two lodgers who were held at gunpoint that Mr Kani "had shot at a white policeman".

"I found this story strange as I had never seen a firearm in the house and I don't believe Rev Kani had one," said the boy.

The hearing continues today.

Mr G Hoffman was the magistrate. Mr J Slabbert, instructed by the State Attorney's office, appeared for the Minister of Law and Order. Mr P Steyn of the Attorney-General's office led the evidence. Mr J Gauntlett, instructed by Mr J Hardcastle of Mallinicks, appeared for the Kani family.

Policeman hit by bullet 'fired from garage'

ARGUS 6/7/88

Court Reporter

WHILE investigating the source of a gunshot in New Crossroads in February, an unrest unit police lieutenant was hit by a bullet fired from a garage, a Wynberg inquest court heard today.

Constable Shaun van Wyk said he was on night patrol with Lieutenant Eugenus Bester, Sergeant Theunis Rosslee and Constable Ralph Smith.

He was giving evidence at the inquest into the death of the Rev Dalimtheto Cameron Kani, 52, of 410 Dykophun Close, New Crossroads, who was shot by police after an incident on February 2 in which a policeman was wounded.

Constable van Wyk said they heard a shot and stopped their patrol van.

"Staggered backwards"

"We went to investigate and when we arrived in Jacobs Street I noticed Lieutenant Bester turn into a yard at house number 410 with the street name Dykophun.

"When I arrived in the yard I saw Lieutenant Bester approaching a garage. I then heard a gunshot and the lieutenant staggered backwards.

"He screamed he had been hit, clutched his stomach and staggered back and sat down against the wall of the house."

Constable van Wyk said Sergeant Rosslee moved towards the entrance and fired more than two rounds into the garage and an "unknown person" returned fire.

He said Sergeant Rosslee then said he had got the man and they both entered the garage.

"On entering, a man raised his firearm and pointed it at Sergeant Rosslee who fired two shots at him and then kicked the gun out of his hand."

Two statements made by Constable van Wyk have been handed into court. The first, handwritten in English, was made on February 7, the second typed and made to a Colonel van der Merwe was made the following day.

In answer to a question from the magistrate, Mr G Hoffmann, Constable van Wyk said he picked up the revolver from the floor of the garage and found six spent cartridges in the magazine.

Fingerprints

Mr Hoffmann asked: "And your fingerprints were all over the revolver. Is that normal police practice?"

Constable van Wyk: "No."

Constable van Wyk explained he had to make the weapon safe in case someone else fired it. He gave the gun and cartridges to Sergeant Rosslee.

The hearing continues.

Cape Times 7/7/88 JTS

15 shots fired in dark Kani garage

Cape Times 7/7/88 JTS

Court Reporter

FIFTEEN shots in three volleys were fired at the Rev Cameron Kani in his garage in New Crossroads after a policeman was shot at from the garage, the policeman said at the Wynberg inquest court yesterday.

Sergeant Theunis Jakobus Rosslee, of the Unrest Unit, was giving evidence at the inquest into the death of Mr Kani, 52, who was shot dead in the garage of his New Crossroads home on February 2.

Earlier the court heard that Mr Kani had been a lay preacher with the Reformed Methodist Church for many years.

Sgt Rosslee said that on February 2 he, Lieutenant Eugene Bester, and constables Ralph Smith, Shaun van Wyk and a Constable Dana were patrolling the New Crossroads area when a shot was heard.

Lt Bester stopped the patrol van and all the policemen climbed over a wall and into a yard. Sgt Rosslee was following Lt Bester to "cover him" and the other policemen followed them.

When Lt Bester ran into a house and moved towards the garage, Sgt Rosslee saw a car parked in the open en-

To page 2

From page 1

trance to the unlit garage but said he could not remember whether the bonnet was open or not.

Lt Bester entered the garage next to the car. "Suddenly there was a shot from inside the garage and Lt Bester staggered back and looked for cover. I immediately realized that Lt Bester had been shot," Sgt Rosslee said.

"At the same time a shot was fired at me and I fired a volley of shots at a figure I saw there. I saw the flashes from the firearm as the person fired at me. I heard about four shots being fired at me.

"After I fired the shots, the figure collapsed to the floor. I moved slowly into the garage with Constable Van Wyk close at my heels. I saw a black man lying on his side.

"Suddenly his right hand, holding the weapon, swung towards me. I was ready and immediately fired two more shots at him whereupon his hand went limp and I kicked the weapon out of it and Constable Van Wyk picked it up.

"I assumed that the man had been fatally injured with the last shot. He lay there lifeless and made no sound. I don't know at what stage he died."

Questioned by Mr P Steyn of the Attorney-General's office, Sgt Rosslee said he had "not stopped shooting. I shot continuously. I fired until he stopped firing. In the first two volleys I fired 13 shots and in the third, two shots". He said he did not hear Mr Kani groan.

Questioned by Mr J Gauntlett, for the Kani family, he said he did not go closer to check on Mr Kani as he was afraid of contracting Aids. He said that when he returned to the garage later he noticed that Mr Kani had changed positions.

He said it was impossible that someone had taken shelter in the garage, fired at the police and escaped on the other side of the car and over the wall.

He had left Constable Van Wyk to watch Mr Kani. Constable Van Wyk said that after Lt Bester was taken away by ambulance, Mr Kani appeared to be alive. Mr Kani groaned for about 10 minutes as if he was in pain and slid "like a snake" from the place where he had been shot, before he lay still.

Constable Van Wyk said he did nothing to help the man.

"There was nothing I could do. I was left there to guard."

The hearing continues today.

Mr G Hoffman was the magistrate. Mr J Slabbert, instructed by the State Attorney's office, appeared for the Minister of Law and Order. Mr P Steyn of the Attorney-General's office led the evidence. Mr Gauntlett was instructed by Mr J Hardcastle of Mallinicks.

Shot councillor to be buried on Saturday

ARGUS 2/7/88

Staff Reporter

A COMMUNITY councillor who was shot dead in her Langa home will be buried on Saturday.

Miss Nobuntu Siboto, 64, was shot twice on Sunday by a man wearing a balaclava and a tracksuit. His identity is not known.

Her sister Nomntu said the shooting happened about 7pm after Miss Siboto answered a knock at the door.

"A man entered the house and spoke a few words before he fired two shots at my sister."

A neighbour responded to a call for help but could not get in because the door was locked. A four-year old child threw the key to her.

Miss Siboto served on Cape Town Community Council from 1979 to 1983, representing Langa. Last year she rejoined.

Born in Ndabeni, she was awarded a teacher's diploma at Lovedale College but did not practise.

She is survived by two children and four grandchildren.

Ambulance 'not told' of shot Kani

Cape Times 8/7/88

By YVETTE VAN BREDA
Court Reporter

POLICE did not tell ambulancemen called to help a wounded policeman that the Rev Cameron Kani was also wounded during a shooting at the lay preacher's New Crossroads home, a Wynberg inquest court heard yesterday.

This was evidence at the inquest into the death of Mr Kani, 52, of the Reformed Methodist Church, who was shot dead in the garage of his home on February 3.

Earlier, Sergeant Theunis Jakobus Rosslee said he, Lieutenant Eugenus Bester and three constables were patrolling the New Crossroads area when he heard a shot.

Lt Bester led the policemen towards an open garage door "The nose of a car" was parked in the dark garage. Sgt Rosslee was closest to Lt Bester as he entered the garage.

There was a shot from inside the garage which hit Lt Bester. Sgt Rosslee retaliated with two volleys of 13 shots "at a black figure" which collapsed to the floor. As Sgt Rosslee moved slowly towards the man, who was lying on his side, "he swung his weapon towards me".

He immediately fired two more shots at the man and as his hand went limp Sgt Rosslee kicked the weapon out of it. He said five of the 15 bullets were tracer bullets and were not standard issue.

He had not checked to see whether Mr Kani was dead or alive as he was afraid of contracting Aids.

Constable Shaun van Wyk, who was left to guard Mr Kani, said that after Lt Bester was taken away by ambulance, Mr Kani showed signs of life

He groaned for about 10 minutes as if he was in pain and slid "like a snake" from the place where he had been shot, before he lay still.

Yesterday an ambulanceman, Mr Andre Swanepoel, said he and the driver of the ambulance were on their way to hospital with a patient when a police car stopped them in Nyanga and led them to the scene

They arrived there about 12.33am and were told that there was an injured policeman who needed to go to hospital. Two policeman helped Lt Bester to the ambulance where he was given the necessary treatment and taken to Tygerberg Hospital.

Mr Swanepoel said the ambulance could take five patients.

"No one told us about another injured person," he said. He heard no moaning from the garage, as members of Mr Kani's family had said, but added that he did not go near the garage and left the scene about 17 minutes later.

Mr Anton Rossouw, another ambulance driver, said he had been notified by Metro about 1am to go to the Kani house. Police had told him that Mr Kani was dead.

Asked by Mr J Gaunlett, for the Kani family, whether he would have gone to greater lengths to check whether Mr Kani was dead if police had told him that the man had recently moved around and groaned for 10 minutes, he said he would have.

A third ambulance was called which took Mr Kani's body away.

'Riddled with bullets'

Dr L van Ieperen, a specialist pathologist, told the court he had examined Mr Kani at the Salt River mortuary and found that he was "riddled with bullets". He said Mr Kani was a sick man who had tuberculosis and a shortened left leg He was "definitely handicapped in his going about".

His left side had been "destroyed" and he had nine broken ribs. He counted 15 bullet entrance wounds and 13 exit wounds. Both his legs had been fractured by the bullets. Dr Van Ieperen said multiple bullet wounds had caused Mr Kani's death.

He said it would have taken a maximum of 25 minutes before Mr Kani had "systemic failure" but could not say how long it would have taken before he died. Dr Van Ieperen said he doubted whether Mr Kani would have been able to move with fractured legs and a collapsed left side.

The hearing continues today.

Mr G Hoffman was the magistrate Mr J Slabbert, instructed by the State Attorney's office, appeared for the Minister of Law and Order Mr P Steyn of the Attorney-General's office led the evidence. Mr Gauntlett was instructed by Mr J Hardcastle of Mallinicks.

Schools violence

CAPE TIMES 9/7/88 (275)

Township classes deserted after gang attacks pupil

TOP LEFT: Nyanga East youths flee from advancing New Crossroads crowds after an exchange of missiles over the "border" road yesterday.

TOP RIGHT: A police Casspir eases through crowds of Nyanga East youths soon after stone-throwing between factions in New Crossroads yesterday. Picture OBED ZILWA

By CHRIS BATEMAN

SCHOOLS in New Crossroads and Nyanga East were deserted yesterday after widespread violence was sparked by an attack on a pupil in his classroom by a gang.

By midday four youths had been hurt as hundreds of pupils from opposing factions exchanged missiles from either side of a border road between Nyanga East and New Crossroads.

Groups from both sides were seen making forays across the "border".

Police in Casspirs and vans arrived to patrol the area but violence resumed each time they left.

Teachers and parents said school communities in Nyanga East and New Crossroads had been "systematically purging their schools of pupils who don't live in their suburb" for some time.

Pupils and parents said yesterday's fighting began after members of the "Ntsaras", a much-feared Nyanga East gang, scaled the gates of the Andile Higher Primary School in New Crossroads and burst into a classroom The gangsters headed for one particular pupil whom they had 'chopped" on the arm with a panga, they said.

A Cape Times news team saw at least two other youths with lesser knife or knobkerrie wounds while Red Cross workers reported a fourth youth taken to hospital with broken fingers.

Township people said the New Crossroads pupils had the backing of elders with superior weapons and better organization. All agreed that to cross the border into "enemy territory" meant certain injury or even death.

Youths were seen carrying pangas, knives, assegais and knobkerries.

Gangs whose names were repeatedly mentioned were the Nyanga East "Ntsaras" and the "Bad Boys" of New Crossroads.

Teachers at St Mary's Lower Primary School in Nyanga East allowed young schoolchildren who lived nearby to leave in small groups while those living further away were transported home.

Three people have died in the schools-related violence in the past month, the latest a horrific killing last Thursday of a New Crossroads man, Mr Mncedisi Tyandela, 24, outside St Mary's Lower Primary.

A witness said Mr Tyandela was walking alone when he was tripped and repeatedly stabbed by about five youths. He was then allowed to get up, tripped again and "finished off", she said. Attempts to save his life were fruitless.

The violence has resulted in increased settlement of Brown's Farm, which is presently the subject of a tussle over upgrading for industry or housing.

"It's all a symptom of poor housing and education," one person said

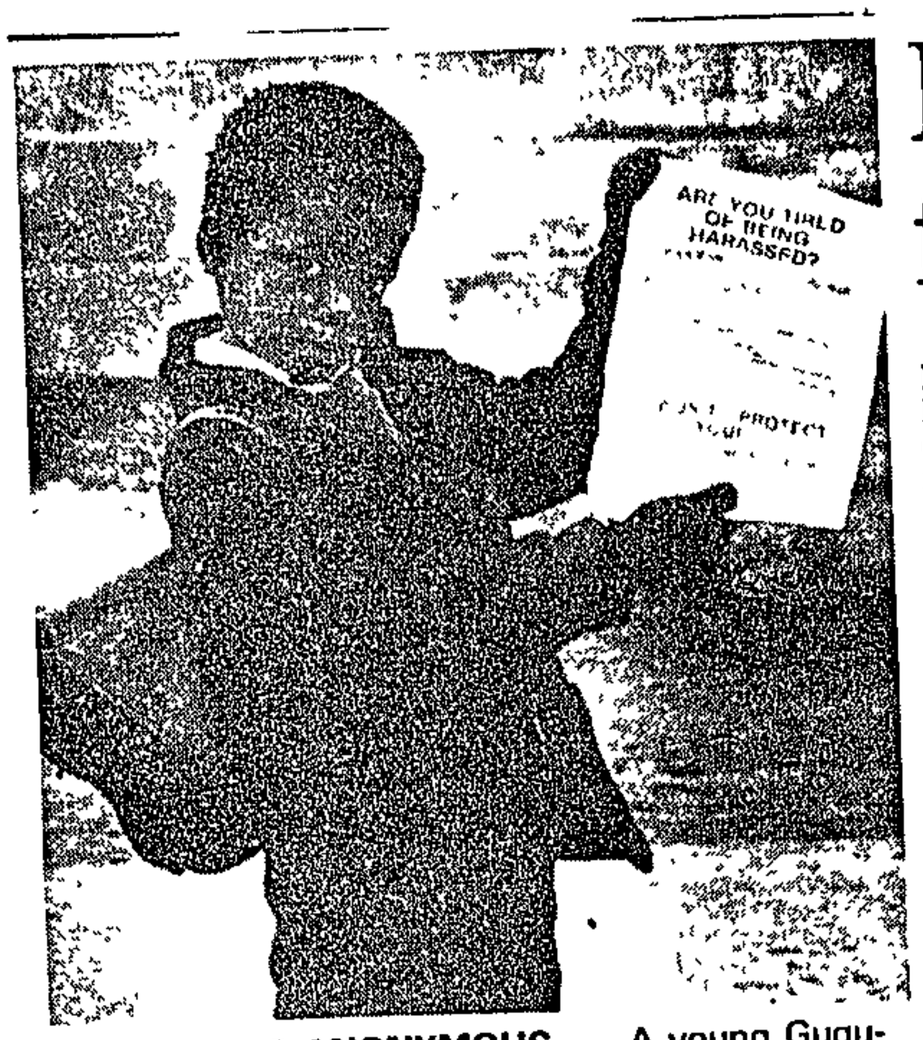
Late yesterday "peace" meetings were being called by the Western Cape Civic Association and a women's organization.

A police spokesman said pupils at Number Three School in Crossroads were asked to leave the school by the school authorities for unknown reasons.

Pupils had gathered on either side of the road and had dispersed when asked to by police. No arrests were made, he said.

Police offer R1 000 for 'unrest' info

Cape Times 9/7/88



INFORMERS ANONYMOUS ... A young Guguletu resident with the South African Police pamphlet offering rewards of up to R1 000 for township inhabitants who turn police informers.

By CHRIS STEYN

POLICE are distributing pamphlets in Peninsula townships offering rewards of up to R1 000 for anybody who informs on inhabitants who promote unrest, make fire bombs or are involved in necklace killings.

Township residents, including children, were seen yesterday reading the pamphlets, entitled "Are You Tired of Being Harassed?".

Western Cape police liaison officer Lieutenant Attie Laubscher confirmed that the pamphlets were being distributed by hand by members of the security forces who were on patrol in the townships.

Police state in the pamphlet that rewards of up to R1 000 will be paid for information leading to the arrest and conviction of anyone who:

- Makes or uses firebombs;
- Promotes unrest through agitation or intimidation or instigates or instructs a person to take part in violence;
- Partakes in violence resulting in serious injury, or
- Murders or seriously injures anybody through the so-called necklace method.

Police state in the pamphlet that rewards for information regarding explosive devices or recovery of arms caches will be considered on merit

The pamphlet also states that rewards of up to R500 will be paid for information leading to the arrest and conviction of anyone who commits acts of:

- Violence, excluding political unrest, that results in serious injury, and
- Damage to property and looting.

The pamphlets also inform township residents that the police need information concerning people "preventing your children's education, keeping you from work, who stop you buying where you like".

prompt treatment

Kani had '70% chance' with

Cape Times 9/7/88

By YVETTE VAN BREDA
Court Reporter

THE Rev Cameron Kani, shot dead by police in his garage in New Crossroads, had a 70% chance of survival had he been given medical treatment by the first ambulancemen on the scene, the head of the trauma unit at Tygerberg Hospital said yesterday.

Dr Richard Muller was giving evidence in the Wynberg Magistrate's Court at the inquest into the death of Mr Kani, a lay preacher at the Reformed Methodist Church, who was shot on February 3.

Earlier evidence was that five policemen had approached Mr Kani's dark garage after hearing a shot while patrolling the area. A car was parked halfway across the open entrance.

The court was told that about 12.30am a shot came from inside the garage and Lieutenant Eugenus Bester, the officer in command, was injured.

Sergeant Theunis Rosslee retaliated with two volleys of 13 shots "at a black figure" which collapsed.

When Sgt Rosslee approached, the "black man" swung a gun at him and Sgt Rosslee fired two more shots and kicked the weapon out of his hand.

Constable Shaun van Wyk, who was left to guard Mr Kani, said that after Lt Bester was taken away by ambulance Mr Kani showed signs of life.

He groaned for about 10 minutes as if he was in pain and slid "like a snake" from the place where he had been shot before he lay still.

An ambulanceman, Mr André Swanepoel, said he arrived at the scene about 12.33am and was told there was an injured policeman who needed to go to hospital.

"No one told us about another injured person there," Mr Swanepoel said. He added that the ambulance could take five patients.

Mr Anton Rossouw, another ambulanceman, said he got to the scene about 1.10am and ascertained only that Mr Kani was dead, not thinking of giving him emergency treatment.

He admitted that he would have had acted differently if police had told him that Mr Kani had recently moved around and groaned for 10 minutes.

Yesterday Dr Muller said it was his opinion that Mr Kani's injuries were not immediately fatal and most of the wounds could have been treated without major surgery. He could have lived if he had been taken to a trauma unit.

He said that, among other injuries, Mr Kani sustained three bullets to the left lung, nine fractured ribs, fractures in both legs and a compound fracture of the chin.

"I feel that had Mr Kani been given medical attention, his chances of dying as a result of the wounds would have been in the order of 30%.

"In my opinion, the deceased died as a result of major blood loss, occurring over a period of time ... the injuries described could well have been prevented had he been given the most rudimentary medical or ambulance attention at the time that the first ambulance arrived at the scene.

"Even failing this, I consider that in all probability the deceased would have lived had he been removed to a well-equipped trauma unit and received treatment there within an hour of the shooting."

Mr J Slabbert, for the Minister of Law and Order, asked Dr Muller whether Mr Kani could have been dead at 12.40am if one took into account previous evidence that the estimated time of shooting was 12.30am, the first ambulance arrived at 12.33am and Const van Wyk said that Mr Kani moved for 10 minutes and lay still.

Dr Muller said the second ambulance had been called after Warrant Officer H Rossouw had seen Mr Kani moving, so that possiblity was unlikely, though "I cannot exclude it completely".

Ms Khuelwya Ndlovu, Mr Kani's (diagonally opposite) neighbour, said that at 11pm she saw Mr Kani working on his car. She chatted to him briefly and left.

At 12.10am she heard shots coming from the direction of Mr Kani's house. She went out and heard groaning from Mr Kani's garage. "I shouted in Xhosa 'Daddy Kani'. It frightened me, since he did not come out."

Soon after, an ambulance arrived but the groaning coming from the garage continued. "I expected a stretcher to be taken to the person in the garage but the police put someone else on the stretcher" and the ambulance left.

The hearing was adjourned to July 28.

Mr G Hoffman was the magistrate. Mr J Slabbert instructed by the State Attorney's office, appeared for the Minister of Law and Order. Mr P Steyn of the Attorney-General's office led the evidence. Mr J Gauntlett, instructed by Mr J Hardcastle of Mallinicks, appeared for the Kani family.

Police patrol township schools after violence

Star Times 12/7/88 275

By CHRIS BATEMAN

POLICE and army troops maintained a heavy presence in Nyanga and New Crossroads yesterday, patrolling and guarding entrances to schools following the outbreak of gangster violence last week.

Most schools recorded attendances of between 63% and 68%, a spokesman for the Department of Education and Training (DET) has said.

Township sources confirmed this but said some schools had attendances of below 50%.

Residents said police had announced over Casspir-mounted loudspeakers that pupils could return to school without fear of intimidation from gangsters.

Groups of men from New Crossroads had also patrolled their suburb briefly after an early-morning meeting of elders was called, the township sources said.

Two youthas were seriously injured in gangster-related violence at the weekend, according to Nyanga Red Cross workers. They said both suffered arm wounds and were referred to the Metro weekend standby unit in Guguletu.

The DET spokesman told Sapa that the incident which sparked off Friday's violence — an attack on a pupil in his classroom by a gang — had "nothing to do with education". It was the result of the outcome of a court case with which the gang was not satisfied, he said.

The spokesman added that legal action would be taken against the gangs if the principals of the schools submitted written reports to the department about incidents.

A police spokesman said police were "maintaining law and order and helping the children to try and attend school without fear of intimidation" by patrolling trouble spots.

ARGUS 14/7/88 275

Residents to combat gang warfare in townships

By VUYO BAVUMA
Staff Reporter

CONCERNED Guguletu and New Crossroads residents, caught in the crossfire of gang warfare, have vowed to stamp out the spiralling violence.

In Section Four, Guguletu, a committee of 18 has been set up to combat marauding gangs. And in New Crossroads, groups of about 15 kierie-wielding parents and youths patrol the streets every night in an effort to keep the peace.

The patrols started this week after the disruption of classes in schools on Friday when a pupil was stabbed at Andile Higher Primary School.

The gang allegedly responsible for much of the violence is the much-feared Nyanga-based Ntsaras.

Its recent activities allegedly include two fatal stabbings — one outside St Mary's School in Nyanga on July 8 and the other near the Good Hope Centre after the Brenda Fassie concert on Saturday.

The convenor of the Section Four committee, Mr Ndumise Matinise, said his group would discuss the gang violence with other committees in the townships.

"We will plan a uniform approach. Recently our committee passed several resolutions aimed at ending the conflict," he said. "The community whole-heartedly accepted the proposals."

These include prohibiting youths from congregating on street corners after 8pm, referring all disputes to parents for arbitration and prohibiting youths from carrying weapons.

Mr Matinise said the committees planned to tell "the authorities" about the resolutions. "After that they will be implemented immediately. The people are tired of this violence."

Youths in Section Four recounted the roots of the conflict.

One said: "In March the Ntsaras asked us to assist them in a clash against a gang called Amafelandawonye." (Amafelandawonye, which means "those who will die together", is based in Section One, Guguletu.)

"We refused and since then we have been attacked sporadically by the Ntsaras. Recently Vuyane Sandla, a Sizamile pupil, was stabbed in the back on his way to school." Another youth said they decided to "retaliate to protect ourselves".

Some pupils have changed schools because they have to pass the "hostile territory" of the Ntsaras on their way to classes.

Ntsaras members are mostly young school drop-outs. Some are pupils by day but join the gangs at night. They carry weapons such as pangas and stillettos. Their activities are alleged to include random muggings and stabbings.

Members of other gangs in Guguletu said they responded to the violence by forming their own "territory" gangs.

Members of "Ama-Adderley", a Section Three-based group, said they decided to protect their neighbourhood from attacks by the Ntsaras.

"The Ntsaras came from Nyanga and caused havoc in our area. They robbed people and sometimes stabbed them," said a youth. "Local youths were blamed for these acts. Because of this we decided to take action."

He said their members became more resolute after Ntsaras allegedly fatally stabbed a colleague, Mzwandile Ceku, of NY 132, last year.

"Recently they killed two of our colleagues, Bruce and Mtutwana, of NY 130," the yough alleged. "This has been the pattern of the clashes. We never go out to attack the Ntsaras in Nyanga. We merely defend ourselves."

One high school pupil moved to Port Elizabeth after youths with knives and pangas raided his home. "I left my family as I feared for my life," he said.

● Police said they were monitoring the situation and would take action if necessary.

EMERGENCY 275

Shotgun man dies in police shootout

18/7/86

PRETORIA .— Police shot a man dead and found the bodies of two others in unrest-related incidents in Natal overnight, the SAP reported today.

In the regular unrest bulletin on incidents countrywide, police said they "fatally wounded" a man following an incident in Kwamashu near Durban during which two men allegedly intimidated a woman.

The men fled when police arrived and one fired a shotgun round at police. Police returned fire, killing the man.

At Hammersdale in Natal, police found the burned and stabbed body of a man after arsonists set fire to a private house.

At Mpumuza, also in Natal, police found the body of a man who appeared to have been shot. — Sapa.

'86 arson damage still unrepaired at Guguletu schools

ARGUS 18/7/88 275

Staff Reporter

THE education of hundreds of pupils at three Guguletu schools is being severely hampered because classrooms damaged by arsonists two years ago have still not been repaired.

Classrooms at Vukukhanye Higher Primary, Fezeka High and I D Mkize — with a total enrolment of about 3 000 pupils — were damaged in June 1986.

At the 600-pupil Vukukhanye six classrooms are not being used because they are dilapidated. Some have holes in the roofs. Most have broken windows and doors and there is soot on the walls.

Pupils and teachers said the Department of Education and Training had repeatedly promised to repair the damage, but nothing had been done.

Even the 10 classrooms they used were in a poor condition.

Said a teacher: "It is very cold because there are many broken windows. We have to stuff cardboard and paper into the holes to keep the classrooms warm

"On rainy days pupils have to move into other classrooms. This leads to overcrowding, but at least the tuition continues."

Discomfort is compounded because the school has no electricity or other form of heating.

The teacher added· "The lack of electric lights delayed the June examinations. We finished the examinations very late because we had to start when the sun was bright enough for the pupils to read what was on the board."

One teacher said attendance dwindled on cold days. "It is difficult to blame the pupils. The classrooms are very cold and it is difficult to do something constructive in such circumstances."

These complaints are echoed at Fezeka High and I D Mkize. At Fezeka, which has about 1 550 pupils, two of six damaged classrooms have not been repaired and pupils have complained that rain seeps into their classrooms from an adjoining room that has no roof.

"On windy days it is difficult to hear the teacher properly because of the clattering of the corrugated-iron roof dangling from the roof of the damaged classroom," said a Standard 8 pupil.

At ID Mkize about 200 Standard 6 and 7 pupils are attending classes in a laboratory, while two classrooms are unusable because of broken windows. The ceiling of one has caved in and burnt desks litter the floor.

Mr Job Schoeman, public relations officer for the DET, said· "We have a national plan for erecting classrooms. We cannot simply use funds earmarked for another community to repair the classrooms."

Responding to pupils' complaints, Mr Schoeman said: "Previously they had the facilities. Why did they destroy them?"

Cape Times 18/7/86

275

Three die, six wounded in incidents of unrest

PRETORIA. — A bystander was killed and another wounded when a man opened fire on a security force vehicle in Nyanga, according to the police unrest report.

Security force members answered with pistol fire and tearsmoke, wounding and arresting a man.

According to police Mr P Xaba, 40, was shot to death in Emms Drive, at 2.30am on Saturday.

In another incident, two men were killed and five wounded when one group used a pistol in an attack on another group at Slangspruit, near Maritzburg.

At Edendale in Natal, a group of arsonists damaged a private dwelling and stoned a vehicle.

At Inanda, security forces found the body of a man with bullet wounds.

At Dysselsdorp in the SoUth-Western Districts, a group stoned security force vehicles, causing extensive damage. — Sapa

EMERGENCY UPDATE

Argus 19/7/85

UWC students 'stoned vehicles'

273 278

PRETORIA. — Students at the University of the Western Cape who were "understood to have gathered to celebrate the birthday of Mr Nelson Mandela" stoned vehicles, damaging two, according to the overnight police unrest report.

The report also said that at Kwandengezi near Pinetown police found the body of a male. He appeared to have been stabbed to death, while at Mokweni reserve near Hillcrest in Natal the body of a man, who had apparently been shot, was found. — Sapa.

Press curbs

In terms of the emergency regulations it is not permitted to indicate in which way news reports, pictures and comment may have been restricted.

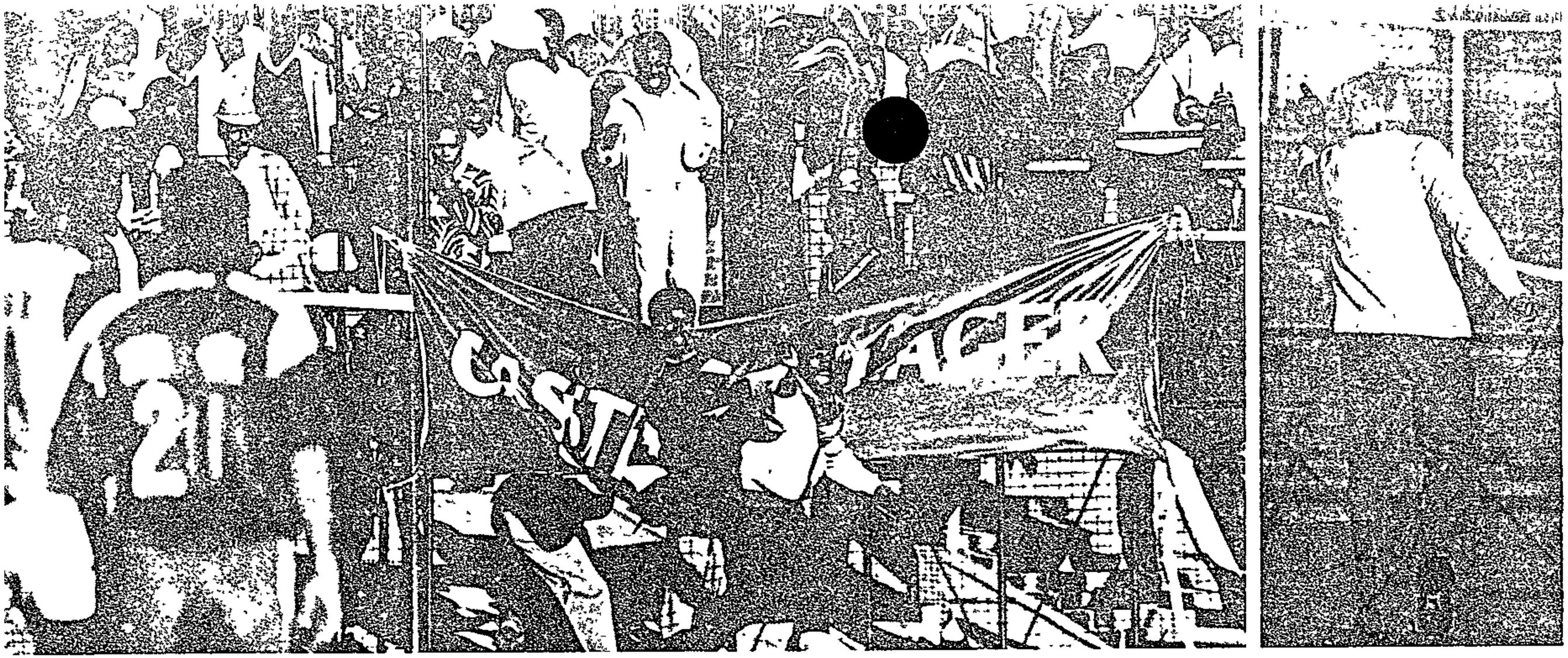
Cape Times 22/7/88 (275) (278)

Security force patrol stoned

PRETORIA. — A member of the security forces was seriously injured when struck by a stone during an attack by a security force patrol by a group at Lingelihle, near Cradock, on Wednesday night, the SAP Public Relations Division reported yesterday.

In their daily unrest report, police said two vehicles were damaged in the attack and two men and two women arrested.

In another incident at Soweto, Port Elizabeth, a man was burned after a petrol bomb was hurled at him, the report said. — Sapa



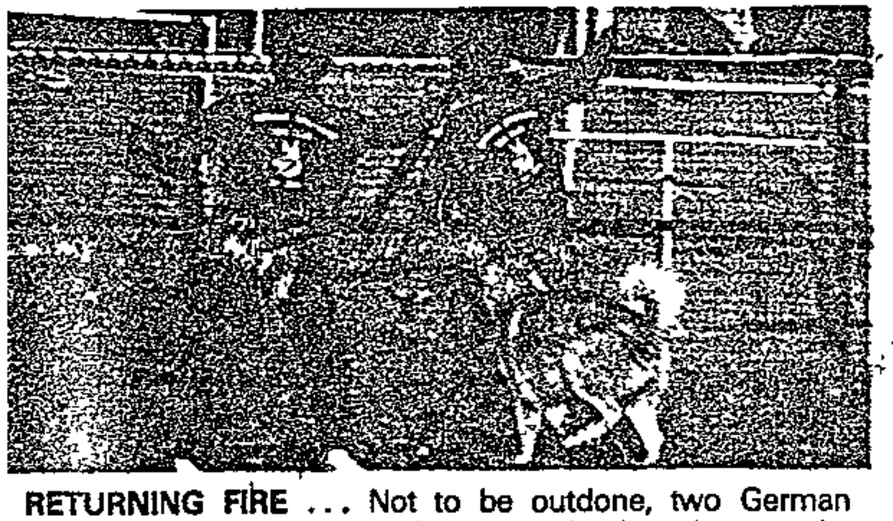
ON THE RUN . . . Crowds spill through one of the gates onto the Hartleyvale field, in spite of the presence of security men and dogs A man armed with a knife (centre) shred the sponsor's banner. **RIGHT:** Mr Glen George, an official of the Hellenic Football Club, fires a shot at the stadium after yesterday's NSL game between Hellenic and Orlando Pirates was abandoned.

Pictures ANNE LAING

CAPE TIMES 25/7/88

275

Soccer riot



RETURNING FIRE . . . Not to be outdone, two German Shepherd Club members throw missiles into the crowd.

By HERMAN R GIBBS and RONNIE MORRIS

A FULL-SCALE riot forced yesterday's National Soccer League fixture between Hellenic and Orlando Pirates at Hartleyvale to be abandoned.

Shots and teargas were fired, missiles tossed between the crowd and the private security firm trying to control proceedings and fights broke out as the game ended prematurely

The game was called off by referee Mr Brian Mayes when a section of the crowd burst through a security gate and invaded the pitch in the third minute of injury time, engaging in a full-scale confrontation with dog handlers.

Incidents of unruly behaviour early in the second half reached boiling point when missiles rained on to the pitch, preventing Hellenic from taking a corner minutes before the final whistle

Earlier in the second half, appeals were made to the crowd to stop throwing bottles at Hellenic goalkeeper Patrick Wasmuth at the Liesbeek River end of the stadium

Moments later the crowd in front of the grandstand pelted linesman Mr Des Goslett with bottles, beer cans and a variety of fruit peels after the referee consulted with Hellenic manager Mr Sergio dos Santos Under NSL regulations the host side is responsible for maintaining law and order

A Hellenic official entered the throng below the grandstand and appealed to fans to stop throwing objects on to the pitch. He was attacked, and Hellenic chairman Mr George Hadjidakis, with members of the German Shepherd Club, rushed in with dogs to ward off the attackers

Minutes later security officials sprayed teargas into the crowd in front of the grandstand

Shortly afterwards another clash with security men broke out at the railway end of the stadium The angry mob, armed with stones, drove back security personnel who tried to arrest a fan One of the dogs of the German Shepherd Club was injured

Calm returned for a while but a corner for Hellenic was the signal for another

To page 3

PTO.

Cape Times 25/7/88

From page 1

Soccer riot

275

wave of violence which led to the stopping of the game.

Several Hellenic players tried in vain to take the corner with missiles raining down around them leaving the pitch littered with stones, chunks of tarmac, bottles and glass fragments.

The linesmen and referee consulted in the middle of the field as the crowd at the Liesbeek River end continued rampaging unchecked.

Three more doses of teargas from hand-held canisters were sprayed at the crowd along the edge of the players' tunnel, but weren't enough to stop the full-scale riot.

As the mob burst through gates on the security fence perimeter and stormed on to the pitch, players made for the dressing rooms.

Their place on the field was taken by security men with dogs who stopped the crowd's advance. However, in another part of the ground, rioters broke down doors at the turnstiles, slashing the sponsor's banners and smashing the bill boards — all the while throwing missiles at the security men.

I saw dog handlers picking up stones which had been thrown on to the field and throwing them back into crowd," said Cape Times chief photographer Anne Laing, who received a gash on the arm when hit by a piece of flying concrete.

After Hellenic official Mr Glen George fired shots from a handgun there was a temporary lull, but a short while later the rioting erupted once more and more shots were fired.

Peace was finally restored almost half-an-hour after the game was stopped.

Mr Hadjidakis said an inquiry will be held into the riot.

NSL spokesman Mr Tembe Mtokwana last night criticized the dog handlers for responding to the crowd as this "further angered them". The NSL had, however, to "seriously look at security". There was "something seriously wrong when people can get past our body searches at the gates with bottles".

There were lots of policeman inside and outside the grounds" and he could not understand how the riot had happened, Mr Mtokwana said.

Yesterday was the "saddest day for soccer in Cape Town", he added.

A police spokesman said a patrol van had been sent to Hartleyvale, but on its arrival there found "everthing in order". No charges had been laid.

Hartleyvale hooligans

ARGUS 25/7/88 (275)

Mr George Hadjidakis

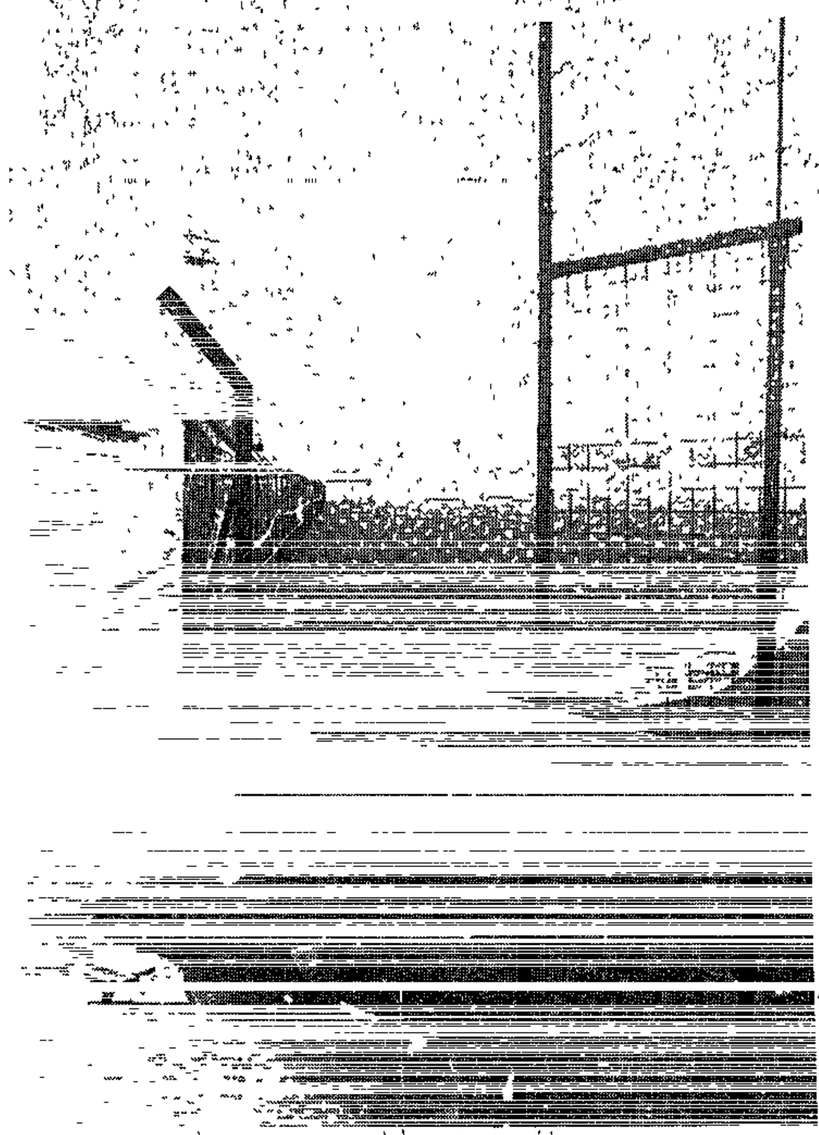
By MICHAEL MORRIS and BRYAN GRIEVE, Staff Reporters

HELLENIC has called an urgent meeting with the National Soccer League to discuss tougher security at soccer matches in Cape Town after violence flared at Hartleyvale.

Shots were fired and teargas was used to stop a running battle between spectators and dog-handlers during a National Soccer League (NSL) match between Hellenic and Orlando Pirates yesterday.

Pictures: DION TROMP, The Argus

City Council workers Mr Derrick Kemp, left, and Mr Louie May, today fill bags with broken bottles and rubble left strewn on Hartleyvale soccer field.



A section of the crowd burst through this security gate. Referee Brian Mayes called off the match.

Hellenic chairman Mr George Hadjidakis lashed out at Pirates fans today, accusing them of resorting to violence to force a postponement and replay.

Mr Hadjidakis said: "It's always the case with Pirates. They always try to force a postponement to get a replay."

Previous match

He confirmed that a previous engagement at Green Point Stadium between his team and Pirates ended prematurely when Pirates fans interrupted play.

Mr Hadjidakis said: "I do not wish to say anything more at this stage," but he confirmed that security topped the agenda for an urgent meeting Hellenic has sought with the NSL.

Cape Town Spurs is also deeply concerned about yesterday's riot.

Spurs owner Mr Noel Johnson said: "This incident puts soccer in Cape Town in a really bad light. We at Spurs do not want to be part of it and we will further step up our security at home games."

First victory

Hellenic was leading 2-0 and heading for its first league victory for nearly two months at the Cape Town City Council-owned grounds when the trouble started.

Linesman Mr Joe Posa and Hellenic midfielder William "Pele" Anderson were hit by what appeared to be stones before Port Elizabeth referee Mr Brian Mayes abandoned the match four minutes into second-half injury time.

In spite of loudspeaker appeals, a few bottles and stones were thrown in the direction of the other linesman, Mr Des Goslett, in the first half.

Bottles rain down

The brief apprehending of a spectator by the dog-handlers — he was soon freed by a member of the public — led to bottles raining down on a group of dog-handlers standing in a corner of the ground. They retreated and peace was restored.

In injury time Hellenic was awarded a corner and a large group of spectators between the Parkway and Hosking stands began to throw everything they could lay their hands on — bottles, chunks of concrete, wood and later two wooden doors.

About six dog-handlers went on to the pitch and one of them fired shots in the air.

The crowd responded by breaking down the security fence, destroying a hoarding in the process.

The teams and officials ran for the players' tunnel, only to realise that it was filled with teargas apparently used to re-

(Turn to page 3, col 5)

Dog-handler expelled for stoning spectators

Cape Times 27/7/88

ONE member of the German Shepherd Club of SA has been expelled and another fined following Sunday's Hartleyvale soccer hooliganism in which members of the club threw stones at rioting spectators.

The crowd at the Liesbeek end of the stadium began throwing bottles, bits of concrete and soft-drink cans on to the field after Hellenic was awarded a corner against Orlando Pirates.

A section of the safety barrier was forced and the crowd stormed on to the field. Security men and their dogs rushed to the spot and the crowd retreated but let fly with a barrage of missiles. Two of the handlers threw some missiles back at the crowd.

Yesterday the liaison officer for the German Shepherd Dog Club, Mr Mike Haywood, said that if the rioters had been able to get on to the field "there could have been death". This was prevented by the dog-handlers.

Operation upgrade for East Cape townships devastated by unrest

Argus 28/7/88 975

From PAT CANDIDO
The Argus Bureau

PORT ELIZABETH. — Like the Phoenix, townships in the Eastern Cape are beginning to rise from the ashes of devastation caused during unrest three years ago.

Millions of rands are being poured in to improve amenities and living conditions for people who had no tarred streets, street lighting, electricity or sewerage.

Radicals may say it means nothing and has done little to improve the lot of black people, but those who have moved into compact, comfortable self-help houses, bought with loans made available by the authorities, disagree.

Gardens

They say it is the first time they have roofs over their heads which they can call their own — and this is reflected in the pride taken in their small gardens and the individual touches which make houses homes.

An example is the small town of Adelaide, where more than 100 houses, four churches, the municipal offices, a beerhall and many other buildings were destroyed.

"It took the unrest to make us sit up and take notice," said the Mayor, Mr Pieter Rademeyer.

"The township was an disgrace and nobody did anything about it. Suddenly we found ourselves with a violent situation on our hands and we were forced to take notice.

"The black leaders came to us with demands ... but I pointed out that we would deal with requests.

"So we sat down and talked. Our council got together with their delegates and we talked and listened."

There is certainly no air of antagonism in the streets of Lingelethu — "Our Attempt".

So far more than R1-million has been spent on roads, water, stormwater and drainage and another R1-million on 266 houses.

For the first time there is a creche, a community hall, sports fields with changing rooms, high mast lights and sanitation ponds.

Creche

A white school closed because of depopulation has been turned into a hive of industry where more than 70 people earn a living in a variety of ways from dressmaking to repairing old cars.

Grahamstown, which has the only black council in the Cape, is also doing everything possible to improve the quality of life.

In an area where unemployment and poverty is rife the Rini Council is carrying on despite tremendous odds.

With only 6 000 job opportunities available in the area, only 10 percent of the population is economically active.

To assist, the council does not allow heavy equipment to do work which can be done by people.

Freedom dinner for Greg

Gregory Arthur

GREGORY Arthur, the first Cape Town student to be jailed for public violence following the 1985 school boycotts, returned home to a neighbourhood party.

And a dinner with his favourite food.

He was released from Pollsmoor Prison last Tuesday.

He was welcomed into the arms of a joyful mother, family and friends who had festooned his Retreat home with banners and flowers.

One placard was covered with the signatures of pupils and staff from Steenberg Senior Secondary, his old school.

Despite having received counselling before starting his prison sentence, he found the first few days in prison traumatic.

"At the outset, I was very lonely and for the first four days I couldn't eat anything."

Arthur supplemented the meals with groceries from the prison cafetaria.

He told SOUTH: "It was when I saw that wonderful meal that I finally realised I was free."

He shared a cell with 38 prisoners. Despite the difference in backgrounds, he formed close friendships with his cellmates, most of whom were serving sentences for violent crimes or fraud.

Arthur was in Standard 10 when he was jailed. While in prison, he continued his studies, working mostly at night. He wrote his matric but failed, blaming study conditions.

He now works as a packer for a Retreat firm but intends studying pharmacy by correspondence.

275 South 28/7 - 4/8/88

'Unfortunate aspects' in Kani death probe

By GILL TURNBULL
Court Reporter

THE police investigation into the death of New Crossroads preacher the Rev Dalimtheto Kani, who was shot by police in February, was biased and partial, counsel for his family has told a Wynberg inquest court.

Mr Kani, 52, of Dykophun Close, died from multiple gunshot wounds after a policeman was wounded by a shot allegedly fired from Mr Kani's garage.

Mr J J Gauntlett submitted yesterday that there were some "very unfortunate aspects" to the investigation of Mr Kani's death and to "the manner in which written statements were taken by Colonel Willem van der Merwe".

ELEMENT OF BIAS

"Colonel van der Merwe was frank from the beginning that he did not accept that the family members were witnesses. There was a distinct colouring of the investigation and this was reflected in the statements

"I submit that there was an element of bias in the presentation of the evidence in its written form and that it was inexplicably partial."

Mr Gauntlett submitted that Warrant Officer Theunis Rosslee's evidence (about how he came to shoot Mr Kani) was evasive and dishonest

"He was not candid about how he came to load, against regulations, tracer bullets into his weapon and was dishonest about why Mr Kani was not removed by the first ambulance that took Lieutenant Eugenus Bester (the injured policeman) to hospital."

Mr Gauntlett submitted that if the Kani family's evidence was accepted, Warrant Officer Rosslee was in "very serious trouble".

Mr Gauntlett said on the evidence it was clear death was caused by an unlawful act.

Mr Gauntlett asked why Mr Kani, a 52-year-old with an atrophied leg who was short-sighted and tubercular, somehow forsook his vocation that night and ambushed the police from his own garage.

Mr Gauntlett submitted that Mr Kani was working on his car when a passing gunman took shelter, shot Lieutenant Bester and before the other policemen arrived, jumped over the wall and got away.

"A second version is that Mr Kani ... had a gun in the garage, heard a shot and bootsteps ... and seeing two men dressed in black jackets and carrying weapons who did not identify themselves as policemen, thought there was trouble and fired a shot in self-defence."

Mr J Slabbert, for the Minister of Law and Order, argued that if there had been another man in the garage police would have seen him.

"Rosslee testified that it was impossible for anyone to have escaped from the garage.

"The police say the house and garage were in darkness and the family say both were lit The family's version is full of contradictions," Mr Slabbert said.

JUSTIFIABLE

"It was strange that at each available window there just happened to be an eye-witness to the shooting."

Mr Slabbert argued that Warrant Officer Rosslee's action was justifiable.

"Rosslee was entitled to fire. A man fired four shots at him .. "

Mr Slabbert said the shooting happened about 12.30am and Warrant Officer Rosslee and Constable Shaun van Wyk thought that Mr Kani was dead. There was therefore no need, nor it could it be expected of them, to assist him.

A finding is expected today.

Big security clampdown at Hartleyvale

CAPE TIMES 29/7/88

273

Crime Reporter

IN A massive clampdown on soccer hooliganism, stringent security measures — including the use of cameras to enable the later identification of trouble-makers — are to be introduced at Sunday's NSL match at Hartleyvale between Hellenic and Mamelodi Sundowns.

The clampdown follows the incident last weekend when a section of the Hartleyvale crowd began rioting during the Hellenic-Orlando Pirates game.

The general manager of Hellenic FC, Mr George Hadjidakis, said the security measures would be the most stringent in the country.

Police and soccer officials yesterday decided measures would include an increase in the number of dog handlers and baton-carrying policemen, a strong police presence outside the stadium and the positioning of security guards at all 12 entrances. Spectators will be searched for bottles or other "missiles".

The chairman of Cape Town Spurs, Mr Noel Johnson, said security would also be increased for Friday's match between Cape Town Spurs and Durban City.

Teenage mob sets fire to Mandela home

Star Times 29/7/88

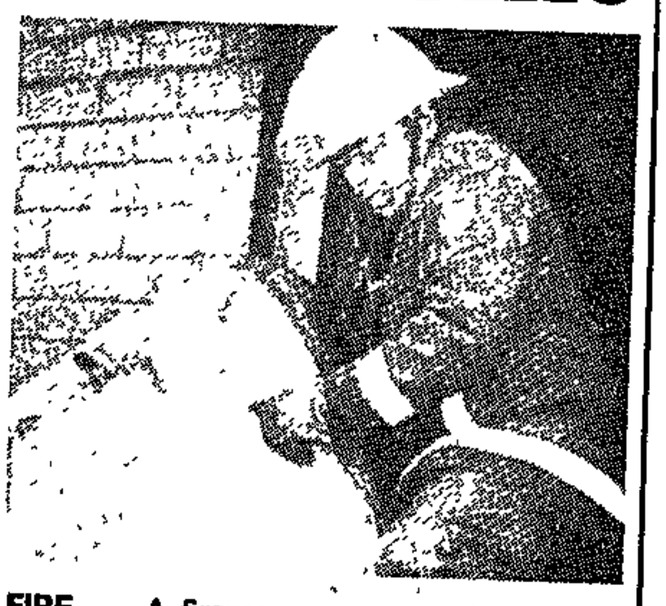
JOHANNESBURG. — A mob of black teenagers fire-bombed the Soweto home of Mrs Winnie Mandela yesterday.

Police said pupils stoned and fire-bombed the house in a midday attack.

Witnesses told reporters the youths sought revenge for an earlier assault by teenage members of a soccer team under Mr Mandela's patronage.

The fire gutted the three-room township house where Mrs Mandela lives with her daughter Zindzi and her two grandchildren. Witnesses said the blaze destroyed clothing, furniture and curtains.

To page 3



FIRE ... A fireman removes a burnt mattress from the Mandela house.

Kani could have lived — claim

Cape Times 29/7/88

Court Reporter

THE REV Cameron Kani, who died after being shot by police at his home, was groaning on his garage floor when he could have been at Tygerberg Hospital, a Wynberg inquest court heard yesterday.

This was claimed by the Kani family's legal representative, Mr Jeremy Gauntlett, in his address to the court.

Mr Gauntlett submitted that the police had omitted to take reasonable steps to save Mr Kani's life by failing to inform the first ambulance that Mr Kani was there.

The ambulance arrived at 12.35am, about 15 minutes after the shooting. Mr Kani groaned about 10 minutes after the ambulance had left and that was about when it arrived at Tygerberg Hospital.

There was medical evidence that Mr Kani would have had a 70% chance of survival had he been taken in the first ambulance.

Mr Gauntlett submitted that another person shot at Lieutenant E Bester from the garage and then escaped over the wall. This was possible since Sgt T J Rosslee had entered the garage only after he saw Lt Bester collapse against the wall of the house and another policeman had moved in only later to cover the entrance.

A viable possibility was that Mr Kani had had a gun, he said The police, searching for a gunman, entered Mr Kani's garage. They were not easily identifiable in black jackets and did not identify themsleves.

"Rev Kani assumed this was a person up to no good and shot Bester in self-defence."

Mr J Slabbert, for the Minister of Law and Order, said the court was faced with two versions, the police version and that of the family.

The police version amounted to justification and self-defence. The family version sought to indicate that the last shots were not justified and seemed to allege that the deceased was murdered by the police, although they "never actually state the accusation".

He said it was a "strange coincidence that at the vital moment of the deceased being shot there happened to be, at each available window, a convenient eye-witness. One gets the impression that if there had been a fourth window, looking into the garage, yet another witness would have been placed at this window at the time of the shooting".

It was improbable that the family members had not spoken to each other and nobody had told the police what they had seen even though they had been questioned by a Xhosa-speaking policeman.

Mr Slabbert said the only reasonable explanation for this was that "none of them saw anything for the simple reason that when the police arrived the house was in darkness and everybody was asleep".

Mr Slabbert submitted that Sgt Rosslee's action in shooting complied with self-defence and did not amount to the commission of any offence.

He said a second ambulance was summoned immediately after Mr Kani had been seen to move. One of its crew members concluded that he was dead.

He also submitted that Mr Kani died a short time after the shooting and no offence on the part of any person could be proved.

The hearing continues today.

The man then locked the first two 5371.

Gang violence leaves pupils in dire plight

Cape Times 30/7/88

275

A NEW Crossroads pupil has made a desperate plea to the African Scholar's Fund for a bursary to go to another school because gang violence — which has killed four youths — has forced him to quit his classes.

The Standard 9 pupil — who asked not to be named for fear of reprisals — said he wanted to finish school as soon as possible so that he could go on to study law. Gang violence, which has caused widespread absenteeism, has prevented him for attending classes for over three weeks.

Fighting began early this month when members of the "Ntsaras", a Nyanga East gang, scaled the gates of a New Crossroads School, burst into a classroom and "chopped" a pupil on the arm with a panga.

Since then fighting between the "Ntsaras" and the "Bad Boys" of New Crossroads has left at least four pupils dead and scores injured.

The African Scholar's Fund yesterday confirmed that it had received a "tragic" letter from the pupil's mother in which she described her son's battle to complete his education.

The mother said that fighting between New Crossroads "children" and Nyanga "children" had prevented her son from attending school. "They kill each other," she wrote.

According to her, Nyanga East gangsters stormed classrooms in Crossroads whenever the police were not in the vicinity.

And pupils who attended school in Crossroads — but lived in Nyanga East — were forced to take taxi's to school, because it was not safe to walk there or back.

Cape Times 30/7/88 (275)

Kani death: Police cleared

Court Reporter

POLICE had acted lawfully and no offence was committed when Rev Cameron Kani was shot dead in the garage of his home, a Wynberg Inquest Magistrate found yesterday.

The magistrate, Mr G Hoffman, said Mr Kani, 52, a lay preacher with the Reformed Methodist Church, had died of mutiple gunshot wounds sustained during lawful police action.

Earlier, evidence was that police were patrolling the area of New Crossroads when they heard a shot, apparently coming from a garage, and went to investigate

Shots were allegedly fired at them when they entered the building, causing them to shoot at a figure inside. The man was Mr Kani.

Inside the house Mr Kani's family and others said they knew nothing of the shooting, but three later told the court they witnessed the shooting and heard groaning from the garage, but police would not allow them to go to Mr Kani.

Mr Hoffman said they contradicted themselves and each other to such an extent that charges of perjury could be laid against them He said he did not believe that any of them witnessed any part of the shooting.

Mr Hoffman also said the evidence of Dr Richard Muller that Mr Kani's life could have been saved had he been taken to hospital within an hour, was difficult to accept.

He added that Sgt Rosslee, the policeman involved, had fired only after he was fired at, and that this action "was not unlawful".

Mr J Slabbert, instructed by the State Attorney's office appeared for the Minister of Law and Order Mr P Steyn of the Attorney-General's office led the evidence Mr J Gauntlett instructed by Mr J Hardcastle of Mallinicks appeared for the family

ster was shot dead during lawful police action — inquest (275)

GILL TURNBULL Star 30/7/88

uest magistrate has found that nister, the Reverend Dalimth- ho died of multiple gunshot as killed during "lawful police

ıd in a lengthy finding this ıntlett's criticisms of the po- the fact that Warrant Officer used tracer bullets did not

evidence, Mr Hoffmann said ırn Province Unrest Unit 10 Crossroads at about midnight y heard a shot.

ınt Eugenus Bester was shot mach while investigating what ble car theft in Mr Kani's gar-

en fired from the garage at ilee who returned fire at a

The man fell to the ground and police kicked a gun from his hand and fired more shots at him.

Constable Shaun van Wyk picked up the revolver, a .357 Magnum, and removed six spent cartridges.

The man, who was Mr Kani, did not move and they thought he was dead.

An ambulance took Lieutenant Bester to Tygerberg Hospital.

Other police arrived and searched the house "to make it safe".

About 15 minutes later a policeman heard Mr Kani groan and realised he was still alive. Another ambulance was called.

The driver of the second ambulance, which arrived approximately half an hour after the first, examined Mr Kani and told police he was already dead.

Because an investigation was in progress the ambulance left without him.

Mr Kani was eventually taken by a third ambulance to Groote Schuur Hospital where, at 3 am, he was certified dead on arrival.

Referring to the Kani family's evidence, Mr Hoffmann said this was so full of lies and contradictions that they could be charged with perjury.

"They contradicted themselves and each other so frequently that it is not necessary for the court to recount their discrepancies.

"The court believes that no one (in the house) saw the shooting."

Referring to the evidence of Mr Kani's 15-year-old son who said he saw police pump five bullets into his father's body, Mr Hoffmann said one wondered how he could see this "dramatic shooting" because he had already said the lead light which was in his father's hand had fallen and shattered.

Mr Hoffmann said the Kani family asked why it was necessary for Warrant Officer Rosslee to take Lieutenant Bester's place after he was shot.

"What must he do. Duck behind the car or hide around the corner?

"Here is a police patrol, armed and ready to shoot back if attacked. It was Rosslee's duty to not only protect Bester but also himself. According to him he was also fired on."

To the question of why Mr Kani had a gun, Mr Hoffmann said his status as a minister did not preclude him from buying a stolen revolver on the black market and it was not necessary to tell the others in the house that he owned one.

"He lived in an unrest area, his house was damaged in 1983. Perhaps he decided to arm himself while he worked in his garage late at night."

"Possibly, after his early experience with the Comrades, when he heard a gunshot and footsteps he protected himself."

Mr Hoffmann rejected the evidence of Dr Richard Muller, head of the Tygerberg Trauma Unit, who said Mr Kani might have lived had he been treated by ambulancemen and taken to the trauma unit within an hour.

Mr Hoffmann accepted the evidence of State pathologist D L van Iperen, "who had examined the body and was honest about the probabilities of the deceased being alive after 45 minutes" that Mr Kani could not have survived his multiple wounds.

On the question of whether the police were negligent in not getting medical help for Mr Kani in time to save his life, Mr Hoffmann said the court was satisfied the second ambulance attendant was qualified to establish that Mr Kani was already dead.

"The police have a duty to protect a person around whom a crime is being committed. The deceased was not such a man. The question of why the ambulance took Bester and not the deceased must be seen against the situation as a whole."

Mr Hoffmann concluded it was not the police's lawful duty to inform the first ambulance attendant that a man whom they thought was dead was lying in the garage.

He added that, at the time, they had many others things to do.

Mr Gauntlett was instructed by Mr Justin Hardcastle. Mr Piet Steyn led the evidence and Mr J Slabbert appeared for the Minister of Law and Order.

ARGUS 1/8/88

Mob stones bus in Guguletu — man held

PRETORIA. — A man was arrested after a mob stoned a bus in Guguletu, the police overnight unrest report said.

At St Wendolines, Pinetown, a house was damaged by arsonists.

In the same area a mob set furniture alight after removing it from a house.

A woman was shot and wounded during a meeting at Sweetwaters, Natal. A woman was arrested.

A man died of stab wounds after being attacked by a mob at Imbali, Maritzburg.

Six men were arrested during an illegal gathering at Nxamalala, Maritzburg.

In a third Maritzburg incident a mob attacked a house in Dambusa, injuring a man. — Sapa.

Kani witnesses: Police probe perjury charges

275

Cape Times 7/8/86 Staff Reporters

POLICE are investigating charges of perjury against witnesses who gave evidence during the inquest into the death of the Rev Cameron Kani, the CID chief for the Western Cape, Brigadier Nick Acker, said yesterday.

A Wynberg inquest magistrate, Mr G Hoffman, said Mr Kani, 52, a lay preacher with the Reformed Methodist Church, had died of multiple gunshot wounds received during lawful police action on February 2 this year.

During the inquest Mr Hoffman said certain witnesses contradicted themselves and each other to such an extent while giving evidence that charges of perjury could be laid against them.

Earlier evidence was that police patrolling the area of New Crossroads went to investigate a shot they heard coming from a garage.

Shots were allegedly fired at them as they entered the building, causing police to shoot at a figure inside. The man was Mr Kani.

Mr Kani's family originally said they knew nothing of the shooting, but later told the court they witnessed the incident and heard groaning coming from the garage. The court heard that police would not allow them to go to Mr Kani.

CAPE TIMES 3/8/88

Three killed in a night of violence

JOHANNESBURG. — In a night of violence throughout the country, three people were killed and four were injured, police said yesterday.

Natal townships are said to be "tense" after weekend unrest.

A man was stabbed to death in Amanzimtoti near Durban on Monday night after he and a crowd of people attacked a house.

Two people died in Nkanhlakahle in Greytown, Natal.

At Hammarsdale in Natal, a group stoned a vehicle. One of its occupants was stabbed.

A man was arrested in Sweetwaters, Natal, after a group hurled a petrol bomb at a private dwelling.

Police said a security force member was wounded when a gunman fired shots at a patrol at KwaNobuhle in Uitenhage.

A delivery vehicle was stoned in Bonteheuwel, Cape Town, and a bus was stoned in Georgetown in Natal. — Sapa

Unrest: Man hurt in Nyanga attack

PRETORIA. — The police public relations division issued the following reports of unrest on Tuesday night:

In Nyanga a man received serious burns when a private vehicle was petrol-bombed.

Two people were killed and one was seriously injured in unrest incidents in Natal townships.

A group of people killed a youth in Mnyndu in Natal.

In Hammersdale in Natal, a group of people attacked a man with pangas, killing him. In the same area, a man was seriously injured in a panga attack by a gang of people.

In Fredville in Natal, four men were arrested during "an illegal gathering".

Security forces dispersed a group of people with shotguns in Soweto.

Court call for KTC documents rejected

28 Mars 5/8/88

By REHANA ROSSOUW
Supreme Court Reporter

THE Minister of Law and Order, Mr Adriaan Vlok, has denied counsel for KTC residents access to security police documents relating to events in KTC and Crossroads.

The marathon KTC trial in which residents and the Methodist Church are claiming R312 000 damages from the Minister resumed yesterday after the Supreme Court winter recess.

Mr H P Viljoen SC, for the plaintiffs, handed in two certificates from Mr Vlok declining to supply documents in terms of the Internal Security Act as their contents would be "prejudicial to State security".

Written orders by Major-General Albertus Wandrag, head of the police counter-insurgency unit, in relation to events in the area and a document entitled "Radio procedure: S A Police" could not be disclosed.

He also refused to disclose guidelines given to the police for crowd control and handling violence.

Minutes of weekly staff meetings of the police, where references were made to the KTC/Crossroads events, were also withheld.

The court heard that security personnel held joint meetings regularly to discuss action in the KTC area.

Major Christiaan Loedolf, who served in the railway police regional task force which worked with the unrest unit of the police during the violence, said a special committee called Vykom (Veiligheidskomitee) met every morning at the Thomas Boydell building in Cape Town to discuss tactics.

A second committee called the Joint Operation Centre met at the counter-insurgency unit's base at Manenberg police station.

Major Loedolf said tactical information was supplied by the security police at the meetings of the Vykom.

The information would detail political organisations' plans such as the march to Pollsmoor Prison in 1985.

These issues were dicussed broadly by the committee of police, railway police, the Defence Force, the Air Force and the security police.

The information was sent to Manenberg police station for the Joint Operation Centre meetings.

Illegal request

Major Loedolf said he worked closely with Major Dolf Odendaal, second in command of the riot squad, in KTC.

Questioned by Mr F Brand, for the Minister, he denied that there was a "macro-conspiracy" between the police and the witdoeke vigilantes.

He denied that Major Odendaal asked him and his unit to assist the witdoeke.

Mr Brand: What would your reaction have been if Major Odendaal had made such a request?

Major Loedolf: I would have tried to talk him out of it. If that did not work, I would have reported him to a higher authority.

Mr Brand: There is a suggestion that such a request would have been morally correct under the circumstances prevailing in KTC at the time.

Major Loedolf: KTC did not consist only of comrades — they were the minority. Most of the residents were passive. It would have been unacceptable for us to assist the witdoeke. It would have resulted in the death of innocent people.

Mr Brand: What are the chances that Major Odendaal gave such an order to his own men.

Major Loedolf: In my experience if such an order were given it would have terrible consequences if we allowed those people to engage in illegal action. It would make it impossible for us to take action against them in the future if they did something wrong. It would have made it impossible for us to do our work as police officers.

The hearing continues.

Mr Justice M R de Kock is on the Bench. Mr L Visser SC and Mr G D Griessel, with Mr Brand and Mr C Y Louw and instructed by the State Attorney, appear for the Minister. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appear for the residents.

Police documents 'blocked'

By RONALD MORRIS
Supreme Court Reporter

THE Minister of Law and Order, Mr Adriaan Vlok, has again blocked access to documents detailing police orders regarding the use of force and crowd control measures in Crossroads and KTC in May and June 1986.

This follows a request by counsel for the Methodist Church and 21 families in a R200 000 damages action brought against the minister following the destruction of KTC by witdoek vigilantes in June 1986.

During the resumption yesterday of the cross-examination of Major-General Bert Wandrag, Chief Deputy Commissioner of Police, Mr H P Viljoen SC said documents were requested from police which would not have required further cross-examination of the general. Instead Mr Vlok served two certificates on counsel for the KTC residents denying access to documents in the interest of state security.

This brings to six the number of certificates issued in terms of Section 66 of the Internal Security Act by both Mr Vlok and the Minister of Defence.

"It seems to us there has so far been a selective presentation of evidence. If the orders with regard to the manner in which the security police should function in an unrest situation are covered by the certificate, then the defendants cannot lead evidence that there was an application of minimum force. That would be selective.

"We have been prevented from seeing the security police reports and we have a policy where the defendants' counsel ignores the Section 66 impediment."

Counsel for the minister chose what they wanted to admit as evidence, Mr Viljoen said.

In affidavits accompanying the certificates, Mr Vlok said he had personally considered books, documents and registers and not only did they affect the safety of the state but would be "to the detriment of state security".

These documents were: Police orders relating to general or specific guidelines or measures about the use of force and crowd control, and specific written instructions or orders by the police or specifically by General Wandrag.

Mr Vlok also blocked access to a document dated 11 December 1985 detailing radio procedures regarding the use of police radio networks; the minutes of the weekly general staff meetings containing references to events at Crossroads/KTC during May and June 1986, and documents and files in possession of the security police regarding events at Crossroads/KTC in May 1986.

The minister further banned access to all training manuals and documents regarding the training of the police in riot and crowd control and counter-insurgency.

With the second certificate, Mr Vlok blocked information regarding the names and models of radios used by police in the past and present; their capacities; an exposition of the police units and divisions equipped with the radios, and the number issued in every instance.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Griessel SC, with Mr L Visser SC, with Mr C Y Louw and Mr F D J Brand, and instructed by the State Attorney, appeared for the minister.

law lecturers call for protection after student violence and turmoil

UWC campus turns upside down

By DENNIS CRUYWAGEN
Education Reporter

275
5/8/88

instructed not to take classes until the administration gives an undertaking that they will not be harmed.

The instruction came yesterday from Professor Daan van Rensburg, dean of the law faculty, after students turned his office "upside down" before leaving a threatening note on his desk.

Yesterday afternoon the law faculty met to discuss the situation and passed a resolution calling on the university council to appoint an independent commission of inquiry urgently to investigate the "general malaise" on campus.

Spat in face

Sources said that Professor van Rensburg and a colleague, a senior law lecturer, were having lunch in the lecturers' restaurant yesterday when a group of about 80 students burst in chanting slogans.

"One of them spat in the lecturer's face," the source said.

He said Professor van Rensberg was upset by the incident "because his colleague was humiliated".

Earlier, students kicked down the door to Professor van Rensburg's office and barged in. They sang slogans, chanted threats in Xhosa and left a note on his desk, the source said.

The crisis in the faculty started last week when law students resolved at a meeting to boycott classes.

They demanded that the university authorities transfer constitutional law lecturer Mr Isak Fredericks.

The rest of the campus joind the boycott on Wednesday.

Professor van Rensburg and the rector, Professor Jakes Gerwel, met the Law Students' Council and members of the Students' Representative Council yesterday in an attempt to defuse the situation.

"Student representatives were unwilling to consider any proposals and demanded that Mr Fredericks be transferred. They are willing to use any method to get rid of him. Professor van Rensburg is adamant that he will not be transferred," the source said.

Mr Fredericks is a former lecturer at the University of the Witwatersrand and a graduate of Harvard in the United States.

"No problems"

The source said he has been at UWC for the past three years "and until now has had no problems with the students".

Three senior law lecturers, Professor Schalk van der Merwe, Professor Johan van der Merwe and Professor Stef van der Merwe, have left the university in the past year.

"They joined our staff because they shared the university's ideals, but they were driven away because of the untenable situation here," the source said.

Professor van Rensburg declined to comment, saying his contract with the university barred him from talking to the Press.

He confirmed that he had instructed law lecturers not to take classes until the university authorities could guarantee their safety.

He also confirmed that students had "turned his office upside down" and left a threatening note.

"The situation is totally unacceptable," he said.

Portlands man in horror fire bomb ambush

Cape Times 5/8/88

By JIM FREEMAN

HED in flames, a Portlands building con- drove his bakkie several hundred metres ape an ambush by petrol-bombers in on Tuesday night.

dmund Heuwel, 33, is in a satisfactory on in Woodstock Hospital after suffering disfiguring burns to his face and hands.

According to his wife, Mrs Mary Heuwel, Mr Heuwel was on his way through Nyanga to offload- some of his fellow workers on Tuesday evening.

While the vehicle was passing a clump of bushes, an unidentified assailant pitched a petrol bomb in through the open passenger-side window of the bakkie.

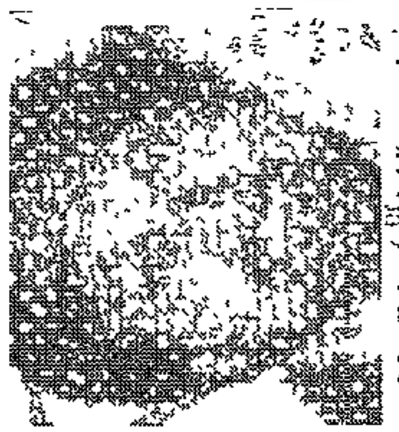
The bomb missed the passenger and exploded against her husband, Mrs Heuwel said.

She said he had been forced to drive on, enveloped in flames, till he deemed it a safe distance away from the ambush site.

He was taken from the driver's seat and loaded into the back of the bakkie, and the group drove to Nyanga police station.

Mrs Heuwel said her husband had been unable to identify the attackers.

The police have confirmed that they have started an attempted murder investigation, but that no arrests had yet been made.



Mr Edmund Heuwel

Police: Removal of newsmen 'for their protection'

Cape Times 6/1/88

THE officer commanding the now defunct Railways Regional Task Force yesterday told the Supreme Court that in June 1986 police had orders to remove journalists from strife-torn KTC for "their own protection".

Major Christiaan Ludolff was giving evidence in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 families after most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Major Ludolff said on June 10 he and some of his men were in Dune Road when they saw journalists and photographers in a shack near the top of a dune while about 500 comrades were stationed at the top.

He wanted to remove the journalists from KTC for their own protection and specifically wanted to do so after he learnt of the attack on ITN cameraman George De'Ath. Police had orders to remove journalists from an area when unrest worsened, he said.

Live ammunition

He knew that the journalists in the shack would not respond to orders to leave and had called in two Casspirs as reinforcements. After the journalists and the comrades on the dune had been warned, teargas had been fired in their direction, Major Ludolff said.

A Lieutenant Bester and two men ran up the dune to the shack while the two Casspirs were detailed to provide cover with live ammunition. However, when the task force members reached the shack the journalists were gone.

Asked if Lt Bester was accompanied by witdoek vigilantes while approaching the dune, Major Ludolff replied that the men in the Casspirs had orders to shoot anyone who ran towards or behind Lt Bester.

He had then decided to go into KTC in an attempt to locate the journalists and remove them, he said.

The hearing continues on Monday.

Mr Justice M R de Kock presided. Mr G D Griessel SC and Mr L Visser SC, with Mr C Y Louw and Mr F D J Brand, and instructed by the State Attorney, appeared for the minister. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents.

Fears of renewed gang violence

CAPE TIMES 6/8/88

FEARS were expressed yesterday that rival gangs could clash again at the Guguletu cemetery this afternoon at the funeral of two gang members who were killed there two weeks ago at the funeral of another gang member.

The two, Mr Omri Morolong, 25, and Mr Majilandile Mngeni, 18, both of NY6, were hacked to death in broad daylight in front of more than 200 mourners. Both were members of the Mafelandawonye gang. Their attackers were believed to be iNtsaras.

A spokesman for the Western Cape Schools Congress (Wecsco) said yesterday that gangsterism had developed in Nyanga East and Guguletu partly because clashes had kept so many youths out of school for so long.

He said the Cape Youth Congress was trying to mediate in the dispute between gangs, but it could not operate freely. Wecsco had not taken the side of any of the gangs, and it condemned all the killings.

Pupils from one area, he said, could not cross the territory of another gang.

'KTC was absolute chaos'

Supreme Court Reporter

PHOTOGRAPHERS and journalists were removed by the police from KTC in May and June last year for "their own safety".

This was said by Major Christiaan Loedolff, who gave evidence in the R312 000 damages claim by residents and the Methodist Church against the Minister of Law and Order.

Major Loedolff said he was patrolling in a Casspir on June 10 at 11.45am when he spotted photographers with cameras in a hut on the sand dunes behind KTC.

Spread out on the crest of the dune were about 500 Comrades.

"I wanted to remove the photographers from the area for their own safety," Major Loedolff said.

Cameraman injured

"I had already heard on the police radio that ITN cameraman George De'Ath had been injured."

Major Loedolff said police had been given general orders to remove reporters from black areas when unrest broke out.

He knew, from his own experience, that journalists did not remove themselves when requested.

"We issued a warning to the photographers and the Comrades to leave the area and when they did not, fired teargas at them," Major Loedolff said.

"We tried to fire the teargas between the Comrades and the hut where the photgraphers were, but it drifted down toward the hut."

Major Loedolff said he then sent in three officers to "storm" the dune, but when they arrived at the hut the photographers had disappeared. He denied that the three officers were accompanied by Witdoeke.

"Orders to shoot"

"If any black man had come near them when they went toward the hut, my men had orders to shoot."

Major Loedolff said he decided to patrol KTC in his Casspir to try to track down photographers and remove them. He drove past the Methodist Church and noticed that the roof was burning.

He denied that Warrant Officer Hendrick Barnard's bakkie was seen near the church before it was set alight.

Later that day he received a report that a body was lying in NY 103 and went to investigate. There was a Casspir parked alongside the body, with the doors shut.

The man had multiple stab wounds. He was placed at the back of a police bakkie and taken to Guguletu police station.

Major Loedolff said he did not find it strange that the Casspir had its doors shut and the men aboard did not remove the corpse.

"There was absolute chaos in that area. Many of the policemen patrolling the area were not locals and were not attached to the unrest unit," he said.

"It was clear that they were reluctant to leave the Casspir and I can understand how they felt."

The hearing contnues.

Mr Justice M R de Kock is on the Bench. Mr L Visser, SC, and Mr G D Griessel, with Mr F Brand and Mr C Y Louw and instructed by the State Attorney, appear for the Minister. Mr H P Viljoen, SC, with Mr P Pretorious and Mr A M Omar, instructed by the Legal Resources Centre, appear for the residents.

UWC bodies slam campus violence

Cape Times 6/8/88 (375)

By JIM FREEMAN

ADMINISTRATORS and students at the University of the Western Cape have jointly condemned the two days of violence which led to the campus grinding to an uneasy standstill yesterday.

A statement by the rector, Professor Jakes Gerwel, the Student Representative Council and other university bodies last night said there had been "a large-scale stayaway at UWC the past few days".

Yesterday morning, "a group of students were reported to have gone around campus interfering with other members of the university who were seen, or were thought to be, going about academic activities", said the statement.

"For the rest of the day, the campus was quiet with a variety of meetings and other student activities taking place," it said

Professor Gerwel conceded that the stayaway was the "result of a dispute in the faculty of law", but declined to comment on the fact that an apparently minor grievance could lead to the university's closure.

"A meeting of the executive committee of council has been arranged for later this weekend," he said, adding that the body would consult with other university representative bodies to assess the situation and try to resolve the dispute.

"What is ultimately at stake is the willingness and capacity of an institution in transformation to find the appropriate democratic process for conflict resolution and for the involvement of all in the process," he said.

Professor Gerwel denied earlier reports that the dean of the law faculty, Prof Daan van Rensburg, and Prof John Dugard of the Witwatersrand University faculty had left campus "in fear of their lives".

The reports said the two had been confronted by a group of students, some armed with sticks, who were marching on the law building.

Prof Gerwel said the visiting dean had told UWC academics that he had at no stage feared for his safety.

However, the university and the SRC said they "unequivocally condemned all forms of violence as a means of settling disputes or enforcing decisions".

Earlier reports said that students had been assaulted for not heeding a call by a mass student meeting on Monday for classes to be boycotted, because of a dispute in the law faculty.

The dispute centered on Professor Isak Fredericks, a lecturer in constitutional law.

According to law students, Prof Fredericks's method of teaching is far too advanced for first-year students.

One student described the lecturer as "brilliant, but too advanced".

"His method of education is American," said the student, who did not want to be identified.

"He motivates you to think for yourself, but a lot of kids come here from a 'gutter' educational system where they have been spoon-fed throughout their school lives," the student said.

"We don't want Prof Fredericks to be removed completely from campus, we just want him to be taken off the first-year curriculum and be moved to a more advanced course," added the student.

He said the students had made several representations "through the right channels" to university authorities but these were rejected.

"We instituted the boycott through frustration," said the student, describing last Monday's mass meeting which led to the general class stayaway.

The students meet on Monday morning to decide whether to continue with their action.

Community invited to UWC talks

By PETER DENNEHY

STUDENTS of the University of the Western Cape went from door to door in Bellville South yesterday to invite the whole community to an information meeting in the suburb's Civic Centre at 7.30 tonight.

Professor Jakes Gerwel, the rector, will address the community on the situation on campus, where students failed to attend lectures late last week after a dispute in the law faculty spread throughout the university.

First-year students had objected to the level at which a Harvard-educated constitutional law expert, Mr Isak Fredericks, pitched his lectures. They wanted him transferred within the department, and abandoned classes when their demands were not met.

An Afrikaans Sunday newspaper said a student had spat in an unnamed lecturer's face in the canteen while he was having lunch with the Head of the Faculty of Law, Professor Danie van Rensburg.

The newspaper reported that about 80 students burst in shouting slogans and one of them spat in the lecturer's face. It said the professor's office was messed up and a threatening letter left on his desk.

Intensive efforts are being made to solve the dispute before the public meeting.

The University Council executive met yesterday at 4pm, long discussions were held with student leaders on Friday, and another meeting with students is scheduled for today.

Mr Moegsien Williams, media officer for the university, said yesterday that negotiations with the faculty and with the students were continuing, and that it was hoped the matter was heading towards resolution.

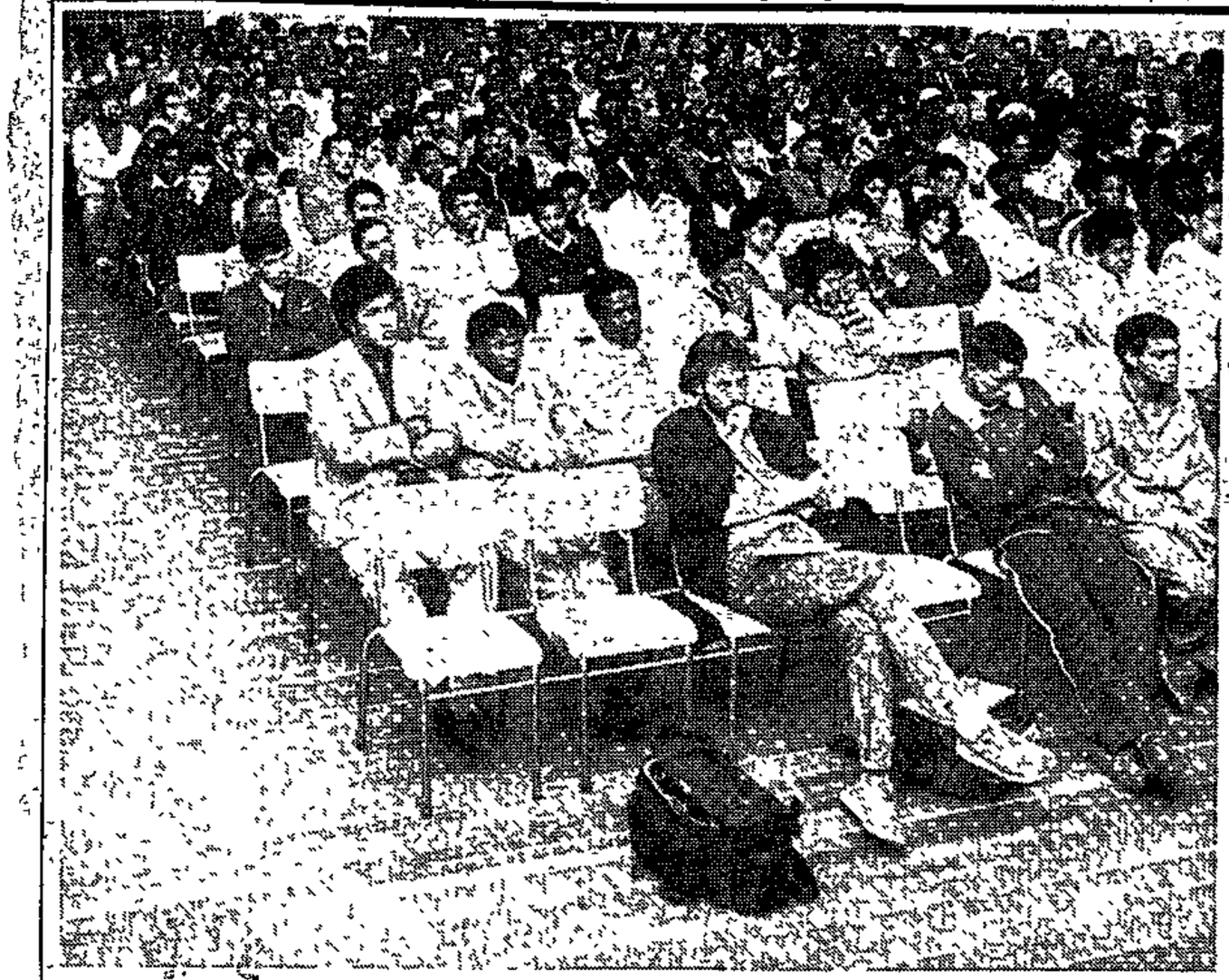
He could not confirm or deny the spitting incident, but he did know of some pamphlets criticizing Prof Gerwel which had been found on Friday morning near the hostels. They were supposedly distributed by "Concerned expelled students".

"We are sure they originate from outside campus. All the student structures and the administration have ignored and rejected the pamphlet with the contempt it deserves," Mr Williams said.

He added that he was not aware of any recent expulsions, though disciplinary action was taken at UWC from time to time, "as at any university".

UWC confronting its problems, says Gerwel

ARGUS 9/8/88



Pictures: DION TROMP, The Argus

Part of the audience of about 800 who attended the meeting in the Bellville South Civic Centre last night.

Staff Reporter

NEARLY 800 people have passed a unanimous resolution supporting the University of the Western Cape and its rector, Professor Jakes Gerwel.

They were attending a UWC information meeting in the Bellville South Civic Centre last night.

In an address entitled *Towards a People's University*, Professor Gerwel said UWC was working towards a non-racial and democratic South Africa.

He renewed an earlier call to students' parents to "hold the university's hand and walk into the night".

He said he had discussed the university's "new vision" in opening day speeches last year and this year.

His views had led to UWC being labelled the home of the left in the Afrikaans Press because it had taken a progressive step in showing the way for a South Africa which was radically opposite to apartheid.

He strongly criticised Press coverage of UWC in the past couple of weeks, but admitted there were problems on campus.

As a university, UWC was "anguished" about its problems and was discussing ways of addressing them.

However, the problems at UWC should be assessed in terms of the South African situation.

Referring to allegations of students being raped on the campus, he said rape was a terrible evil which happened at universities all over the world and the alleged attacks would be referred to the courts.

● Classes at the UWC have been suspended for a week after groups of students disrupted lectures on Friday, apparently to enforce a class boycott.

Professor Jakes Gerwel addresses the meeting.

ARGUS 9/8/88

CITY

Shooting the only way to prevent burning — witness

By REHANA ROSSOUW
Supreme Court Reporter

THE only possible way to prevent burning of squatter shacks in KTC during the June 1986 violence was to allow police to shoot people, the Supreme Court has been told.

Major Christiaan Loedolff, the former officer commanding the defunct Railway Police regional task force, was giving evidence in the R200 000 damages claim by KTC residents and the Methodist Church against the Minister of Law and Order.

During questioning by Mr F Brand, for the Minister, Major Loedolff said the police had two priorities in KTC on June 9, 10 and 11 1986: to prevent loss of life in faction fighting and to protect property. The police were successful in their first priority but not the second.

He said the only way the police could have prevented the burning of the shacks in KTC was at the cost of severe loss of life.

"If it was possible for us to shoot people we might have prevented it," the major said.

"But there was no justification for us to shoot and kill people while there was no direct threat to the police."

Street crowd

Major Loedolff said the police would have had to shoot into a crowd of people standing in the street to prevent the fighting in KTC.

The problem with killing a few people to scare off the rest of the crowd was that the conflict in KTC was not "unrest" related.

The conflict resulted from faction fighting between two groups.

It made no difference whether the groups were dispersed with teargas, birdshot, rubber bullets or live ammunition.

"If there is a faction fight threatening, the groups will do their utmost to get to each other."

Faction fights could not be likened to marches on Parliament or along Adderley Street and police could not be expected to use the same tactics in both situations, the major said.

"There is a big difference. One is a faction fight and the other is unrest."

Major Loedolff said police on duty in KTC were not instructed about which ammunition to use on which occasion.

The hearing continues.

Police did not err in KTC — OC

Supreme Court Reporter

POLICE had not make a mistake by failing to call a joint security forces meeting at the end of the first day of fighting in KTC in June 1986 when plans could have been made to stop the witdoeke advance, the Supreme Court heard yesterday.

Major Christiaan Loedolff, former officer commanding the now defunct Railways Police regional task force, said this in evidence during the R200 000 damages claim brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC residents.

Asked by Mr H P Viljoen SC, for the residents, if police should not have blocked off the witdoeke at Mahobe Drive, Major Ludolff agreed.

But asked if police vehicles should not have been drawn up in Mahobe Drive to show the witdoeke the police's determination to keep them out of KTC, Major Loedolff replied that a show of force would not have had any effect.

Although he did not know what action police had taken there that day, he would have used teargas and birsdhot if, after talking to them, the witdoeke refused to disperse and return to Old Crossroads.

Mr Viljoen suggested that in the three days of fighting at KTC police did not shoot dead a single witdock for committing an unlawful act.

Major Loedolff said he knew only of teargas and birshot being used against the witdoeke and that one of his men had shot dead a man who had been seen using a firearm. He later conceded that the man had been a comrade.

Asked by Mr Viljoen if it would not have been "constructive, useful and practical" to have a Joint Operations Centre (JOC) meeting on the first day of the fighting to discuss the occurrences that day and plan counter-measures, Major Loedolff said officers spoke about these things at the end of their shift.

Even though JOC meetings had been held almost daily before the destruction of KTC, none were held on the three days of fighting because he and Major Dolf Odendaal did not think it necessary to call one.

Police did not make a mistake by not calling a JOC meeting — to plan counter-measures — on the second and third day of the fighting because it would not have made a difference. Even though some shacks were set alight, police did stop the witdoek advance.

He conceded that on the three days of conflict he had attended a Security Committee meeting at Police Divisional Headquarters to make plans for June 16.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, assisted by Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Griessel SC, assisted by Mr C Y Louw and Mr F D J Brand, and instructed by the State Attorney, appeared for the minister.

Cape Times 11/8/88 275

Law students claim racial discrimation

By JIM FREEMAN

THE boycott of classes at the University of the Western Cape was "part of an ongoing attempt to wrest power from the white-dominated Senate and transfer it to the students", according to some campus bodies.

The students' boycott led to the Rector, Professor Jakes Gerwel, suspending classes at the university for a week.

The student organizations, which asked not to be named, yesterday claimed tacit approval of their boycott action, including from Professor Gerwel.

They supported him in his efforts to turn UWC into a body serving the political and professional needs of the community it represents, the students claimed.

Denied

Professor Gerwel, however, yesterday emphatically denied that the class boycott had any support from him, either spoken or unspoken. He declined to comment on an alleged power struggle within the university, saying this would serve only to lend credence to allegations of a purported "war" between the Senate and the student body.

His support was with the Senate, Professor Gerwel said, a body which had a proved track record of progressive decisions.

The student organizations saw Professor Gerwel at the heart of the power struggle between the largely white Senate and the black community.

With Professor Gerwel and the university's Chancellor, Archbishop Desmond Tutu, as the notable exceptions, the University Council is dominated by whites. Seven members appointed by the State President are on the council

The "daily front-page reports" in some of the media of conflicts between "the law-abiding and the lawless on the one hand, and black and coloured on the other" were at heart attempts to discredit Professor Gerwel and his goals, students said.

The students admitted that there had been cases of coercion to enforce the lecture stayaway, but said a far bloodier picture had been painted than the reality.

According to the Law Students' Council, the man at the heart of the controversy surrounding the boycott — constitutional law lecturer Mr Isak Fredericks — was singled out as "an unfortunate victim" of the struggle.

"While we do have complaints about the way in which Mr Fredericks conducts his classes, the boycott is in fact aimed at the entire system which aims at retarding black students," said a spokesman for the LSC.

The spokesman alleged that the faculty was deliberately restricting brighter students and promoting those less critical of government policies.

Quota system

The LSC said that of the 200 students who wrote their final exams last year, only two were awarded LLB degrees.

When the pass rate at UWC was compared to the 89 graduates from Stellenbosch University and the 96 from the University of Cape Town, it appeared that "this quota system gears the law profession to be dominated by so-called white lawyers".

The LSC added that there were only 651 black attorneys and 77 advocates in South Africa, compared to 6 510 white attorneys and 794 advocates.

UWC dean employs bodyguard

Staff Reporter

THE dean of the Law Faculty at the troubled University of the Western Cape, Prof Daan van Rensburg, reportedly came to the campus on Tuesday accompanied by a bodyguard.

Yesterday a spokesman for the university, Mr Moegsien Williams, said the rector, Professor Jakes Gerwel, had learnt that a staff member had come to campus accompanied by a security guard but had no comment.

Mr Williams said the campus was "absolutely calm and normal this week with no risk of physical harm to any staff member whatsoever".

Professor Van Rensburg apparently attended a senate meeting and meeting of deans with a bodyguard from Coin Security. He then apparently presented a bill for the security guard to the registrar.

Last week students disturbed Professor Van Rensburg's office, and left a threatening note on his desk.

The professor could not be reached for comment yesterday.

Warring taxi groups in move to unite operation

ARGUS 12/8/88 275

Mr Lawrence Mc chairman of the Wc Province Black Association.

Mr George Langa president of the W Cape Black Taxi Asso

By VUYO BAVUMA
Staff Reporter

A MOVE is underway to reconcile two warring taxi groups which control about 600 taxis plying the Peninsula.

The Western Province Black Taxi Association (WPBTA) and Western Cape Taxis Association (WCTA), have been holding talks to sort out their differences

The WPBTA is an affiliate of the South African Black Taxi Association (Sabta).

Since early 1986 the taxi service has become popular with thousands of commuters but intense competition between the groups has resulted in violent clashes. Two people have been killed and several injured

Unite taxi owners

WPBTA chairman Mr Lawrence Memani said· "We are trying hard to unite the taxi owners in our region. The residents would also like to see us operating as one organisation."

The president of the WCTA, Mr George Langalibalele, confirmed that his organisation was discussing unity with the WPBTA.

"Recently our members discussed the benefits of joining Sabta. Some were not even aware of Sabta's existence. But we are still examining the constitution and will make a decision soon."

Since deregulation, taxis have been able to operate between the townships and areas such as Bellville, Wynberg, Mowbray and the city.

They charge R1,20 a ride from Nyanga to Cape Town. The fare between Nyanga and Bellville is 70c

Cleanliness

The condition of the minibus taxis varies. Some, dubbed "Zola Budds" and "Mary Deckers" are flashy. A modest taxi has a tape recorder which blares out pop music.

Cleanliness is important to most taxi owners. Some have stickers warning commuters with greasy hair to "mind your perm I like my windows".

Others have stickers prohibiting eating or smoking

The pirate taxis operate mostly in Nyanga and Khayelitsha, although they do use the same routes as the "legal" taxis.

An average taxi operates from 6am to about 10pm.

Reliable, fast

Commuters say they like using taxis because they are reliable and fast.

Miss Beatrice Mathe, who travels by taxi every day said "I seldom get to work late because the taxi travels reasonably fast. It seldom stops and this saves a lot of time".

However, some commuters complained about overloading and ill-disciplined drivers.

"Although it is understandable that the taxi driver has to make a living, it is unacceptable to cram lots of people in a small combi This becomes unbearable on hot days," said a Nyanga woman who works in Bellville.

Another said "We are paying fares and it's imperative that we must be comfortably seated."

Complaints

Both Mr Memani and Mr Langalibalele admitted that they had had many complaints from commuters about ill-disciplined drivers.

"We are trying our best to solve the problem," Mr Memani said.

Sabta was to set up a school for the taxi drivers in Johannesburg.

"Only drivers who obtain certificates from the school will be allowed to drive taxis," he said.

CITY BOUND: Cheerful passengers, above, pile into a taxi at Nyanga terminus for a trip to Cape Town.

TAXI TERMINUS: Scores of taxis, right, waiting for fares at the busy Nyanga terminus.

Kruger Park timeshare pl

The Argus Correspondent

JOHANNESBURG — Members of the public can now inside Kruger National Park and in Natal's rest camps, to the National Parks Board and Natal Parks Board.

The scheme is a form of timesharing but without maintenance costs

Kruger Park is to allow the public to build a large north with family cottages and smaller huts.

It also plans to launch "wilderness camps" where built by private individuals.

One dies, school burns in weekend violence

Cape Times 15/8/88

DURBAN. — A man was killed in unrest-related incidents at the weekend, according to the weekend police unrest report.

A man was fatally injured after he and his father were attacked on Friday night by a group of men at Gezubuso in Natal.

Arsonists caused extensive damage to a school in Kraggakamma, a suburb of Port Elizabeth.

At Hammersdale in Natal a man was seriously injured when he was stabbed by a group of men. In the same area a private dwelling was damaged in a petrol bomb attack.

At Sweetwaters, also in Natal, arsonists damaged a private home.

At Veeplaas in Port Elizabeth a private vehicle was damaged by stone-throwers and at Zola North in Soweto a municipal vehicle was stoned. One occupant was injured.

Star 17/8/88

Lorry bombed

PRETORIA. — A private lorry was petrol-bombed in KTC on Monday, police said.

According to the police report yesterday, the lorry was extensively damaged.

In another incident, a group of pupils set fire to the woodwork room of a Soweto school, causing fairly serious damage. — Sapa

Cape Times 22/8/88

Eight people die in unrest at weekend

PRETORIA. — The unrest report issued by the police public relations divisions here yesterday said three men were shot dead after police dispersed a group, who stoned the occupants of a house, yesterday, while five people died in incidents of unrest on Saturday at townships near Maritzburg.

At Mphumalanga near Martizburg, a man was stabbed to death by a group of people. No arrests were made and investigations continue.

Seven men were arrested following the murder of another man.

At Duncan Village "unknown persons" hurled two grenades at a private house causing extensive damage.

At Nxamalala residential area near Maritzburg, a group of people broke a bus window and three men were taken into custody. Damage was slight.

At Sweetwaters residential area near Maritzburg, a group of people stabbed a man in the chest and hand. His condition is serious.

At KwaMashu residential area near Durban, a group of peopleset a private house alight, causing extensive damage.

There were other incidents of damage to property by stones and petrol bombs. — Sapa

Cape Times 23/8/89

Police arrest 3 in Sunday night unrest

PRETORIA. — Three people were arrested in unrest-related incidents on Sunday night, according to the police public relations division's unrest report.

In KwaDengezi, Durban, police arrested a person after an incident in which a private house was badly damaged in a petrol-bomb attack.

In Inanda, also in Durban, a shop was damaged after a group of people threw petrol bombs at it.

At Dorrington, Beaufort East, two people were arrested after an incident in which stones were thrown at a police vehicle. — Sapa

Military out, say students

CAPE TIMES 24/8/88

Staff Reporter and Sapa

SIX University of Cape Town students announced their intention yesterday not to serve in the SADF as more than 1 000 students attending a campus meeting to protest against the banning of the ECC roared their approval.

The meeting resolved to continue to protest against the state of emergency and the use of the SADF in townships. This was followed by a march around campus with students carrying banners proclaiming "Unban the ECC".

The crowd dispersed after singing "Nkosi Sikelel i'Afrika" on the Jameson Hall steps. They were watched by riot police deployed on De Waal Drive.

The protest meeting, organized by Nusas, was chaired by SRC president Mr Cameron Dugmore and addressed by Dr Crispian Olver, Western Cape chairman of the ECC, Moulana Faried Esack, national co-ordinator of the Call of Islam, and Mr Joe Mashisho of the Namibian Students' Organization.

Mr Esack said that men serving jail sentences out of personal conviction reminded people "what non-racialism in the struggle is all about".

A proposed amendment to call on all sections of the university community to actively support the call for alternative national service was unanimously carried.

Several of the six said they had made their decision before the ECC was formed.

● On August 3, 143 men, including medical doctors, nuclear researchers, architects, computer programmers and lecturers made a country-wide public stand against compulsory national service.

In Durban and Maritzburg 15 people signed a declaration calling on the government to allow alternative service for all conscripts.

The list was released at a press conference at the home of the Most Reverend Denis Hurley, Catholic Archbishop of Durban.

● In Johannesburg the Black Sash said in a statement that a democratic government with majority support would have no need for conscription.

The ECC banning was also attacked by Cosatu.

STUDENT PROTEST . . . Hundreds of UCT students stream from Jameson Hall yesterday to march around campus in protest against the banning of the End Conscription Campaign on Monday.

Picture: ALAN TAYLOR

Cape Times 24/8/88 (275)

Shoot anyone with a stone — riot cop

By RONNIE MORRIS
Supreme Court Reporter

MAJOR DOLF ODENDAAL, second-in-command of the Peninsula riot squad, told the Cape Town Supreme Court yesterday he believed it would be a solution if in unrest situations police were by law allowed to shoot anyone holding a stone.

Major Odendaal said this on the second day of his evidence in chief in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC families who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

In unrest situations a platoon commander or a section head could not be given a binding order when sent to an area, but should decide what action to take.

Asked which course of action he followed, Major Odendaal said since 1976, when unrest first started in the Peninsula, he had always opted to talk people out of their course of action.

He used violence only if shots were fired at police, stones were thrown at them or private cars stoned. He would, however, only take that action if it would be effective.

Major Odendaal — who saw action in about 700 unrest incidents — said unrest in the Peninsula started on August 11, 1976, in Guguletu and then spread to Langa, Bonteheuwel, Retreat and Ravensmead.

Large-scale stone throwing, burning of cars, buses, plunder of shops and attacks on government buildings was done mostly by youths challenging the authority of the state

Major Dolf Odendaal

The first faction fight occurred at the end of 1976 when migrant workers took action against "intimidation" by youths.

Between 1981 and 1982 frequent faction fights — on a small scale — took place when more people "streamed" to Old Crossroads from Transkei and Ciskei. This led to more people settling in KTC in 1983

The hearing continues today.

Mr Justice M R de Kock presided Mr G D Griessel SC with Mr L Visser SC, assisted by Mr C Y Louw and Mr F D J Brand, instructed by the State Attorney, appeared for the minister Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents

Cape Times 25/8/88

Platoon reports in KTC case

Supreme Court Reporter

EXTRACTS from riot squad platoon reports placed before the Supreme Court yesterday resulted in the hearing being adjourned so that counsel for KTC residents in the R200 000 damages action could study the contents.

During the evidence yesterday of Major Dolf Odendal, of the Peninsula riot squad, Mr C Y Louw, for the Minister of Law and Order, submitted extracts from riot squad platoon reports.

Major Odendal is a witness in the action brought against the minister by the Methodist Church of Africa and 21 KTC families who lost their homes when most of KTC was destroyed by witdoek vigilantes in June last year.

Mr Louw said the residents' case was driven specifically on the basis of a conspiracy between the South African Police and other government departments for the following reasons:

- That Old Crossroads was "friendly territory" and where police and residents were on friendly terms while in contrast KTC was "enemy territory".
- It would have suited the police to assist Old Crossroads residents to attack KTC.
- The case was further driven on the basis that police assisted the witdoeke and that Major Odendal "stands in the centre" of the allegations, Mr Louw said.

The platoon reports were submitted to try to refute those allegations and also show there were faction fights and that police had problems everywhere.

Mr H P Viljoen SC, for the residents, said that counsel for the residents were not prepared to allow Mr Louw to lead evidence unless he enabled them to study the reports.

- The hearing was adjourned till next Monday.

Mr Justice M R de Kock presided. Mr Louw was instructed by the State Attorney. Mr Viljoen, assisted by Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents.

Stranglehold in Guguletu

Community split by gangland violence

Report by CHRIS BATEMAN
Pictures by ANNE LAING AND CHRIS BATEMAN

AN uneasy tension builds with the lengthening gravestone shadows as two separate groups of township mourners gently commit their men to earth — seconds later two youths lie dying as people flee in terror from the sudden mayhem

The bizarre Guguletu gang clash came on July 23 this year and the newly-killed were members of the Mfelandawonyes (literally translated "We who die in one place") — a major victory for their arch-enemies, the Ntsaras

The rival groups had each been burying a member killed in gang violence the week before

Guguletu's gangs can be broadly divided into two The older, more established and battle-hardened "Ntsaras" versus a coalition of Adderleys, Mfelas (Mfelandawonye) and Bad Boys Less significant are the Desert Boys and the Ntswela Boys, both Ntsara sub-gangs.

Local detectives know of 235 "mobsters" while gang members themselves agree on a hard core of about 300 combatants. Ages range from 12 to 40 years old

Last weekend two more youths, whom police have yet to connect to any gang, were hacked to death in the streets by roving Ntsaras (roughly translated, Ntsara meaning one who interferes)

The killings and revenge-killings have an additional cost besides grief and loss of family breadwinners. They strike at the very heart of township lifestyle

The sprawling township of brick homes and tin shanties alongside rutted streets is firmly divided on gangland lines — the exception being Old Crossroads whose citizens are beneficiaries of extensive state upgrading

Most residents walking between home and a public transport depot or station have to take a circuitous route designed to avoid "enemy territory". If they attend school or live on enemy "turf" then life can be infinitely more difficult.

Several parents told the Cape Times that their children's education had come to a halt and that even a move to schools outside Guguletu had been ineffectual.

"The gangs know who their enemies are and they seek them out," says Mrs Thandeka Msomi (Mamsomi) — an Ntsara mother.

She is as representative a Capetonian as one can get — third generation, fluent in Cape Flats Afrikaans and English. Her shanty is well furnished and spotlessly clean, and guests are received with impeccable politeness

Mamsomi is lucky to be alive where she lives in Section 3, an Adderley stronghold Her 19-year-old son is serving a two-year jail sentence for his part in murdering an Adderley leader

Her home has been attacked four times by Adderleys since her son was jailed in July, once with a petrol bomb which destroyed most of her furniture Her 13-year-old has been hauled out of a local school by Adderleys, stabbed in the buttocks and beaten up as his terrified teacher fled, she adds

While police detective chief Major Andre Mostert was sceptical of schools-related gang violence, interviews in the community painted a different picture

"The teachers know the consequences of talking," one mother said

In a dozen interviews, schools whose names kept cropping up as having been invaded during revenge sorties were Vukukanya Higher Primary, Fezeka High, ID Mkhize High and Sivazingisa Higher Primary

In one interview with 16 Mfela members, four said they left school for fear of their lives, three said they were still at school and the remainder said they had never attended school.

The 'Mfelas said they teamed up with Adderleys and Bad Boys because Ntsaras outnumbered and pre-dated them

"The Ntsaras' latest trick is to come cruising in a V6 Ford and try to catch us in the street," one said

Nextdoor a family indicated a shattered door jamb and window they said were broken when panga-wielding Ntsaras chased their children into the home after leaping from the V6

Calmly and with great satisfaction and mirth the group told of how they "got one" Ntsara when he trailed behind his fleeing fellow-raiders

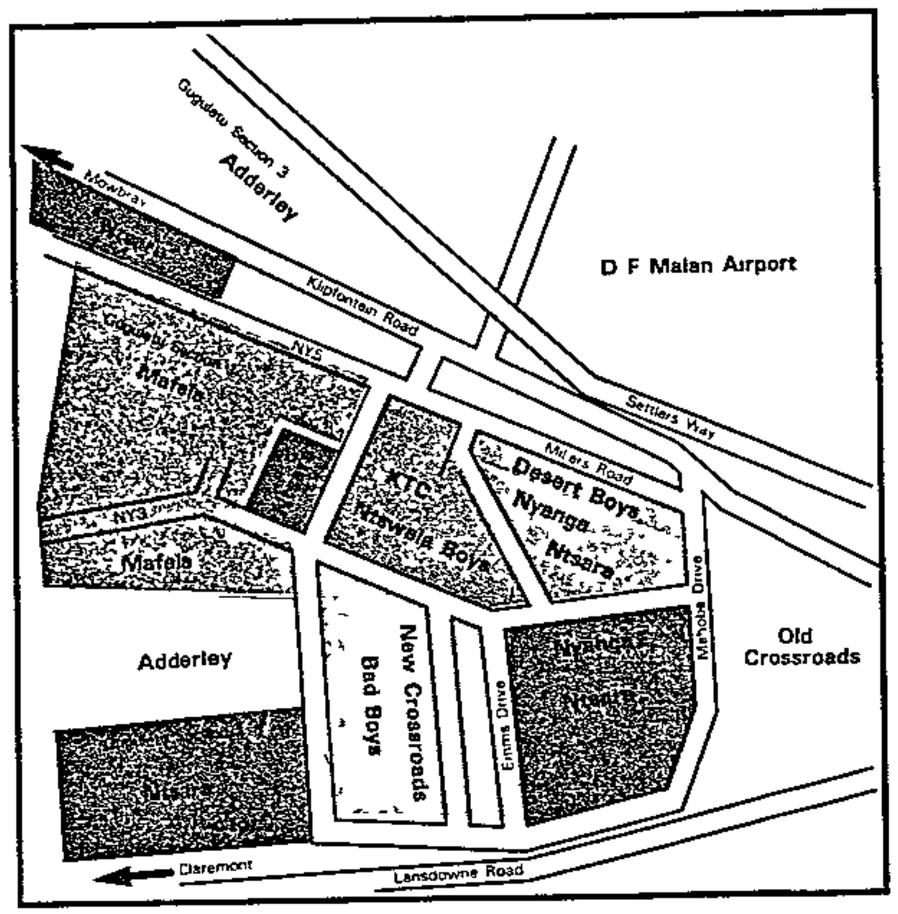
Major Mostert said some victims were unrecognizable with up to 40 stab wounds and "gross" head wounds

Replying to gang accusations that police "could stop it", he said "We've successfully opposed bail on all the cases because I can show them my drop in crime statistics and testify that those released have several other pending cases against them."

The warfare is recent — all gangs said the first incidents were between June and August last year with Major Mostert reporting escalations from February this year

Mamsomi's one final comment was particularly apt "They've all got to come out of Pollsmoor some time."

VICTIM . . . A victim of the gang war shows a picture of her son allegedly killed by Felas and Adderleys last month. **ABOVE:** A teenage Fela shows his "power", ready to hide the gun at a seconds notice if a police van passes.



GANG TURF . . . Guguletu is clearly divided along gangland lines as shown above. Police confirm its accuracy.

DEADLY ARSENAL . . . Major Andre Mostert, branch commander of Guguletu detectives, shows some of the specially-fashioned weapons of war.

Mr Johnson Ngxobongwana moamed

War 10 min from heart of city

Gang terror

Cape Times 27/8/88 275

3 members of the Kapdi gang held

Staff Reporter

POLICE yesterday arrested three members of the notorious Kapdi gang and took possession of two firearms after a high-speed car chase in Salt River.

Police said detectives had received a tip-off that some of the members were in the Salt River area.

When policemen approached a car with three occupants in Cecil Road soon after 10am, it drove off at speed.

At the corner of Pope and Kingsley roads the car slowed and one of the occupants jumped out. Police arrested him, seizing a .45 pistol and a Smith and Wesson revolver.

The car sped on but a few streets further a second occupant also tried to escape, only to be arrested.

The driver, a 29-year-old man, was arrested when his car was forced to stop in Dryden Road. Police said the men were all identified as members of the Kapdi gang.

The gang was formed by Nazier Kapdi. In December 1985 he and five members of his gang were jailed for crimes which included murder, attempted murder and dealing in mandrax.

By CHRIS BATEMAN

JUST 10 minutes from the centre of Cape Town, hundreds of gangsters have fought out a bloody battle which has claimed at least 18 dead.

And police Major Andre Mostert has, on high-level orders, launched an unprecedented campaign to halt the "Chicago-style" mob killings.

'Clean-up'

Already more than 100 gangsters have been netted in the clean-up, with 76 facing a variety of charges, including murder.

As the violence has escalated, the rivalry between the four largest and most feared gangs has led to a series of increasingly brutal raids and counter-raids on homes and even schools.

Last month the seething tensions which have gripped the lives of thousands of greater Guguletu's residents exploded into an orgy of death when, at the funeral of mobsters killed in earlier rounds of fighting, two youngsters were brutally hacked down before the horrified mourners.

That attack triggered the police crackdown on the gangsterism — one of the most extensive seen in the Pensinsula in years.

In spite of the partial relief won for the hard-pressed residents by the police action, the gangland warfare which claimed its first victims only last June is never far from the surface.

Community split by gang violence: Cape Times investigation See PAGE 5

In just six months since February this year, the fear of the rival gangs and their sometimes indiscriminate terror has permeated the lives of those who live in greater Guguletu — and has threatened the very fabric of township life.

According to Major Mostert — on whose shoulders has fallen the task of curbing the violence — innocent citizens have been among the victims of fighting.

Police know of about 230 mobsters but the gangsters themselves say that a hard core of about 300 combatants are engaged in the life and death struggle for control of the township.

Although ages of the gangsters ranges from 12 to 40, most are of school-going age.

Though the police action — which at times has seen dozens of police present in a bid to halt the fighting — has brought some relief, many are fearful of a resurgence of violence once the prison-hardened youths get back on the streets.

'Peace talks'

There has been at least one major attempt at "peace talks" at the Luyolo Centre in Section 3 — in November last year — but this ended in acrimony and accusation.

The suggestion of another peace meeting was welcomed by Major Mostert who said he would back anything that would help cut his case load.

A welfare organization worker and resident said the gangsterism was a social problem.

Miss Anne Rickens of Upper Orange ... up the tree

13 die in violent Durban weekend

Argus 29/8/88 (275)

PRETORIA. — Thirteen people died in the Durban area in overnight unrest, the SAP public relations division reports.

Eight men and a youth died in two incidents at Molweni when they were attacked by groups. In a third incident in the area a man was killed, another seriously injured and a third abducted.

Two men died of stab wounds and another appeared to have been beaten to death in incidents at Kwadengezi. Police found three bodies.

A woman at Sinating, Edendale, was stabbed in the face.

EMERGENCY UPDATE

Five men were arrested at Dassenhoek, near Pinetown, after police used tearsmoke and birdshot to disperse a group.

Two men were arrested after a petrol-bomb attack on a house at Imbali, near Maritzburg.

Arsonists set fire to a house at Hammarsdale, Natal, while a house at Zwide, Port Elizabeth, was damaged by a petrol bomb. — Sapa.

Man dies after birdshot fired

Cape Times 22/8/88 (275)

PRETORIA. — A man was fatally wounded and a youth was killed in unrest-related incidents at the weekend, according to the police unrest report.

A man died when he was hit by birdshot fired by police after a group of people threw a petrol bomb at a security force vehicle at Kwadengezi, Pinetown.

An unknown gunman shot and killed an 18-year-old youth at Imbali, Maritzburg.

Two men were arrested and police fired birdshot to disperse people who stoned a private house. Another house was extensively damaged by arsonists.

Two people were arrested at Ashdown, Maritzburg, at an illegal gathering.

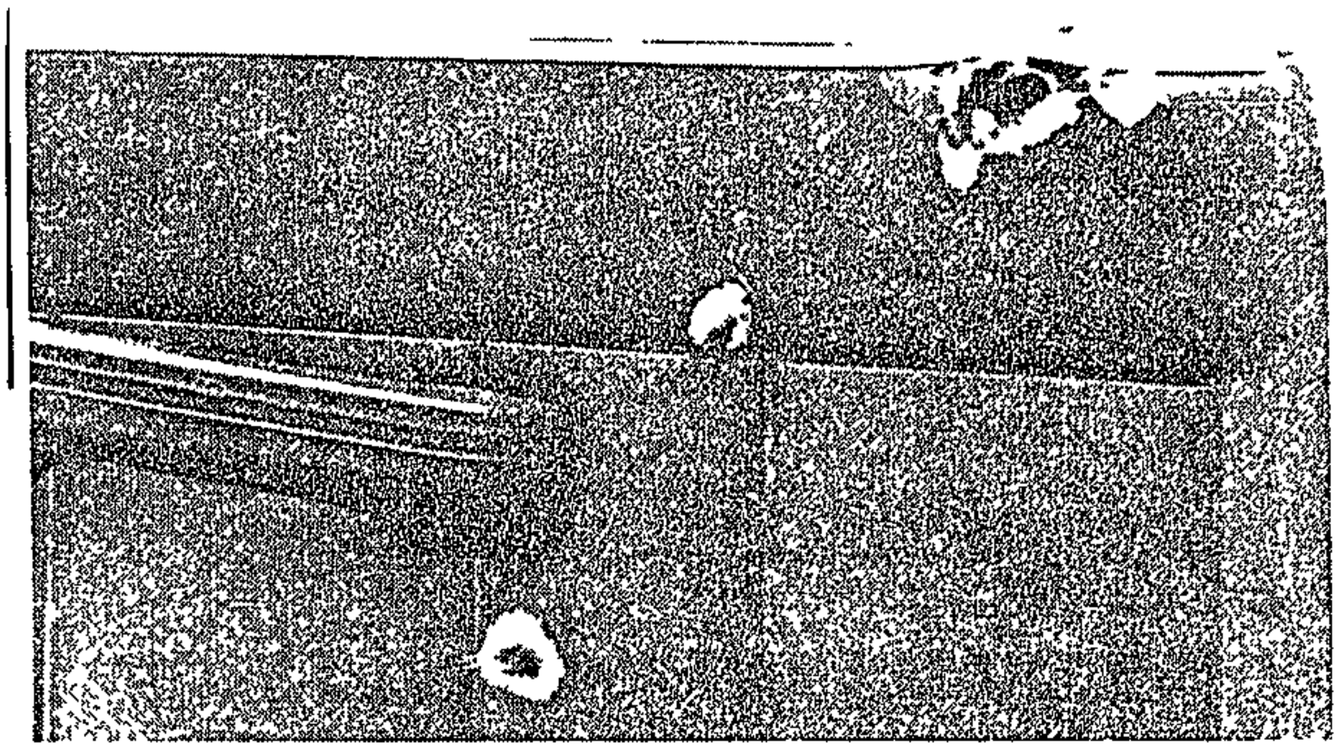
A man was stoned to death and a vehicle damaged when it was set alight at Inanda in Durban. A man was stabbed to death at Imbali in Maritzburg. Two people were arrested.

A group attacked a 20-year-old man with a panga at an Imbali high school. A youth was arrested.

Arsonists seriously damaged a private dwelling at Motherwell, Port Elizabeth. A policeman was assaulted when he stopped a man from intimidating workers into staying away from work at Newlands East, Durban. He arrested his attacker.

Police arrested 35 marching people in East London. They dispersed the march with quirts and dogs. Five men were slightly injured.

A bus conductor was killed and four passengers were injured when a group fired on a bus near Harding in Natal. — Sapa



FATAL SHOTS . . . Cape Times driver Mr Henry Rensburg examines the bullet holes in the door of the minibus which Crossroads leader Mr Willie Soga was driving when an assassin shot and killed him on Thursday night. **INSET:** Mr Soga. Main picture ANNE LAING

Cape Times 1/9/89

Killing: Candidates fearful

By PATRICK COLLINGS
Crime Reporter

THE remaining candidates in the Old Crossroads Town committee elections fear for their lives after Thursday's assassination of "moderate" Crossroads leader Mr Willie Soga, 42

Mr Soga, who was gunned down outside his home shortly before 10pm, was one of seven men who had been nominated unopposed in the municipal election

The interim secretary of the Crossroads town council, Mr Ricky Schelhase, said the remaining candidates were shocked at the killing which had left them "frightened".

Reacting to rumours of a threat to kill the nominees, Mr Schelhase said he was aware of the rumour but could not elaborate as a police investigation was under way.

Nominees could either not be reached for comment yesterday or would not comment on the rumours. Instead they paid tribute to Mr Soga, describing him as a "very friendly and open-hearted man who will be missed".

Mr Soga was shot by an unidentified gunman when he returned to his house in the transit camp after attending a Crossroads council management meeting.

His assassin fired four shots, three of which pierced the door of Mr Soga's mini-bus. A fourth shot shattered the driver's window and exited through the front windscreen.

Mr Soga died after being hit in the chest His body was discovered when his brother drove past the house about 10pm

Police recovered four 9mm cartridges at the scene and have ruled out robbery or theft as a motive for the killing

Anyone with information is asked to contact police radio control at 10111

EMERGENCY UPDATE

ARGUS 5/9/88 (27)

SAP use batons in Mannenberg

PRETORIA. — Police used batons, tearsmoke and birdshot to fight off mobs of stone-throwers, and a man was fatally wounded when Kwazulu police fired shots, police have reported.

"At Mannenberg, a group threw stones and bottles at police. Batons were used to disperse the mob," the police unrest report said. Two men and two youths were arrested.

"At Kwadengezi, Pinetown, a large group threw stones at a police vehicle. Police used tearsmoke and birdshot to disperse them and a man was wounded. Four men were arrested."

A man was fatally wounded at Kwadengezi when Kwazulu police fired "a number of shots" to disperse a group attacking them with stones.

At Sweetwaters, Natal, unknown attackers fired a number of shots at several homes. — Sapa.

Community service for UCT student

275

A UNIVERSITY of Cape Town law student Andrew Browne, convicted of public violence, was described as a "gentle person not prone to violence" in the Supreme Court this week.

The court overturned a magistrate's one year prison sentence and sentenced him to 400 hours of community service to be performed over 16 months.

An additional one-year prison term was suspended for four years.

Browne, 22, was convicted on two counts of public violence. He had pleaded guilty to throwing stones at policemen occupying UCT during a protest against last year's white election.

Public violence

Mr Justice Williamson found that the magistrate had been "misdirected" in sentencing Browne on the basis of a "tacit 'tarrif'" established in other public violence cases.

This failed to take account of the merits of each specific case.

The court found Browne to have "fine personal qualities", being "by nature a gentle person not prone to violence".

1-7/9/88

Justice Williamson found community service to be a "just and appropriate" sentence for Browne.

Sowetan

Police shot me — witness

Cape Times 7/9/88

Own Correspondent

GRAHAMSTOWN. — A Colesberg Baptist minister who tried to intervene when a group of singing children passed his house was shot by police a few minutes later, it was said in evidence in the Supreme Court here yesterday.

Mr Tosi Moses Mcoyana was giving evidence in a civil action against the Minister of Law and Order, in which he is claiming R12 000 from the minister for damages suffered as a result of the shooting, on July 22, 1985. He has also claimed damages of R6 000 for wrongful and unlawful arrest.

Another Colesberg man allegedly shot by police on the same day, Mr Enoch Spheto Asiya, has claimed R6 000 in damages from the minister.

Mr Mcoyana said in evidence that he was standing outside his house in New Location, Colesberg, just before the incident happened.

A group of children passed by, and he told them to disperse to avoid being injured by police.

Two police vans approached the children, and Mr Mcoyana said he heard a reference to himself and the word "skiet" (shoot) before shots were fired, and he realized he had been wounded.

2-8/9/88 W/Mail 275

Judge: No two public violence cases are alike

A MAGISTRATE who sentenced a university student to a year in jail for public violence "seriously misdirected" himself, a Cape Supreme Court judge has found.

Mr Justice DM Williamson reduced 22-year-old Andrew Brown's sentence on appeal this week, suspending it for four years and ordering him to perform 400 hours' community service within 16 months.

Brown, a law student, was sentenced in February by Wynberg magistrate AS McCarthy to nine months' imprisonment on each of two counts, six months to run concurrently.

His conviction arose from two stone-throwing incidents during campus turmoil at the University of Cape Town in April last year.

His sentence was altered to six months' imprisonment on each count, suspended for four years, on condition he is not convicted of either public violence or assault on a policeman.

Setting the sentence aside, the judge said it appeared the magistrate felt "some sort of tacit tariff" had been established and that, to appear even-handed, he had to jail Brown because other public violence offenders had been jailed.

The magistrate had "seriously misdirected" himself by striving for parity — no two cases were ever so similar for parity to be possible.

Brown threw four stones at police but struck no-one. On the second occasion, a stone hit an empty police van without damaging it. He had explained his actions in the light of "abusive and aggressive" treatment by police previously.

Brown was angered by the police presence on campus, had seen his friends arrested for no apparent reason and had spoken to other students who had been sjambokked.

"In an angry reaction to this he picked up stones and threw them at the police."

Brown had shown remorse.

In spite of a comprehensive report by a social worker proposing community service as an alternative, the magistrate formed the opinion community service was inappropriate — but gave no reasons for this.

Community service, the judge said, was a "fundamentally important" alternative to prison.

Kicked, slapped by council cops, claims schoolboy

ARGUS 20/9/88

Staff Reporter

ELEVEN residents of Pabalello township in Upington have been granted an interim interdict in the Supreme Court in Kimberley restraining municipal policemen from unlawfully detaining, assaulting and evicting them from their homes.

Mr Alfred Gubula and 10 others made the application after municipal policemen allegedly detained and beat up school pupils and threatened to evict their families.

The Judge-President of the Northern Cape, Mr Justice G P van Rhyn, granted a rule nisi by consent between the parties.

The return date is October 21.

The respondents were the Pabalello Town Council, the commander of the council's law-enforcement officers, the Minister of Law and Order, the divisional commissioner of police for the northern districts, the station commanders of the police at Pabellelo and Upington, Warrant Officer Medlar and 14 municipal policemen.

Mr Gubula, 54, said in papers that on August 11 municipal police evicted a tenant from a house in view of the Pabalello Senior Secondary School playgrounds.

POLICE TEASED

A number of pupils teased the policemen by chanting at them, Mr Gubula said.

"It would seem as if two or three stones were thrown in the direction of the municipal police," Mr Gubula said.

Later that afternoon 13 pupils were taken into custody by the municipal police, Mr Gubula said.

"It would seem that the object of the exercise was to brutally assault them to convey a message to all pupils that should they taunt or tease the municipal police they too would be victims of similar assaults," he said.

"All the pupils were kicked, punched and slapped."

He said municipal police decided to evict some of the parents who were in arrears with their rent.

PROTECTION

"It would seem the object was to penalise and intimidate those pupils' families because the pupils had the misfortune to be present in the playground when pupils taunted the police and a few stones were thrown," Mr Gubula said.

He said Pabalello residents needed protection from the unlawful conduct of the municipal policemen.

A 17-year-old pupil said in an affidavit that he saw a municipal policeman drink wine while they were evicting the family opposite the school.

He heard pupils shouting but did not see stones being thrown.

Later three municipal policemen fetched him at his home and he was told to enter the "hall" of the police station, where he alleged he was slapped and punched in the face and kicked in the testicles, on his back and his head.

Cape Times 20/9/86

Court grants eviction reprieve

Supreme Court Reporter

THE Kimberley Supreme Court has ordered municipal police to refrain from unlawfully detaining, assaulting or evicting 11 residents of Paballelo township, Upington, from their homes.

The Judge President of the Northern Division of the Supreme Court, Mr Justice G P van Rhyn, issued the interim interdict — with a return date on October 21 — after agreement had been reached by both parties in the case.

The application was brought by Mr Alfred Qaiso Gubula, 54, of Paballelo, and 10 other residents against the Paballelo Town Council, the Minister of Law and Order, the Divisional Commissioner of Police (Kimberley), the station commander, Upington, 14 municipal policemen and their commanding officer.

In an affidavit Mr Gubula, a community leader, said that in January last year he was elected chairman of the Paballelo Parents' Committee. It was formed to liaise with the town council. The committee ended its work when he and four members were detained in 1986.

He was consulted by several Paballelo high school students about certain incidents and had been told the municipal police had acted in a "reckless, irresponsible and unlawful" manner.

Some of the incidents he related were

- On August 11, 1985, the municipal police evicted a tenant from a home opposite Paballelo Senior Secondary School. He said some policemen drank a bottle of wine and were teased by a number of pupils. One or two stones were thrown in the direction of the police, Mr Gubula said. Later the municipal police arrested 13 pupils. Several were allegedly assaulted
- The municipal police allegedly evicted some of the pupils' parents who were in arrears with rent. He said the evictions were done without court orders.
- He claimed that during the pupils' detention a policeman named as Warrant-Officer Medlar told them that if any of them "should so much as cough" while municipal police were evicting people in the vicinity of the school, their parents would be evicted.

Mr George Galloway, instructed by Mr Colin Kahanovitz of Bernadt, Vuluc and Potash, appeared for Mr Gubula and the other applicants.

Cape Times 26/9/88 275

More blasts, but no-one hurt

JOHANNESBURG. — Blasts rocked Durban and East London at the weekend. No one was hurt.

In Durban a limpet mine exploded inside a booking office at the Berea Road railway station at 3.10am yesterday.

In East London nine cars were damaged when a bomb exploded in the parking area of a beachfront hotel late on Saturday night.

Someone saw the device under a car and police evacuated the area before it went off. — Sapa and Own Correspondent

EMERGENCY UPDATE

ARGUS 26/9/85

Bishop Lavis school blaze

375

PRETORIA. — Tables and chairs at a school in Bishop Lavis have been set on fire, according to the unrest report issued by the police today.

Other unrest-related incidents reported:

At Dassenhoek, near Durban, blacks threw a petrol bomb at a home and a man fired at the group, wounding one.

Eighteen men were arrested at Shallcross railway station near Pinetown after stones were thrown at a train.

At Mpumuza, near Maritzburg, shots were fired at a bus. Police dispersed a group with shotgun fire. Two men were arrested, one of them wounded.

Also in the area a group stoned a house, injuring a man and a woman.

A man was stabbed to death at Edendale, near Maritzburg.

● **Technikon bomb, page 5.**

'Assaults at Mandela home': Men acquitted

CAPE TIMES 3-7/9/88 Own Correspondent

JOHANNESBURG. — Three men were aquitted in the Magistrate's Court here yesterday on two counts of assault and two of kidnapping alleged to have taken place at Mrs Winnie Mandela's home last year.

Mr Isaac Mokgoro, 19, Mr John Jusaf Morgan, 60, and Mr Absolom Dumisane Madonsella, 20, had pleaded not guilty to charges of kidnapping two youths on May 26 last year. They denied allegations that they assaulted the youths and carved the words "Viva ANC" and "M" on their bodies.

Four to hang Tuesday for unrest killing

By PETER AUF DER HEYDE, Grahamstown

FOUR Addo Youth Congress members are part of a group of six people due to be hanged on Tuesday, according to their lawyers.

Seven more people are due to hang in Pretoria today, lawyers believe. The departments of prisons and justice release details of executions only once they have been carried out.

The Addo four — Similo Wonci, Mziwoxolo Makeleni, Ndumiso Siphenuka and Makhwzana Menze — were sentenced to death in January 1987 after being convicted of murdering an elderly couple in Kirkwood.

The trial heard that, at the height of the June 1985 unrest, a group in Addo planned the "Slagboom action" to kill an elderly farmer and his wife.

A clinical psychologist, who gave evidence in mitigation of sentence, said the four participated in the crime only because they were threatened with death.

However, the judge rejected this evidence. Citing the doctrine of common purpose, he found the four guilty of murder without extenuating circumstances.

An international campaign has been launched to save the four.

- Wonci, 22, the second of six children, was brought up by his maternal grandmother in Kirkwood. He left school after Std 3 and has never been employed.
- Makeleni, 22, was born in Veeplaas in Port Elizabeth and raised by his grandparents in Addo. He left school after Std 5 and worked as a night watchman and a labourer. He has been unemployed since May 1985. He has one child.
- Siphenuka, 25, was born on a farm in the Addo district. He is single and has two children. He was a casual labourer but was unemployed at the time of his arrest.
- Menze, 42, the father of five children, was born in Paterson in the Eastern Cape. His family now lives in Addo and his second wife is supporting his children.

He left school at Std 1. He spent several years working as a farm and mine worker. At the time of his arrest he was a casual labourer at a hides and skins factory. — Albany News

225

W/Mail 30/9-6/10/88

Khayelitsha constable's house attacked

ARGUS 3/10/88

Crime Reporter

275

AT least one person was injured whan a gang of youths attacked residents of Khayelitsha.

A 15-year-old youth was arrested after the gang switched its attacks to the home of a special constable.

Police said the attacks took place about 8pm last night in Ntswana Street. The gangsters carried knives and other weapons.

MAY BE MORE

"We have been told that one person was taken to hospital but there may have been more people injured," a police spokesman said.

After the attacks, the gangsters went to the home of a special constable, who drove them off by firing his service weapon.

The spokesman said the constable arrested a youth.

Jail, not death, for Sebokeng pair

BLOEMFONTEIN. — The Appeal Court here substituted imprisonment of 12 years for the death sentences imposed on Josiah Tsawane and Daniel Maleka, of Sebokeng, for the murder of a security policeman on August 31, 1985.

The court ordered that a sentence of 10 years for robbery of the policeman should run concurrently. — Sapa

'Trojan' remembered

(275) South 13-19/10/88

IT will be three years on Saturday since the Trojan Horse shooting when police, hidden in crates on the back of a truck, shot and killed three youths in Athlone.

A service to commemorate the victims — Michael Miranda, Jonathan Claasen and Shaun Magmoet — and all those killed during the 1985 uprising will be held at the AME church in Harmony Road, Hazendal at 3 pm on Saturday.

Kayamandi cop defied interdict

By CHARL DE VILLIERS and ANDRE KOOPMAN

A KAYAMANDI municipal policeman who stands accused of murdering a local resident at an election meeting, was yesterday charged with contempt of court after allegedly threatening hostel dwellers with expulsion unless they voted for the township's mayor.

The policeman, together with seven colleagues and the Kayamandi town committee, was restrained by an interdict on Tuesday from, among other things, interfering with the election campaign of seven local municicipal candidates.

Mr Roger Chennells, the attorney acting for the seven candidates, yesterday said the policeman — the eighth respondent in the application — allegedly entered married quarters at Kayamandi and told residents to vote for Mr Victor Myataza.

"This was in contradiction of Mr Justice D M Williamson's temporary order that the repondents do not assault, intimidate, harass or interfere with voters in the municipal election.

"According to hostel residents, the policeman went into hostel number 124 on Wednesday night and threatened Mrs N Lambiso — whose husband was previously allegedly beaten up by municipal policemen — and others that unless they voted for the mayor, they would be chased out of the hostel and Kayamandi," Mr Chennells said.

Residents further alleged that the policeman — who is charged with the murder on September 27 of Ms Margaret Ruiters at an election meeting addressed by Mr Myataza — told the hostel residents that Mr Thomas Mosomothane's election agent was "leading them astray", he said.

Yesterday morning, Mrs Lambiso charged the policeman with contempt of court, he added.

"Municipal policemen are acting as and are being viewed in Kaya Mandi as the private force of a political faction headed by the Mayor," a candidate and applicant, Mr Mjandane, said in papers before the Supreme Court.

● In an allied development, Boland police liaison officer Colonel C F Cronje said police, acting in terms of the emergency regulations, had prohibited reporters from attending Ms Ruiters' funeral in Kayamandi on Wednesday.

KTC court action 'part of total onslaught'

Supreme Court Reporter

MAJOR Dolf Odendal, second-in-command of the Peninsula Riot Squad, yesterday told the Supreme Court that the KTC damages action against the Minister of Law and Order was part of the "total onslaught" because it falsely alleged police complicity in the attack on the squatter camp in 1986.

Major Dolf Odendal

Major Odendal was giving evidence during the second day of his cross-examination in the R200 000 damages action brought by the Methodist Church of Africa and 21 KTC families, who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Mr H P Viljoen, SC, appearing for the residents, showed Major Odendal a passage in Hansard where President P W Botha said that there was a total onslaught against South Africa and that the communist and the black power organisations inside the country work together to bring about South Africa's downfall.

Asked, if, in the light of that statement, black power groups and its members were "inherent enemies" (Major Odendal's words) of South Africa, Major Odendal said: "I can see them as enemies, that's correct."

He regarded the KTC case as part of the total onslaught because the police were accused of conspiring with the government in deciding that KTC should be burnt down. The allegation was false, he said.

In reply to a question by Mr Viljoen, Major Odendal said he remembered a civil action in the Magistrate's Court where Mr Christopher Knight was awarded damages after a member of the riot squad, Sergeant Gregory McMaster, assaulted him with a baton.

He agreed that he, a Constable Labuschagne and Sergeant McMaster had testified and that the court had rejected police evidence as untrue.

He had also said during evidence in that case that it was part of the total onslaught

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, assisted by Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Griessel, with Mr C Y Louw and Mr F D J Brand, and instructed by the State Attorney, appeared for the minister

Squatter 'home guard' assisted police

Supreme Court Reporter

EVIDENCE submitted in the KTC damages trial has shown that the commander of the Khayelitsha police station told policemen that a "type" of home guard had been established to help police — and that they would be identifiable by white arm bands.

An extract from the Khayelitsha SAP information book submitted as evidence during the cross-examination of Major Dolf Odendal, shows the statement was made in December, 1985.

In an extract from the book, police were asked to act judiciously should they be required to shoot at groups of people.

On August 21, 1986, the station commander asked policemen to be diplomatic when complaints were received against the home guard.

Major Odendal said he did not know of the existence of the home guard.

Minutes of a meeting police held with squatter leaders Mr Prince Gobingce, Rev Sidney Mzilikazi, Mr Albon Utsanga and Mr Sam Ndima on April 24, 1986, at Athlone were also handed in.

At the meeting, Colonel Schreuder, district commandant for Athlone, said the squatters had held regular meetings with police but were unwilling to join as police reservists, because they did not want to work at a police station.

The squatters complained about the comrades, the UDF and the Cape Youth Congress and asked the police to provide them with firearms to drive out the "left-wing" squatters.

Cop 'agreed with affidavit on unrest'

Supreme Court Reporter

MAJOR Dolf Odendal yesterday conceded in the Supreme Court that he confirmed under oath the contents of a colleague's affidavit about fighting in Crossroads, although he disagreed with portions or was not present when some incidents described took place.

Major Odendal, second-in-command of the Peninsula Riot Squad, was giving evidence under cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC residents, who lost their homes when a large part of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Mr H P Viljoen, SC, appearing for the residents, read from an affidavit by the now dead W/O Barrie Barnard — submitted in interdict proceedings in 1986 — detailing events in Crossroads, the satellite camps and KTC.

Mr Viljoen also read from an affidavit by Major Odendal which read: "W/O Barnard and I worked together often and I confirm the contents of his affidavit which I have read."

Asked by the court if, when he confirmed the contents of Barnard's affidavit, he literally meant every statement and word or if he meant broadly speaking, Major Odendal replied "in the broad sense".

Harassment by satellite camps

After objections by counsel for the minister, the court adjourned to allow Major Odendal to read through the affidavits.

Asked by Mr Viljoen why he had still confirmed the contents of W/O Barnard's affidavit, when they had differed — W/O Barnard had said in his affidavit that Old Crossroads residents had co-operated with the police, that they had been harassed by people from the satellite camps, prevented from shopping elsewhere and had been arrested and charged in a kangeroo court and necklaced — Major Odendal said Crossroads, the satellite camps and KTC were equally hostile towards police.

Mr Viljoen asked Major Odendal to comment on the fact that counsel for the minister had objected and said it had been unbecoming of a senior counsel to put that question to him.

Counsel had also said that the question had been unfair because he had read only one phrase "W/O Barnard and I often worked together . . ." The judge had also asked if he did not have ulterior motives, Mr Viljoen said.

Major Odendal replied that he did not think Mr Viljoen would mislead him but said W/O Barnard's affidavit was 17 pages long and he could not remember if he had studied the entire affidavit.

The hearing continues on Monday.

Mr Justice M R de Kock presided Mr Viljoen, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources centre, appeared for the residents Mr G D Griessel SC, assisted by Mr C Y Louw and Mr F D J Brand, instructed by the State Attorney, appeared for the minister

SCHOOLS RAID

By CHRIS BATEMAN

ON the eve of matric exams, police yesterday raided one Peninsula school and fired teargas to disperse demonstrating pupils at another.

Police, backed by soldiers, confiscated question papers asking pupils to comment on a picture of Major Dolf Odendal, who is presently testifying in a R200 000 damages Supreme Court suit on the police role in the destruction of KTC.

Teachers at Modderdam Senior Secondary School, Bonteheuwel, said one confiscated paper included a picture of Major Odendal, second-in-command of the Peninsula Riot Squad, tussling with funeral mourners over an ANC flag. Pupils were asked for an essay in response to the picture.

Teachers and pupils at Alexander Sinton school in Athlone where police yesterday fired teargas to disperse placard-bearing pupils, said Major Odendal warned their headmaster that police would "not tolerate" a similar performance.

Major Odendal had stepped from a police helicopter which landed on the school grounds, they said.

'Part of her job'

And at Modderdam Senior Secondary pupils the two-hour search, filmed by a police video team, "terrified" a visiting American pen-pal of one pupil, teachers said.

"Police told her it was a drug raid when they found out who she was," they said.

Contacted for comment, Mr Mike Scanlin, director of the US Information Services, said a consular official went to Modderdam after hearing about the raid. He said Miss Gillian Milovanovic, political and economical affairs officer, had been unaware of the presence of the American citizen.

"Part of her job is to report back to Washington," he said.

Security forces sealed off Modderdam Senior Secondary School, arresting seven pupils and two teachers.

They also confiscated question papers and combed the building for "subversive" literature.

Veteran members of the school community said the unannounced raid was unprecedented.

Senior teachers and pupils said policemen appeared at their classroom doors soon after a helicopter hovered overhead.

Trios of armed policemen guarded entrances at all classrooms while the building was systematically searched for almost two hours.

"We were forced to stay in class — everything was sealed off. Vans parked on the soccer field and the road nearby. They took posters, stickers — everything they could find. Nobody was allowed on the premises once the raid had begun," a teacher said.

Police searched the contents of a safe and cabinets in the office of the principal, Mr Tony Pieterse, who later dismissed the school.

To page 3

From page 1

A second paper confiscated included a question based on an old Readers Digest article by Robert McNamara on his impressions of South Africa.

Teachers said the exam papers confiscated were approved by a Department of Education and Culture school inspector.

Cape Flats teaching community sources said one teacher, Mr Eric Theys, had been released while another, Mr D de la Harp would be charged with furthering the aims of the ANC. No clarity could be obtained on whether the seven pupils were also still being held late last night.

At Alexander Sinton, pupils displayed placards protesting against the municipal elections and police raids on schools. School teachers said three Alex Sinton pupils were briefly held on Wednesday.

A spokesman for the Directorate of Police Public Relations in Pretoria, Colonel Steve Van Rooyen, said the incidents would "probably be mentioned in our next unrest report".

However, because police regarded the events as "minor" he was not prepared to issue an interim unrest report.

Two held after attack on police

KCAS 24/10/88

275

Crime Reporter

TWO policemen were attacked and injured when they were called to calm a disturbance in Paarl East.

Sergeant J J Fortuin was treated in hospital for three stab wounds in the head and one in the side.

Reservist Constable A Solomons's arm was broken.

Police reinforcements were called in after the policemen were attacked and two people aged 19 and 27 were arrested.

They will appear in court soon.

The policemen went to a house in Runelli Street about 7.30pm on Saturday after receiving a complaint about "riotous behaviour".

A police spokesman said 15 people in the backyard were calmed by Sergeant Fortuin and Constable Solomons.

As the policemen returned to their van, they were attacked by four men and two women. One of the men grabbed Sergeant Fortuin's gun.

Constable Solomons tackled the man and arrested him but as he was being taken to the police van, he broke free and stabbed Sergeant Fortuin.

Reinforcements were called and two people were arrested.

Policemen attacked, 2 arrested

Cape Times 24/10/88

TWO Paarl East men have been arrested, following an attack on two policemen at the weekend.

A police liaison officer said constables J Fortuin and A Solomons went to investigate a complaint about fighting at a house in Paarl East on Saturday night.

The policemen calmed the situation down, and when they attempted to leave they were allegedly attacked by four men and two women.

Constable Solomons came to Constable Fortuin's aid and attempted to apprehend a man.

The man then allegedly stabbed Constable Fortuin three times in the head and once in his left side. When Constable Solomons again intervened, a group of people broke his arm.

Police reinforcements were called in, and two men were arrested.

The constables were treated at the Paarl East Hospital, and discharged.

The liaison officer said police were investigating, and more arrests would probably follow.

Cape Times 25/10/88 (275)

KTC trial: Cop accused of mud slinging

By RONNIE MORRIS
Supreme Court Reporter

MAJOR Dolf Odendal, second-in-command of the Peninsula riot squad, was accused, yesterday, of mud slinging and spreading propaganda when he compared the fighting in Crossroads with that of Maritzburg.

The accusation was made by Mr H P Viljoen, SC, during the cross-examination of Major Odendal in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC residents, who lost their homes when KTC was attacked by witdoek vigilantes between June 9 and 11, 1986.

The major was asked if he had known that Crossroads leader, Mr Johnson Ngxobongwana, had been hostile towards the United Democratic Front (UDF) and the United Women's Congress (UWO). He replied he had not known.

Mr Viljoen, counsel for the residents, put it to Major Odendal that police knew about the hostility and that this was clear from an affidavit — used in interdict proceedings in 1986 — by a security policeman (a Warrant-Officer Du Toit).

WO Du Toit had said that his task had been to collect information on black affairs, that he had visited black areas almost daily, and had met with black leaders.

Mr Johnson Ngxobongwana had spoken out against black local authorities and did not recognise their authority. He was charged, tried and subsequently acquitted of sedition.

Before his trial, Mr Ngxobongwana had started a fund-raising campaign to pay for his legal fees and, after his acquittal, had turned against the UDF and the UWO and accused them of not supporting him, of intending to divide Crossroads' residents and said that he would not allow the organisations to exist in Crossroads, WO Du Toit said in his affidavit.

Major Odendal did not know that the leaders of the Crossroads satellite camps — Mr Melford Yamile (Nyanga Extention), Mr Alfred Sipika (Nyanga Bush) and Mr Christopher Toise (Portland Cement) — were sympathetic towards the comrades.

Asked if the security police would have informed the riot squad of this Major Odendal said he would have expected it.

He agreed that the task of the security police was to gather information and pass it on to the riot squad. He also agreed that the UDF was an ally of the comrades and added that this was still the case.

Asked if the information about the attitude of Mr Ngxobongwana towards the UDF would have been passed on to him, Major Odendal said: "I would have expected that but people were fighting so much among each other."

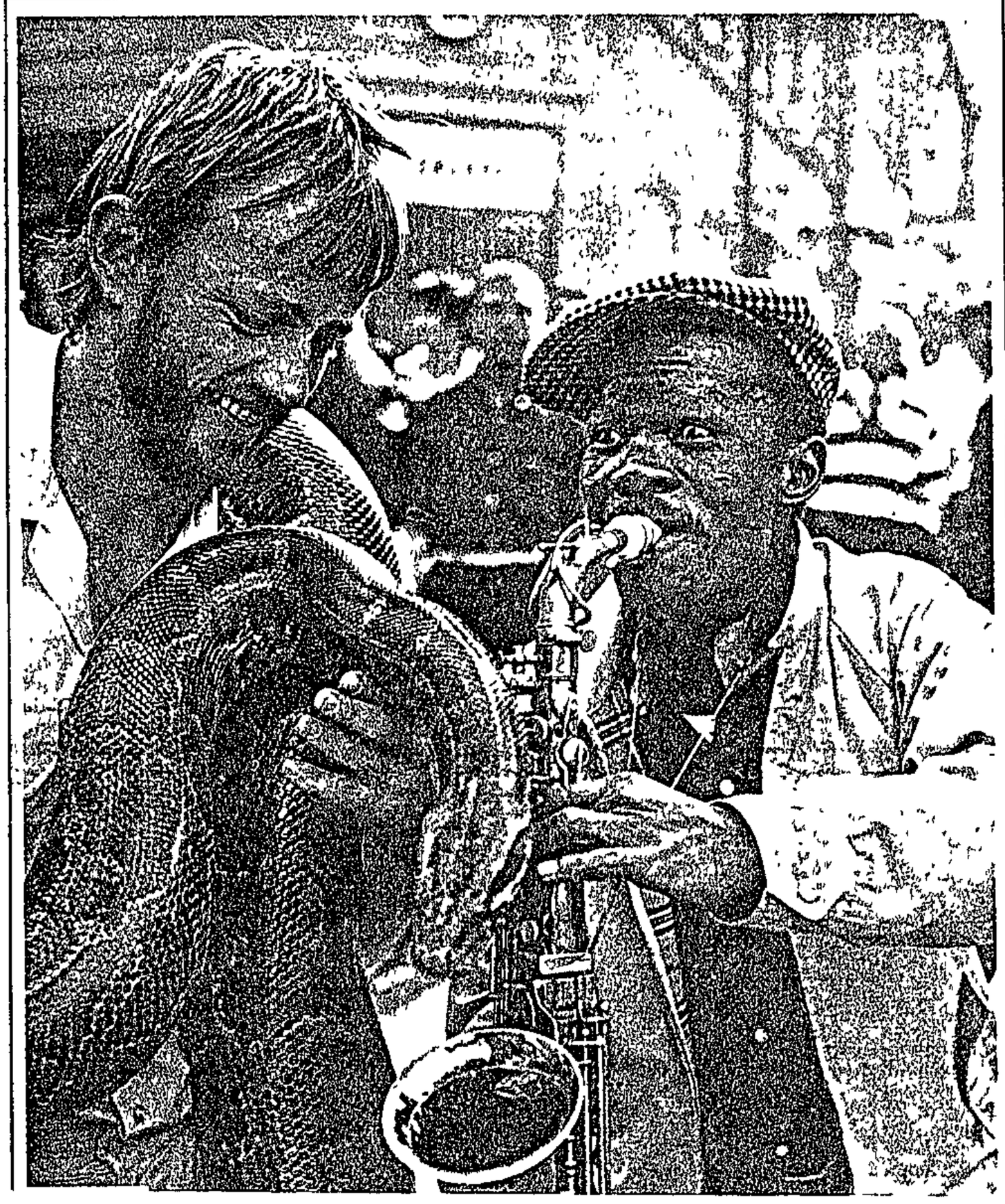
The hearing continues today.

Mr Viljoen, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Gnessel SC, with Mr Louw and Mr F D J Brand, instructed by the State attorney appeared for the minister

Maj Dolf Odendaal

Stonings, fire at UWC

Cape Times 25/10/88



By JIM FREEMAN

POLICE vehicles and fire engines were stoned, teargas grenades were fired and three hostel bedrooms at the University of the Western Cape were damaged by fire yesterday after a student demonstration against tomorrow's municipal elections.

No one was arrested during the police action, which came as students marched between the hostels towards the university's main entrance and threw stones at police vehicles parked across Modderdam Road just after 2pm

Police confirmed that a number of their vehicles and those of passersby were damaged in the stone-throwing

The vice-rector of the university, Prof Jaap Durand, said last night a full statement on the incident would be issued today

However, he confirmed that he had spoken to the riot police commander after the three bedrooms had been set alight

The police had promised him the incident would be investigated, said Professor Durand

Police fired teargas grenades which caused fires in three hostels, according to campus personnel Barricades littered access roads to the hostels after the confrontation, they said

Books destroyed

Two of the bedrooms, both in men's hostels, were badly damaged The third bedroom, in the women's "Cassinga 2" hostel was only slightly damaged

Fire engines were stoned by students as they tried to get to the fires, forcing the vehicles to leave the campus grounds, a fire brigade spokesman said

The occupant of one room, Mr Clarence Oliver, said his all his books and a large number of his belongings had been destroyed in the blaze, caused when the grenade detonated on his mattress

A second male student, who declined to give his name, was asleep when a grenade shattered the pane of his window and set the room alight

Campus fire-fighters dragged burning furniture and bedding into the corridors before dousing the flames with teargas swirling around them

After the police vehicles left the students crowded outside the hostels to allow the teargas to disperse

A spokesman for the police's public relations directorate said last night the incident would be dealt with in today's unrest report

Lieutenant Attie Laubscher, a police liaison officer for the Western Cape, last night refused the Cape Times permission to publish photographs of the fire damage in the hostels

Cape Times 275
25/10/88

Laaiplek resident's homicide conviction set aside

Supreme Court Reporter

THE conviction for culpable homicide and eight-year prison service of a Laaiplek resident who allegedly killed a policeman by throwing a brick at his head, was yesterday set aside on appeal to the Supreme Court

Ralph Carolus, was convicted on February 8 in the Vredenburg Regional Court following the death of Constable Pieter van der Merwe in January last year.

On January 3 last year a man was shot dead by a cafe owner and the impression in the community was that police had been tardy in investigating the shooting, according to Mr Justice Rose-Innes's judgment.

Const Van der Merwe was struck behind the ear by a stone or brick at an ensuing demonstration near the police station.

Two state witnesses, Mr Ivan Mentoor and Mr Richard van Hooy gave evidence, but the trial magistrate found Mr Mentoor to be an unsatisfactory witness.

Mr Van Hooy claimed that he had seen Carolus throw a brick at Const Van der Merwe but Carolus denied this

Mr Justice Rose-Innes, found that the magistrate had erred when he had used Mr Mentoor's evidence to corroborate that of Mr van Hooy.

The court doubted whether Mr Van Hooy was present or if Carolus had in fact thrown the brick.

Mr Michael Donon instructed by Mr Enver Daniels, of E Daniles and Co, appeared for Carolus. Mr G Visser appeared for the Attorney-General

Cape Times 26/10/88 (775)

Police with whips break up demo

Staff Reporter

POLICE using sjamboks whipped and allegedly injured 14 school children at Alexander Sinton High School in Athlone yesterday after an anti-election placard demonstration.

Liaison officer Lt Attie Laubscher said police used teargas and sjamboks after vehicles in which they were monitoring the demonstration were stoned by pupils.

Archbishop Desmond Tutu, who visited the school soon after the incidents, said independent accounts from different people at the school were that 14, children, some as young as 13, were "attacked and beaten" by police.

Bishop Tutu said he had sent a message to the Minister of Law and Order, Mr Adriaan Vlok, protesting and "asking for an explanation".

He said he was told police had entered the school premises "without any provocation at all".

Lt Laubscher disputed this, saying Alexander Sinton pupils had stoned the police vehicles.

"They left us with no option but to chase them out and we used sjamboks to do that," he said.

He said pupils had stoned police again once they were on the grounds and had also thrown a petrol bomb.

He said a policeman was slightly hurt when a stone hit him on the leg

A senior teacher at the school said 14 children were treated for large welts and bruises by a doctor. Four children were referred to the day hospital with large welts and bruises to their faces and heads, he said.

At the nearby Belgravia Senior Secondary School police wielding quirts entered the grounds and chased a group of about 40 pupils away from the school, senior teachers said. None of these pupils was injured, they said.

Police, Witdoeke 'chatted' while shacks were burned

Staff Reporter

AN observer who saw police chatting to Witdoek vigilantes while squatter camps were being burnt might have got the impression the police were favourably disposed towards Witdoeke, a top riot policeman has conceded.

However, this was not the case as the police had acted against both sides in the Crossroads conflict in 1986, Major Dolf Odendal, second in command of the Peninsula riot squad, said in the Supreme Court yesterday.

He was being cross-examined by Mr Henry Viljoen, SC, in the R200 000 damages suit against the Minister of Law and Order brought by the Methodist Church of Africa and 21 KTC residents who lost their homes when KTC was attacked by Witdoeke between June 9 and 11 1986.

Major Odendal agreed that Claremont MP Mr Jan van Eck could have seen policemen chatting to armed Witdoeke who were standing next to Casspirs in Mahobe Drive during violence in Crossroads and the satellite camps in May 1986.

Police warning

He accepted that this could have been while other policemen were stopping residents from going to defend their shacks, which were being burnt down by other Witdoeke.

Mr Viljoen: How can you explain this?

Major Odendal: It could have been that the policemen were warning the Witdoeke to go back to their own area.

Mr Viljoen: How could you stop people from returning to defend their property?

Major Odendal: Should I have let them go in and get killed? It was for their own protection.

Major Odendal agreed he and other riot policeman had driven their van at high speed into a crowd of people in Mahobe Drive who had included Mr van Eck and Progressive Federal Party researcher Mrs Val Rose-Christie.

"We did this because the crowd looked as if they wanted to fight and this was a good way to disperse them."

Not written up

Mr Viljoen : Why wasn't this written up in the incident book?

Major Odendal: We often don't write things in.

Mr Viljoen: Was this because it was not acceptable police action?

Major Odendal: No. If there's fighting and you drive at them, there's nothing wrong with that.

Mr Viljoen: If they hadn't got out the way they would have been ridden over?

Major Odendal: Yes.

Major Odendal said he then spoke to Mr van Eck, who said the police should leave the area. He wanted to show Mr van Eck Comrades throwing petrol bombs but Mr van Eck had refused to go with him.

The hearing continues today.

Speeding van used in riot control—cop

Cape Times 26/10/88

Supreme Court Reporter

MAJOR Dolf Odendal, second in command of the Peninsula riot squad, said that using a speeding police van to disperse a crowd of people was an acceptable practice and a method used by the riot squad.

This was said in evidence during cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 KTC families who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Mr H P Viljoen SC, for the residents, referred to the evidence of Mr Jan van Eck who had said that while he and Mrs Val Rose-Christie of the PFP were meeting a group of Crossroads refugees, Major Odendal and the deceased Warrant Officer Barnard sped in their direction to disperse them.

That action, Major Odendal said, had his approval and was done because he had thought the crowd was on its way to fight. Using a speeding vehicle to disperse a crowd was a method employed by other members of the riot squad, he added.

Asked why the incident had not been entered into the riot squad's log sheets, he replied that it was unnecessary.

If a crowd did not disperse while a speeding vehicle was driven at them, he would warn people and fire teargas.

Mr Viljoen then referred to the evidence of the Rev John Freeth who said that teargas was thrown at him and two other clergymen when they tried to enter the satellite camps to negotiate an end to the fighting.

Mr Freeth had testified that Major Odendal had told him in a "rude manner" that the attempts of the clergy would not succeed, Mr Viljoen said.

Major Odendal denied that he had been rude to Mr Freeth. He regarded himself as an "exceptionally controlled" person and would not be rude to clergymen.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Gnessel, assisted by Mr C Y Louw and Mr F D J Brand, instructed by the State Attorney, appeared for the minister.

give it a try," Dr Oeen said. — Sapa-Reuter

phenomenon

run out of questions.

UWC asks police for full probe

Cape Times 26/10/88

THE University of the Western Cape has asked the police for a full investigation of Monday's incident on the campus.

Professor J J Durand said in a statement yesterday that the university was dismayed by the police's indiscriminate actions when teargas grenades were lobbed into the bedrooms of students, adding that the fires started by the grenades posed a serious threat to the safety of innocent students.

"The action of the police was not conducive to restoring or maintaining peace and calm," he said.

Prof Durand said the university also regretted incidents of stone-throwing at the university's main entrance and had requested students to refrain from provocative actions at a time when political tensions are running high.

Police entered the campus twice on Monday after stone-throwing and a placard demonstration against the municipal elections.

Four students were admitted to hospital with various injuries and fire damage to three bedrooms was estimated at several thousand rands. — Sapa

Fighting disrupts transport

Cape Times 26/10/88

Staff Reporter

VICIOUS fighting between two rival taxi associations disrupted transport from the townships yesterday and left thousands of commuters stranded.

The fighting, which has left at least six men injured, appears to be over the opening of a taxi rank by members of the Western Province Black Taxis Association at the Nyanga bus terminus.

This is an area usually served by the Western Cape Taxis Association. However, residents in the area complained that there were too few taxis to transport everyone.

Tuesday's police overnight unrest report said: "Two groups clashed at a Nyanga bus terminus (on Monday). Six men were injured when they were assaulted with pangas and sticks."

A number of clashes between the rival members was also reported yesterday.

There were several long queues for buses as people waited at terminuses in Guguletu and Nyanga.

Charges laid after damage to property

Crime Reporter

POLICE are investigating a charge of public violence and three charges of malicious damage to property following Monday's confrontation between students and police at the University of the Western Cape (UWC)

The university's vice-rector, Prof Jaap Durand, said yesterday that four students were admitted to hospital with various injuries and three bedrooms in the university's residences were damaged by fire after the police entered the campus.

Police said that none of the charges related to the damage caused to the university's residences.

A number of police vehicles and those of passers-by were damaged during incidents of stone-throwing.

Police action worries schools chief

Education Reporter DK 645 26/10/88

MR Awie Muller, Director-General of the Department of Education and Culture, is to see the police today to express "concern over action at schools"

In a statement Mr Muller said he was concerned about police action at Cape Flats schools in the past few days, especially that at Alexander Sinton High School in Athlone yesterday when 17 pupils were injured.

They were treated by a doctor and three were sent to hospital.

Archbishop Desmond Tutu protested yesterday in a telex to the Minister of Law and Order, Mr Adriaan Vlok.

Archbishop Tutu said: "I visited the school after inspecting the results of security force action at the University of the Western Cape.

"I met members of staff of the school and later saw the principal upon his return to the premises.

"The independent accounts of different teachers all substantiated each other."

The children were having a break when police acted, Archbishop Tutu said

"The school was told to get the children off the premises, then get them back into classes

"I saw three or four children who had been beaten. Those who were beaten were as young as 13.

"I am very deeply distressed and express in the strongest possible terms my abhorrence at the violence used by the security forces against defenceless children."

4, Sport 34-36, TV programmes on Page 3 of Tonight.

Cape pupils hurt at placard demo

Star 26/10/88

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Own Correspondent

CAPE TOWN — An Athlone doctor treated 17 pupils injured yesterday in an incident at the Alexander Sinton High School in Athlone following a placard demonstration.

Three pupils were sent to hospital, teachers said.

Archbishop Desmond Tutu sent a telex to the Minister of Law and Order, Mr Adriaan Vlok, yesterday to protest against the treatment of the pupils.

He said: "I visited the school. I met members of staff of the school and later saw the principal upon his return to the premises. The independent accounts of different teachers all substantiated each other."

A police liaison officer said he knew nothing of the incident.

"You will have to wait for tomorrow's unrest report."

Three arrested after unrest at UWC hostels

Cape Times 27/10/88

Staff Reporter

POLICE arrested three students and used teargas at the University of Western Cape hostels yesterday, after a demonstration at one and alleged stone-throwing incidents at another.

An interim police unrest report yesterday said there were several incidents of stone-throwing and street barricades at the university and that tear-smoke was used to disperse groups.

Professor Jaap Durand, acting Rector of UWC, said that police entered the campus twice and that he was aware of one campus hostel having been searched.

"I'm still waiting for a full report, but one of the three arrests for crimen injuria, I personally witnessed," he said.

Professor Durand said he was also informed in an urgent phone call from an SRC member at the Guguletu UWC hostel that students were being "baton charged" there.

A Cape Times reporter who visited the hostel was shown a forced padlock and a dormitory door students said had been kicked from its door frame.

According to students and their lawyers, the hostel dwellers were singing protest songs and holding an anti-election placard demonstration in the hostel quadrangle when the police action followed.

Cops 'unable to stop unrest'

Cape Times 28/10/88

DEFENCE COUNSEL .. Mr Henri Viljoen SC

Supreme Court Reporter

MAJOR Dolf Odendal, second in command of the Peninsula riot squad, yesterday told the Supreme Court that as far as he knew he had never shot dead a person in the estimated 700 unrest incidents where he had been present.

Major Odendal said this in cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC families who lost their homes when the squatter camps was destroyed by witdoek vigilantes between June 9 and 11, 1986

Residents alleged a complicity between police and the witdoeke

Mr H P Viljoen, SC for the residents, referred Major Odendal to his evidence in chief where he said that unrest could not be stopped but that it would burn itself out. He asked the major to explain that.

Major Odendal replied that police could fire tear-gas, sjambok people, or even fire shots but that the unrest would still continue elsewhere Police could not stop unrest but only contain it, he said.

Asked about his evidence where he said that for police to contain unrest they would have to shoot every person who held a stone in his hand and would thus have to shoot masses of people and if that would have a deterrent effect, Major Odendal said it had happened where four people had been shot dead without it having a deterrent effect.

He cited the "Trojan Horse" incident and said three people were shot dead there and half-an-hour later people were trying to overturn a truck and set it alight.

Asked if any planning had been done to stop the fighting in KTC over the three days, Major Odendal replied that planning had to be done as incidents occurred.

Asked if he had ever shot dead a person between 1976 and now, he said he had acted in about 700 unrest situations and had never as far as he knew shot dead a person during unrest.

Asked by Mr Viljoen how many vehicles or SADF members were present in the area over the three days, Major Odendal said he did not know. Army personnel undertook daily patrols

The hearing continues on November 2

Mr Justice M R de Kock presided. Mr Viljoen with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre appeared for the residents. Mr G D Griessel SC, assisted by Mr C Y Louw and Mr F D J, instructed by the State Attorney, appeared for the minister

TO COURT . . . Major Dolf Odendal (right) on his way to the Supreme Court with counsel for the Minister of Law and Order, Mr G D Griessel SC, and Mr Charles Louw

Pictures RICHARD BELL

ARGUS 31/10/88

Taxis back to normal after 'war'

Staff Reporter

TOWNSHIP taxi services in the Peninsula have returned to normal after the disruptions last week caused by a "war" between the two main black taxi organisations.

The resumption of normal services follows a meeting between the Western Province Black Taxi Association (WPBTA) and Western Cape Taxi Association (WCTA) at Nyanga administration offices on Friday.

The two said in a joint statement after the meeting that they had agreed to resume operations pending further talks.

"PROBLEM AREAS"

They said there were "some problem areas" that needed further discussion. Another meeting is scheduled for tomorrow at Crossroads.

According to Mr Laurence Memani, president of Western Province Black Taxi Association, the conflict started when members of his organisation opened a taxi rank in Nyanga after a request from people in Crossroads for more taxis.

The move was opposed by Western Cape Taxi Association members.

AR645
2/11/88

EMERGENCY UPDATE 275

Vehicle burnt in Guguletu

PRETORIA. — A motor vehicle was set alight in Guguletu, the police directorate of public relations said in its unrest report. No injuries were reported.

At Mpumalanga, Hammersdale, a group fired at three special constables who were guarding a house.

"A man who was at the house was wounded. The guards retaliated with shotgun fire to drive off the attackers and in the process, a man and a youth were wounded."

At Merebank railway station, Durban, police used teargas to disperse a group who threw stones at a train.

"In another incident in the area a group shot and stabbed a man." — Sapa.

Star Times 7/4/88

Man shot dead in stoning

PRETORIA. — A man was killed when security force members dispersed a group who were attacking and stoning a private house in Mpumalanga in the Hammarsdale area on Saturday night, the SAP directorate of public relations here said yesterday.

In another incident, in the same area, a woman was hurt when a petrol bomb was thrown at a private dwelling.

A group stoned a police vehicle at Kensington, Cape Town. They were dispersed with tearsmoke and a man was arrested.

At Veeplaas, Port Elizabeth, a group of blacks attacked a private vehicle. According to the police directorate, a petrol bomb was thrown and a number of shots fired at it. Three black men were injured and the vehicle was badly damaged.

At Soweto, Port Elizabeth, arsonists damageed a house. — Sapa

Gang attack after police pullback a 'coincidence'

Staff Reporter

AN attack by a Witdoek gang attack on Comrades soon after police withdrew was "mere coincidence", a riot squad officer told the Supreme Court.

A R200 000 damages action is being brought by the Methodist Church of Africa and 21 KTC families for the loss of homes between June 9 and 11 1986.

Under cross-examination by Mr H P Viljoen, SC, yesterday, Major Dolf Odendal said he ordered police to patrol Mahobe Drive where a large group of Witdoek vigilantes had gathered.

Major Odendal said it was a "mere coincidence" that the Witdoeke crossed Mahobe Drive to launch their attack after the police withdrew.

In reply to a question about the situation report from a platoon of the riot squad, Major Odendal said he did not know if the officer in charge had told him that the Witdoeke were "going to clean up" to avenge the death of some of their members.

Asked if the situation report, a Supreme Court interdict and the earlier destruction of camps would not have moved him to defuse the situation, Major Odendal replied: "If black people decide to fight there is nothing you can do. You do not know black people when they decide to fight."

He had not used vehicles to form a buffer because the people could have walked past police vehicles if they had wanted to.

"Black people can be bloodthirsty when they fight," he said, adding that the police would only have been able to "gun them down".

The hearing continues.

(275)

Top cop tells of witdoek attack

Supreme Court Reporter

MAJOR Dolf Odendal, second in command of the Peninsula riot squad, yesterday told the Supreme Court it was "pure coincidence" that witdoek vigilantes attacked comrades shortly after police withdrew to patrol the nearby Mahobe Drive.

He was testifying in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 families who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Mr H P Viljoen SC, for the residents, told Major Odendal he could not understand why police had left a possible "flashpoint" near the Administration Board offices to patrol Mahobe Drive.

Casspirs to form buffer

Major Odendal replied that he had ordered riot squad policemen to a patrol south of Mahobe Drive (near Lansdowne Road) because a large group of witdoek vigilantes had been seen gathering there. It was a "mere coincidence" that the witdoeke crossed Mahobe Drive to launch their attack.

Asked why police had not drawn up their Casspirs to form a buffer between the witdoeke and the comrades, Major Odendal reiterated that police vehicles were ordered to patrol Mahobe Drive.

Mr Viljoen put it to Major Odendal that the situation report (sitrep) of Platoon 3 of the riot squad had recorded that witdoeke were angry because some of their number had been killed by comrades and that they were going to "clean up" (attack) KTC.

Fired teargas

Asked if that threat, coupled to the destruction of the satellite camps in May 1986 and the Supreme Court interdict, would not have moved him to take action and so defuse the situation, Major Odendal said: "If black people decide to fight there is nothing I can do. You do not know black people when they decide to fight."

Asked by Mr Viljoen why police had not fired teargas, Major Odendal said it would have been "stupid" of him because innocent residents in Nyanga would have fled from their homes into the path of the attacking witdoeke.

The hearing continues today

Mr Justice M R de Kock presided Mr Viljoen with Mr P Pretorius and Mr A M Omar, was instructed by the Legal Resources Centre Mr G D Griessel SC, assisted by Mr C Y Louw and MR F D J Brand, instructed by the state attorney appeared for the minister

13/11/88. 275 S/Times

'Trojan horse' case will go to court

By RUTH GOLEMBO

THE families of the three teenagers who died in the infamous "Trojan horse" case are to institute a private prosecution against the police who allegedly shot their children.

This week the Attorney-General of the Cape, Mr Niel Roussouw, who decided not to prosecute the policemen after an inquest found they were responsible for the deaths, issued a non-prosecution certificate for the attorneys acting for the families of the dead.

The youths died — two from shots in the back — after police hiding in crates on a truck emerged and opened fire on a crowd with shotguns.

At the inquest, the magistrate, Mr G Hoffman, found the police were negligent in causing the deaths.

Gary Jansen, the attorney acting for victims Michael Miranda, 11, Shaun Magmoed, 16, and Johanthan Klassen, 20, said he had instructions to proceed with a private prosecution against 13 police and Defence Force members.

Fiery

The prosecution will be set in motion this week.

If it succeeds, Mr Roussouw, whose decision not to prosecute the policemen involved was highly controversial, may find himself in hot water. A raging debate, including fiery exchanges in Parliament, erupted afterwards.

The families' action this week sparked off renewed rumours in Cape Town that Mr Roussouw could face the axe over his decision not to allow the State to prosecute.

Mr Roussouw, who was in Pretoria this week to meet with the Director General of Justice, Mr S S van der Merwe, said in a joint statement with Mr Van der Merwe that talk of his impending resignation was "absolute rubbish".

Army moves in at black school

Cape Times 26/1/89

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By ANDRE KOOPMAN

THREE white principals have been appointed at black high schools in the Peninsula and army personnel are present at at least one of the schools, education authorities confirmed yesterday.

The Department of Education and Training (DET) yesterday confirmed that white principals had been appointed at Fezeka, ID Mkhize and Crossroads Three high schools.

They also confirmed that there was a waiting list of some 1 800 pupils and said the soldiers were present at ID Mkhize school in a "low-profile protective capacity".

This was because the school had been "difficult" last year and the cars of inspectors were burnt or had tyres deflated.

Some black teachers yesterday expressed anger at these developments. A spokesman for the Defend the Democratic Teachers Union Committee (DETC) said the white appointments were seen as" a slap in the face of black teachers and an attempt to promote white 'baasskap' at schools".

"We reject the fact that white principals can come into our schools when we cannot teach in theirs," the DETC spokesman said.

The DETC also said that quotas had been introduced which drastically reduced pupil numbers, and "we don't know where our students are going to get educated".

In reply, the DET spokesman said a quota of 630 was set at ID Mkhize because of a lack of space to accommodate the more than 1 000 pupils it previously had, but "not a single pupil who had the necessary documentation will be turned away".

Cut This is 14/11/91

Private action in 'Trojan horse' case

Staff Reporter

THIRTEEN policemen involved in the "Trojan Horse" case — in which three teenagers died when police opened fire on a crowd from boxes on a railway truck in 1985 — face private prosecution by the dead victim's families.

Yesterday the Attorney-General of the Cape, Mr Niel Rossouw, who decided against prosecuting the policemen after they had been found negligent and responsible for the deaths of the teenagers by inquest magistrate Mr G Hoffman, confirmed that he had already handed a "nolle prosequi" (non prosecution) certificate to attorneys acting for the relatives.

The certificate, once issued, enables anyone who thinks the A-G has made an incorrect decision to take the case to court.

Mr Gary Jansen, attorney for the relatives of those killed in the "Trojan Horse" shooting — Michael Miranda, 11, Shaun Magmoed, 16, and Johnathan Claassens, 20, confirmed that proceedings would start this week.

If any of the policemen are found guilty it could create a further controversy around the A-G.

His decision not to prosecute resulted in an outcry and questions in Parliament.

In the House of Representatives in May this year, the Minister of Justice said the A-G had himself said a civil claim on the grounds of the deaths of the three persons might succeed.

Replying to weekend press rumours of his possible axing for his decision, Mr Rossouw yesterday said the reports of his imminent death were greatly exaggerated.

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Major unable to explain police absence

Cape Times 15/11/88

20

Supreme Court Reporter

MAJOR Dolf Odendal, second-in-command of the Peninsula riot squad, yesterday told the Supreme Court he could not explain the absence of police at the "critical moment" when witdoek vigilantes set the Zolani Centre alight.

He was speaking during cross-examination in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC families who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Video footage shot by Mr James "Jimi" Matthews, a cameramen for Visnews, was shown to the court. One scene depicted a yellow police Casspir chasing some youths, followed later by two shots fired at the youths.

In another scene a large group of witdoek vigilantes are seen gathering in Sithandatu Avenue.

A witdoek leader, a Mr Kalanga, is seen crossing the road to where the white patrol van of Major Odendal is parked in front of a Casspir.

The witdoeke are then seen advancing towards a group of comrades gathered near Terminus Road, a few stones are thrown and Major Odendal's van disappears.

Left the scene

Asked by Mr H P Viljoen SC, for the residents, if he had seen the advance of the witdoeke or had known about them throwing stones, Major Odendal said he had not. His vehicle must have turned around and left the scene, he said.

He said said he could not remember if the witdoeke had told him they were going to "clean up" KTC.

Mr Viljoen put it to Major Odendal that the police Casspirs shown on the video footage must have disappeared from the scene at the "critical moment" when the Zolani Centre was set alight.

Major Odendal said he could not explain this, but it could have been that the Casspirs had been called to another scene.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Grossel SC, with Mr F D J Brand and Mr C Y Louw, instructed by the State Attorney, appeared for the minister

275 251/351

16/11/88

Cape Times, Wednesday, N

Shootout probe to be concluded soon

Staff Reporter

THE investigation into questions raised by the acquittal of the former deputy news editor of the Cape Times, Mr Tony Weaver, on charges related to the Police Act last year should be completed by next Friday, the Attorney-General, Mr Niel Rossouw, said yesterday.

Mr Weaver was acquitted last September of breaking the Police Act by making untrue statements to the BBC about the killing of seven alleged guerillas by police in a shootout in Guguletu on March 3, 1986.

Soon afterwards Mr Rossouw ordered an investigation into whether any of the policemen involved in the shootout should be charged with murder and whether the inquest into the deaths of the seven should be reopened.

Yesterday Mr Rossouw said the delay in coming to a decision was "apparently caused also by the pressure on the police who had to see a number of people and get information first". "We waited on them for quite some time," he said.

Eyewitnesses to the shootout (quoted to the BBC by Mr Weaver) claimed that one suspected guerilla was shot and killed after trying to give himself up and that another man, lying on the ground, was "finished off" by police.

The trial magistrate, Mr J M Lemmer, found that Mr Weaver had reasonable grounds for believing what he reported to be true and that expert medical evidence contradicted the police version of what happened.

● Mr Weaver is suing the Minister of Law and Order for more than R107 000 for "wrongful and malicious prosecution".

4 hurt as unknown gunmen fire at them

Star Times 8/11/88

PRETORIA. — Four men were wounded when a number of shots were fired at them by unknown gunmen at Hammarsdale in Natal, according to the police unrest report.

The report said a private vehicle was damaged at Mpumalanga in Hammarsdale when it was stoned by an angry mob.

And at Magabeni, near Umkomaas, a private house was damaged when a petrol bomb was hurled at it.

At Kwazakele in Port Elizabeth, the report said, a group stoned a house and assaulted the occupants. A man and a woman were injured. — Sapa

Teargas as Langa taxi war erupts

W/E ARGUS 19/11/88

by DENNIS CRUYWAGEN, Weekend Argus Reporter

TEARGAS was used in Langa to break up a fight which erupted between two rival taxi factions today.

Washington Avenue was turned into a battleground as groups of taxi drivers armed with pangas, knobkierries, axes and lead pipes fought running battles.

No fatalities were recorded, but an Argus team saw Langa taxi driver Mr Maxwell Makana being treated for head injuries and gashes on his back in an ambulance near Langa police station.

Many others were injured.

The taxi war started early today when more than 100 minibus taxis of the Lagunya group moved into Langa.

They ply the townships, but Langa taxi drivers claimed they were attempting to muscle in on the lucrative routes between Langa and Cape Town and Mowbray.

Washington Avenue was tense at noon today, but the two factions, both members of the Western Cape Black Taxi Association (WCBTA), were watching each other from opposite ends of Langa's main artery. Police were in control of the situation.

■ POLICE were not available for comment.

Man killed as taxi war boils over

Cape Times 21/11/89

Staff Reporters

AT LEAST one man died and three were seriously hurt when about 200 taxi drivers armed with home-made weapons clashed in Nyanga early yesterday.

Police said the riot squad used birdshot to disperse the warring factions.

Mr Mbekweni Ndomanu, 37, of Site B, Khayelitsha, died in the 7am clash. The injured men were taken to Groote Schuur Hospital.

It is the third violent encounter since Wednesday between taxi drivers competing for lucrative routes.

It brings to five the number of seriously injured in the clashes.

On Saturday two men were badly hurt in Langa shortly before police intervened with teargas to break up a bloody encounter between factions in Washington Avenue.

Sources close to the Western Cape Black Taxi Owners' Association (WCBTA) said the fighting was between a group of owners attempting to "lever in" on lucrative "white" routes which another group regarded as exclusive territory.

"The guys with routes from Nyanga to Cape Town, Bellville, Mowbray, Wynberg and Claremont are coining it. They openly boast that they make R100 between 4.30am and 11am," one man said.

Both factions belong to WCBTA, he added.

WCTBA spokesmen could not be traced yesterday.

Police added that within hours of yesterday's clash, a group of about 300 people gathered in Guguletu to demonstrate against a well-known bus company's fare increases.

A police officer had negotiatated with the crowd and they had dispersed.

But the crowd had later formed in NY1, Guguletu, and refused to disperse.

"Police used teargas to disperse the crowd. There were no injuries or arrests," a spokesman said.

Taxi feud leads to death

By EDWARD MOLOINYANE, STEPHEN WROTTESLEY and VERNON BRENT, Staff Reporters

21/11/86

A 37-YEAR-OLD man died and three people were seriously injured when rival taxi groups clashed in Nyanga in the battle for control of the lucrative black taxi routes.

Thousands of township commuters were stranded this morning at Langa and Nyanga as taxi services ground to a halt.

The dead man, whose name has not been released, was from Khayelitsha.

Police said the two groups, totalling about 200 people, armed with knives, pangas and knobkerries, fought at about 7am yesterday.

A spokesman said police used shotguns to disperse the crowd.

This was the second time this weekend that fighting has broken out between members of the Western Province Black Taxi Association and (WPBTA) and the Western Cape Taxis Association (WCTA).

Police use teargas

On Saturday morning rival drivers armed with pangas, knobkerries, axes and lead pipes fought a running battle in Washington Avenue, Langa.

Police broke up the fight with teargas, but scores had been injured.

Police also used teargas to disperse about 300 people protesting in Guguletu against fare increases by a bus company.

Mr Lawrence Memani, chairman of the WPBTA, which is affiliated to the South African Black Taxi Association, said his group met the Western Cape Taxi Association at Langa on Friday to try to sort out their differences.

No compromise could be reached as the WCTA insisted the WPBTA stop operating on certain routes, particularly Claremont, Mowbray and Bellville, he said.

Residents meeting

According to Mr Memani, fighting broke out on Saturday when the WCTA "invaded" the Langa terminus, a WPBTA stronghold, with all their vehicles and ordered their drivers to load to all destinations.

The WCTA could not be reached for comment.

Meanwhile, concerned residents from Site C in Khayelitsha are due to meet the two organisations today, Mr Memani said.

The weekend's clashes are a sequel to events in October when three taxi drivers were hurt in fighting between WPBTA and the WCTA members at Nyanga terminus.

The feud brought taxis to a halt for four days.

Investment

The mini taxi business has been described as the "economic miracle of the mid-1980s" by Mr Clem Sunter, scenario planner at the Anglo American Corporation.

He calculates the investment in vehicles alone is about R3-billion and the number of jobs created at about 300 000 — equal to two thirds of the entire labour force engaged by the gold mines.

It is estimated that the 45 000 taxis affiliated to Sabta carry more than 5-million passengers a day at an average price of R1. This is about 20 times higher than the number of passengers using the national network of white-owned buses.

● Police unrest report, page 2.

City taxi war leaves commuters stranded

Cape Times 22/11/88 (78/88)

Staff Reporter

THOUSANDS of township commuters were stranded yesterday when taxi owners refused to operate for fear of being attacked by rivals, after running battles at the weekend in which a man was killed.

Members of the Western Province Black Taxi Association (WPBTA) and the Western Cape Taxi Association (WCTA) clashed last week and about 200 taxi drivers armed with knives, pangas and knobkieries attacked each other in Nyanga on Sunday.

On Saturday, rival drivers armed with homemade weapons fought in Washington Avenue, Langa.

Major questioned about day of conflict

Staff Reporter

IN a whole day of conflict in the KTC squatter camp police took action in only one incident, a senior Riot Squad policeman told the Supreme Court, Cape Town.

Major Dolf Odendal, second in command of the Peninsula reaction unit, is under cross-examination in a R200 000 damages case brought against the Minister of Law and Order by the Methodist Church of South Africa and 21 KTC squatter families who lost their possessions in the fighting in June, 1986.

He confirmed that according to written police reports for the day there was only one entry recording police action.

This could have been the only opportunity police had to take action, he said.

Major Odendal said that at the end of a day of fierce fighting and burning of shacks, the police had not planned how they would deal with the fighting on the following day.

He did not believe the fighting would continue the following day.

Mr H P Viljoen, SC, for the residents, said it was strange that Major Odendal could have believed there would be no fighting the following day after two weeks of continuing conflict.

The next day Major Odendal had patrolled Nyanga and KTC until 10.30am before travelling to Cape Town with his men to see the State Attorney about an application for an interdict which KTC residents had brought against the police.

He said he had seen nothing while on patrol that had made him feel uneasy, or which would have prevented him from leaving the area.

Mr Viljoen read extracts from platoon reports for that morning, in which it was stated that at 10.15 police in a Casspir had reported over the radio that about 500 Comrades were gathered in the street.

At 10.40 there was another radio report that about 1 000 Witdoeke had gathered at the Western Cape Administration Board office.

Major Odendal said he did not remember the radio reports and could have been out of his vehicle at the time.

Mr Viljoen suggested to Major Odendal that he would have been watching the situation very carefully and been very clear on action taken by the police, in the light of accusations against them and the interdict brought by KTC residents.

On the day in question video footage shown to the court indicated that more than 1 500 Witdoeke had gathered to the west of Mahobe Drive.

Mr Viljoen put it to Major Odendal that the police should have been able to keep the Witdoeke in that area and not allow them to cross Mahobe Drive.

Major Odendal said that if he had been there he would have tried to do that, but he could not remember whether any such action was taken by the police.

The hearing continues.

Ceasefire in taxi war after plea for peace

ARGUS 22/11/88

By EDWARD MOLOINYANE, Staff Reporter

THE warring taxi organisations have undertaken to resume operations "pending further talks".

The Western Cape Black Taxi Association and the Western Cape Taxi Association said they would resume taxi services after an appeal by the community and the police for peace.

A meeting at Site B, Khayelitsha, yesterday was addressed by, among others, Brigadier Gilus de Waal, divisional inspector of police for the Western Cape, and Mr Mali Hoza of the Lingelethu West Town Council.

"THINK OF VICTIMS"

Saying he was "speaking from his heart", Brigadier de Waal appealed to the factions to resolve their differences by talking instead of fighting.

He urged them to think of the victims of their actions — the many people who used taxis — who were always the first casualties of their fighting.

He said the many routes, which appeared to be the main issue in the dispute, were in fact open to all licensed taxis.

Brigadier de Waal said his office was always open and he would do all he could to help the parties resolve their differences.

PROVIDE PROTECTION

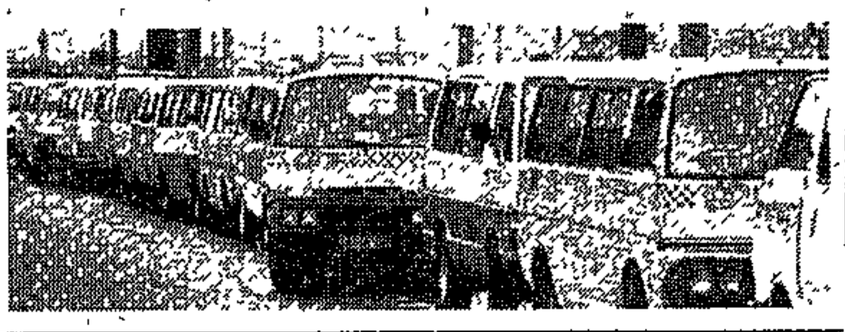
He undertook to provide police protection at all times should the factions agree to resume operations and assured them that he, personally, would see to it that a meeting to iron out differences was called soon.

The meeting was attended by officials of both organisations who agreed to cease hostilities.

They said they would operate as before, pending further talks.

It was the third time that police had intervened since the feud began in October.

● Pictures, page 3.



KTC battle: Cops weren't there — Dolf

Cape Times 22/11/88

Supreme Court Reporter

MAJOR Dolf Odendal, second in command of the Peninsula riot squad, conceded in the Supreme Court yesterday that no policemen were present when witdoek vigilantes stormed across Mohabe Drive on the second day of the 1986 fighting in KTC.

He was being cross-examined in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church in Africa and 21 KTC residents who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11 in 1986.

Asked by Mr H P Viljoen, SC, for the residents, why police did not maintain a presence at a potential "flashpoint" in Mohabe Drive on June 10, 1986, Maj Odendal said that even if there had been a police presence the witdoeke would have charged across the road.

Maj Odendaal said patrolling police Casspirs would not have been able to keep the witdoeke and comrades apart.

There had been fighting along the length of Mohabe Drive that day, he said.

Asked if "alarm bells" would have rung if he had seen witdoeke gathering at the administration board offices in Mohabe Drive, Maj Odendal said they would have but he could not remember having seen a build-up of witdoeke.

The hearing continues today.

Keep things calm, taxi bodies told

Cape Times 23/11/88 (778)

By CHRIS STEYN

A SUPREME COURT judge granted an urgent interdict last night restraining members of the Western Province Black Taxi Association (WPBTA) and the Langa, Guguletu, Nyanga Taxi Association (Lagunya) from assaulting or threatening members of the South African Black Taxi Association (SABTA), their employees and their passengers.

Mr Justice S Selikowitz also restrained WPBTA and Lagunya members from interfering with SABTA members.

The order came in the wake of a week-old taxi "war" in the black townships which led to at least one death.

Details emerged yesterday in sworn affidavits before the court of panga attacks and assaults on SABTA drivers, as well as incidents in which their taxis were forced off the road.

Passengers in SABTA vehicles were also forced into rival taxis, the court was told.

One of the applicants, Mr Douglas Bolton, said the dispute arose from an attempt by members of Lagunya to take over the established Langa-Mowbray taxi route operated by the applicants for the past 12 years.

The court heard that at a "ceasefire" meeting between the warring taxi associations on Friday one of the respondents, Mr Maxwell Nonkonyana, said there were only three options: Bloodshed, "to keep six feet underground" (killings) or the WPBTA and Lagunya members would be detained by the major (a police major from the Riot Squad who chaired the meeting) and taken to Pollsmoor Prison.

Granting the urgent interdict at 7pm, Mr Justice Selikowitz said it was important that copies of his order and other papers before the court be served urgently on the respondents.

Counsel for the applicants, Mr G W Woodland, said the respondents had not been notified of the urgent application because his clients and their attorney believed they would suffer bodily harm if they tried to serve the papers.

Mr Justice Selikowitz issued a rule nisi calling on the respondents to show cause by December 7 why the order should not be granted.

COURTS

Court order in city taxi war

Argus 23/11/86

Staff Reporter

CAPE TOWN'S taxi war took a dramatic turn when the dispute landed in the Supreme Court barely a day after the warring parties had agreed to a ceasefire.

Six taxi operators were granted an order restraining the city's major taxi organisations from assaulting or interfering with them.

In an urgent application last night Mr Douglas Boltman, Mr Gordon Makaluza, Mr Menville Poole, Mr Lennox Raba, Mr Maxwell Mzotsho and Mr William Daniels applied for an order against the Langa, Guguletu, Nyanga Taxi Association, Mr Maxwell Nonkonyana, the Western Province Black Taxi Association, Mr Lawrence Memani, Mr Victor Ntshoko and Mr Wellington Matyolo.

PERMANENT ORDER

In terms of an interim order granted by the court, the respondents have until December 7 to show why a permanent order should not be granted interdicting and restraining them from:

- Assaulting, threatening to assault or molesting any of the applicants;
- In any way disrupting, hindering or interfering with the taxi business of any of the applicants;
- Interfering with any passenger using the taxi business of any of the applicants; and
- Ordering them to pay costs.

The applicants said in Mr Boltman's affidavit that their 25 taxis operating the Langa to Mowbray route were standing idle.

"We are unable to operate our taxis in Langa because of the threats of violence directed at ourselves and our employee drivers by respondents. We respectfully submit that we have a well-founded fear that our lives and property will be in danger should we operate in Langa," the applicants said.

They acknowledged that notice of the application should have been given to the respondents, but the matter was one of extreme urgency and it would have been further delayed had papers been delivered.

BODILY HARM

"We respectfully submit that the applicants or their attorney have a well-founded apprehension that they will suffer violent bodily harm should they endeavour to visit any of the respondents to serve papers on them," they said.

Mr G W Woodland, for the applicants, said papers could not be served on the respondents because of the "constraints of time". An urgent interdict was necessary.

Mr Justice S Selikowitz: Is there likely to be any difficulty in having the papers served?

Mr Woodland: Arrangements can be made with the riot police in the area. An endeavour can be made to ask the police to assist and deliver the papers at night.

Mr Selikowitz: I think it is important that copies of the order and the application be served.

Mr Woodland was instructed by R Stuurman and company.

ES ONLY ADULTS ONLY ADULTS

Taxi driver tells of attacks

By DENNIS CRUYWAGEN
Staff Reporter

ATTEMPTS by operators to take over rivals' routes, a threat to destroy a fleet of taxis and hijacking of passengers have been alleged in an affidavit which lifts the lid on the Peninsula's two-month taxi war.

The document was filed in the Supreme Court last night in support of an application by six operators for an order restraining the city's major taxi organisations from assaulting or interfering with them.

The six operators are Mr Douglas Boltman, Mr Gordon Makaluza, Mr Menville Poole, Mr Lennox Raba, Mr Maxwell Mzotsho and Mr William Daniels, all members of the South African Black Taxi Association (Sabta).

The applicants had been operating minibuses between Langa and Mowbray station for 12 years, said Mr Boltman.

Mr Poole, Mr Daniels and Mr Boltman had taxi ranks at Mowbray station allocated to them by SA Transport Services.

Attractive route

Mr Makaluza, Mr Raba and Mr Mzotsho operated taxis on the same route and they had ranks in Langa.

"The Langa/Mowbray route is attractive to taxi operators because it is the oldest established route and is more central than the routes from, say, Langa to Crossroads, Guguletu, Claremont, Salt River, Cape Town and Sea Point," Mr Boltman said.

The route had been developed into a "well-organised service which is a benefit to the community".

He said that on November 15 Mr Makaluza, a member of the Langa, Nyanga, Guguletu Taxi Association (Lagunya), who also operated taxis from Khayelitsha and Guguletu, was called to a meeting at the home of the association's chairman, Mr Maxwell Nonkonyana.

There he was told to remove his taxis from his Khayelitsha and Guguletu ranks because he had not supported Lagunya in a dispute with the rival Western Cape Taxi Association.

Takeover

"Mr Nonkonyana then threatened Mr Makaluza and told him that Lagunya would destroy all his taxis operating on the Langa/Mowbray route as he was associating with the coloured persons operating the same route."

Mr Boltman said the dispute behind the application arose from attempts by members of Lagunya to take over, "by force, if necessary", the established Langa/Mowbray route operated by the applicants.

Last Wednesday eight Lagunya members arrived at Mr Makaluza's rank in Langa and told one of his drivers, Mr P Mayekiso, to remove his taxi.

They threatened to assault him and Mr Mayekiso left the rank.

Another driver, Mr P Williams, also left because of "threats of violence by members of Lagunya".

That night in Langa five Lagunya members led by Mr Victor Ntshoko, an official of Lagunya, surrounded a taxi driven by a Mr Ngubl, an employee of Mr Daniels.

"He was pulled from the minibus by these persons and severely assaulted. He suffered a cracked skull," Mr Boltman said.

More acts of intimidation followed the next day.

When drivers of taxis owned by the applicants picked up passengers in Langa they were followed by Lagunya members who forced them off the road. Their passengers were forced out of the taxis and taken to their destinations by the other drivers.

Last Saturday Mr Makaluza saw taxis belonging to the Western Cape Taxi Association arriving at the Langa rank. With them was a Mr Bonga, a driver employed by Mr Matyola.

Mr Makaluza told him to tell the WCTA members to leave the area "as their presence would aggravate the situation" which he and the other applicants were trying to defuse and normalise.

They were approached by a second group, consisting of Lagunya people with pangas and weapons.

"The Lagunya people then started to chase the members of the WCTA and the second applicant and were trying to assault them."

The applicants and the WCTA members fled, abandoning their vehicles.

Two drivers, Mr Fezil Magaxeni and Mr Maxwell Makanda, were injured by the Lagunya group. Mr Makanda required 32 stitches in a head wound and Mr Magaxeni was stabbed in the back.

Mr Boltman said Mr Makaluza was threatened at his Langa home on Saturday by 14 people led by Mr Ntshoko.

"They threatened to burn his house down, threatened to kill him. I can only assume that these threats were made because second applicant was one of the taxi owners operating on the Langa/Mowbray route," Mr Boltman said.

On the same night Mr Million Bonga, one of Mr William Daniels's drivers, was shot in the leg while on duty in Nyanga East.

Dolf 'ordered KTC shots'

Supreme Court Reporter

THE firing of 111 rounds of birdshot by police at comrades, who had in turn fired at police, was unmatched by any other police action during the three days of fighting, the Supreme Court was told yesterday.

Major Dolf Odendal, second in command of the Peninsula riot squad, said he had ordered the shooting.

He was being cross-examined in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church in Africa and 21 KTC families who lost their homes when most of KTC was destroyed by witdoeke in June 1986.

Communist movement.

Star Times 28/11/88 275

Court hears of comrades, press

Supreme Court Reporter

THE judge in the KTC damages action said last week his impression from the evidence was that the press and television teams "made almost common cause" with the comrades, who were anti-state, anti-police, anti-government, anti-everything.

Mr Justice M R de Kock said this during the cross-examination of Major Dolf Odendal in the R200 000 damages action brought against the Minister of Law and Order, arising out of the destruction of KTC by witdoek vigilantes between June 9 and 11, 1986.

Mr H P Viljoen SC, for the residents, had shown Major Odendal extracts from a police video tape and asked him if he agreed that KTC residents had gathered early on the morning of June 10 because they had feared a witdoeke attack.

Major Odendal replied that members of the press and television networks had waited with KTC residents. Asked if he blamed them, Major Odendal said he did not know why the press waited with the comrades and not the witdoeke.

Viljoen: Yes, well, as we understand it the witdoeke were hostile towards the press and where one of them fell they killed him. Do you agree with this?

Odendal: Yes, after that, yes.

Judge: Do you know what the general attitude of them was towards the witdoeke and/or the comrades?

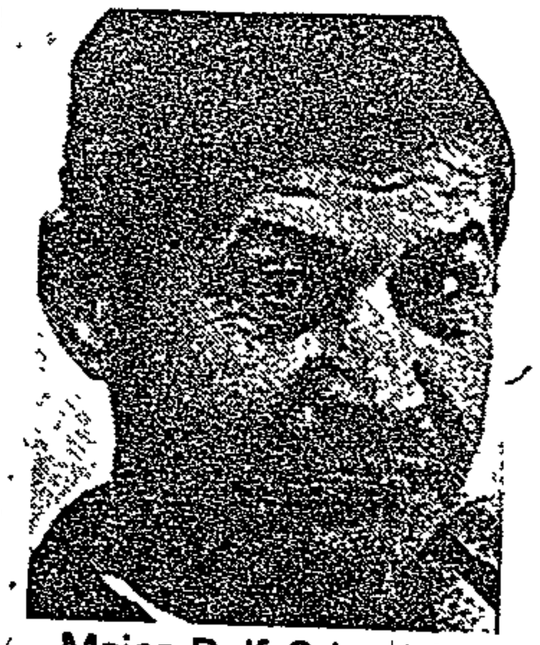
Odendal: Their attitude was positive towards the comrades, because they moved between the comrades all the time.

Viljoen: Just as the police were among the witdoeke all the time?

Odendal: The police were also with the comrades just as that Casspir (on the video) came down there.

Viljoen: Yes, but the police got out and walked among the witdoeke. The police were safe among the witdoeke without their arms. For example, you did not have arms when you spoke to Kalanga (a witdoek leader). The press were safe with the comrades without arms. That is a fact, is that not so?

Mr Justice De Kock



Major Dolf Odendal

Odendal: It could be.

Viljoen: Is that so?

Judge: May I ask if my impression from the evidence so far is correct. There were faction-fights between the witdoeke on the one hand and the comrades on the other hand. The comrades were anti-state, anti-police, anti-government, anti-everything. The witdoeke, on the other hand — this has been alleged — were not anti-everything, more law-abiding, more on the side of the police, on the side of the state. Is it correct so far?

Odendal: That is correct, my Lord.

Judge: Is it correct further, my impression that the press and television teams, local and foreign, took sides with the comrades?

Odendal: That is correct, my Lord.

Judge: Against the state, against the country, against the police and against the witdoeke?

Odendal: That is correct.

Judge: The factual position is that the press and television teams were always among the comrades, never with the witdoeke?

Odendal: That is correct.

Judge: That is my impression so far, Mr Viljoen, and I put it to the witness.

Viljoen: Yes it is, my Lord, please, it is of value if you put it. Obviously I would rather know what the court's impression is so that I could deal with it rather than the court remain silent and gain certain impressions.

Judge: From the start I could not really understand why this aspect of the case had not been aired. I could not understand Mr Griessel's (counsel for the minister) cross-examination at the beginning, but as the case proceeded it became clear to me that, rightly or wrongly, the perception was that the comrades are anti-establishment — call it that.

"Everything which stood for the state and that's why they (the television people) made almost common cause with the comrades. On the other hand, in the eyes of the press and television teams the witdoeke, rightly or wrongly, are the stooges, the allies of the state.

"That is how it had become clear to me as the case progressed, but if it had been put to the witnesses, I don't know, I almost don't think so."

The hearing continues today.

Mr Viljoen, assisted by Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Gnessel SC, with Mr C Y Louw and Mr F D J Brand, instructed by the state attorney.

3 taximen to appear in court today

Cape Times 28/11/88

By RONNIE MORRIS
Supreme Court Reporter

THREE members of a taxi group who were arrested yesterday morning for being in contempt of a court order have been released from Pollsmoor Prison and are to appear before a judge today to give reasons for their actions.

In an urgent application on Saturday, which was heard at the home of Mr Justice S Selikowitz, an order was requested for the jailing of Messrs Maxwell Nonkonyana, Lawrence Memani, Victor Ntshoko and Wellington Matyolo — all members of the Western Province Black Taxi Association (WPBTA) and the Langa, Guguletu, Nyanga Taxi Association (Lagunya) — for the contempt of a court order granted on November 22. All the men except Mr Nonkonyana were held, as he could not be traced

On November 22 Mr Justice Selikowitz issued an interim interdict calling on the four to show cause why a permanent order should not be granted that they be restrained from assaulting, threatening to assault or molesting any of the applicants and their employees.

He ordered that they be restrained from in any way disrupting, hindering or interfering with the taxi business of any of the applicants and that the four be restrained from in any way interfering with any pasenger using the taxi business of any of the applicants.

In Saturday's application, the applicants, Messrs Douglas Boltman, Gordon Makaluza, Menville Poole, Lennox Raba, Maxwell Mzotsho and William Daniels — members of the South Africa Black Taxi Association (SABTA) — asked for an order authorising the Deputy Sheriff to arrest the four men for contempt of the November 22 order as they disobeyed and/or failed to comply with its provisions.

They asked that the men be held at Pollsmoor Prison and brought before the court.

Late yesterday afternoon, after having heard counsel for both parties, Mr Justice Selikowitz granted an order by consent.

A paragraph in Saturday's order which said the deputy sheriff should hold the men at Pollsmoor Prison and bring them before the Supreme Court as soon as practically possible, was suspended.

The four men were ordered to appear before the court this afternoon and pending their appearance they undertook to comply strictly with the November 22 restraining order.

Mr G W Woodland instructed by Mr R H Stuurman, appeared for the applicants. Mr P A L Gamble, instructed by Mr F van Dijk, appeared for the four men

Taxi men on contempt of court charges

MG 29/11/88 275

Staff Reporter

FOUR taxi operators will appear in the Supreme Court on Friday on a charge of contempt of court.

The four, three of whom were arrested and spent part of Sunday in Pollsmoor Prison, appeared in court yesterday. They are Langa, Guguletu, Nyanga Taxi Association (Lagunya) members Mr Maxwell Nonkonyana, Mr Lawrence Memani, Mr Victor Ntshoko and Mr Wellington Matyola.

On Saturday South African Black Taxi Association members Mr Douglas Boltman, Mr Gordon Makaluza, Mr Neville Poole, Mr Lennox Raba, Mr Maxwell Mzotsho and Mr William Daniels applied urgently for an order authorising the Deputy Sheriff to arrest the four men for allegedly being in contempt of a court order made on November 22.

Mr Justice S Selikowitz granted an order for the jailing of the men. Mr Nonkonyana could not be traced.

INTERDICT

However, those arrested were freed on Sunday after an agreement reached in chambers between the two parties.

The four men have agreed to comply with the interim interdict granted by Mr Justice Selikowitz on November 22.

In terms of that order, the court gave the respondents until December 7 to show why a permanent order should not be granted interdicting and restraining them from:

- Assaulting, threatening to assault or molesting any of the applicants;
- In any way disrupting or interfering with the taxi business of any of the applicants;
- Interfering with any passenger using the taxi business of any of the applicants.

Black taxi association disbanded

Star Times 29/4/88

275

By CHRIS STEYN

IN A dramatic twist in the 12-day-old taxi war, the Western Province Black Taxi Association (WPBTA) was disbanded yesterday afternoon by the national president of the SA Black Taxi Association (SABTA), Mr Thupane James Ngcoya.

After personally gathering evidence on Sunday and yesterday from the parties involved, Mr Ngcoya dislosed yesterday that WPBTA was not democratically elected and had misrepresented SABTA's interests

A new interim provincial management committee was formed with four representatives from each of the three SABTA-recognised regional taxi bodies, the Langa, Guguletu, Nyanga Taxi Association (Lagunya) with Mr M Nonkonyana as chairman, SABTA Region 2 with Mr B Nagel as chairman and the Western Cape Taxi Association (WCTA) led by Mr C Ramatlakane

Mr Ngcoya said the Minister of Law and Order, Mr Adriaan Vlok, would be approached by SABTA to give the interim committee "every possible assistance in maintaining peace and stability and ensuring commuter safety".

He also instructed the committee to meet immediately to discuss the taxi war.

Contempt of court hearing postponed

Supreme Court Reporter

AN APPLICATION in the Supreme Court calling on four taxi drivers to explain why they had been in contempt of a court order was yesterday postponed until Friday

In an urgent application in the Supreme Court on Sunday the applicants asked for an order that Messrs Lawrence Memani, Victor Ntshoko, Wellington Matyolo, who were arrested on Sunday morning, and Maxwell Nonkonyana be ordered to appear in court yesterday to explain why they did not abide by the terms of a court order.

Mr W G Woodland, instructed by Mr R H Stuurman, appeared for the applicants Mr P A L Gamble instructed by Mr F van Dijk, appeared for the four men

Activity is minimal in Eastern Cape

WAR ZONE

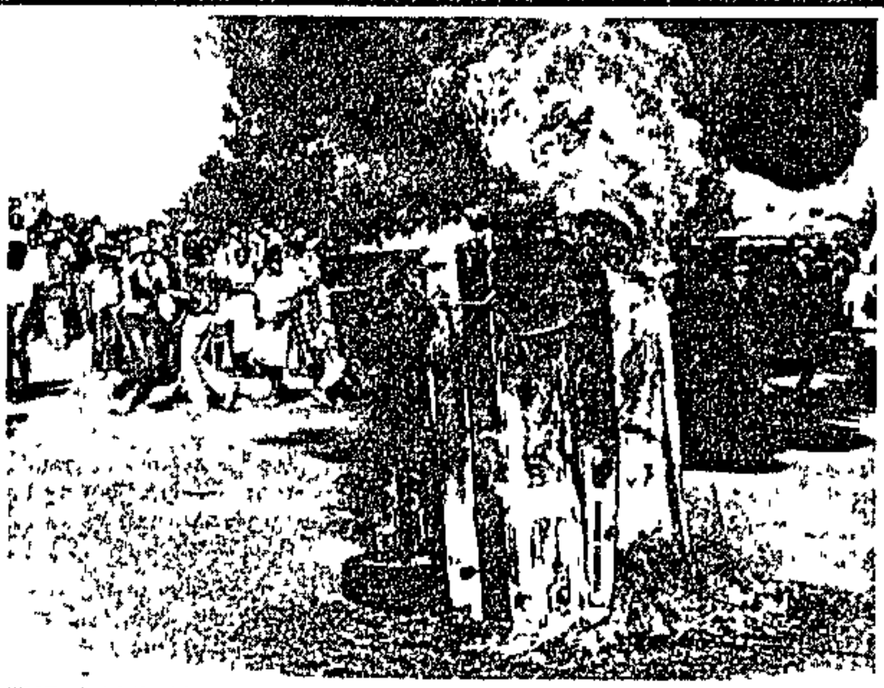
NOWHERE has the Government's counter attack against black militancy been more intense than in the once-embattled townships ringing Port Elizabeth.

Bannings, detentions and deployment of army troops have enabled the Government to re-establish control of what was viewed by some activists two years ago as the first "liberated territory" in South Africa.

Monitoring groups estimate that one-third of the 30 000 activists detained without charge since mid-1986 were from the Eastern Cape region around Port Elizabeth Moreso than in other areas, prominent detainees remain in custody — about 55 local black leaders are in their third year of detention

The crackdown has been so effective that even underground opposition activity is minimal, township residents say. But a spirit of resistance remains, despite a Government campaign to win goodwill by upgrading services

Less than 10 percent of eligible voters in the area disregarded a call by anti-apartheid groups to boycott recent local elections Surveys show overwhelming support for the outlawed African National Congress guerilla movement,



THE sight that became common during unrest. It could have been taken in any black township in the country

Sowetan 1/12/88

Fazzie (64) and Mkhuseli Jack (30) Fazzie's wife, Beauty, is in detention, as is Ivy Gcina (51), leader of a black women's organisation Colleagues say Gcina was denied permission to attend the funeral of one of her children killed a few weeks ago in unrest

"When they (the security forces) moved in, they assisted the community to identify the Government not as a saviour, but as an enemy," said Mike Mjekula, a staff member of a regional human rights organisation "They moved in indiscriminately and applied too much repression, not in proportion to what was coming from the youth "

"The people decided to be quiet — they were not able to fight this overwhelming force," Mjekula said "Instead they adopted a more subtle form of resistance — they would not comply with the Government's wishes "

Like other areas where black militancy was strong, parts of the Eastern Cape are targets of a "hearts and minds" campaign undertaken by the Government in hopes that better housing and services will give blacks a stake in preserving the status quo

Changing

Sakkie Louw, a Parliament Member for the governing National Party from Port Elizabeth, described 1985 as a terrible time, but said the mood among some blacks was changing now

"The Government has done sterling work, building new suburbs, trying to uplift people," he said "Once a man has a good home, a good roof over his head, he will be a different man from the one living under plastic bags, not having basic things like water and electricity "

In two new townships for middle-class blacks, the Government does seem to have won over some of the residents, many of whom are civil servants

"They now have something to lose," said Judy Chalmers, regional co-ordinator of the Black Sash civil rights group "They're not going to want to be involved in the next wave of unrest if they can possibly avoid it "

In the older, larger townships, she said, "there's a feeling of waiting"

"Everybody is quite relieved to have a respite from the horrors of 1985-86 The kids are back in school — the leaders are in detention But the hearts and minds have not been won "

The new middle-class developments are, for the moment, an aberration Nearly half of the half-million blacks around Port Elizabeth inhabit shacks, and most of the others live in aging, overcrowded box-like houses

Some of the shantytowns — red location and Soweto-by-the-sea, for example — are among the most squalid in the country Tens of thousands of squatters live under threat of forced removal

Employer

A recent study calculated unemployment among Port Elizabeth's blacks at more than 50 percent, the highest of any major South African city

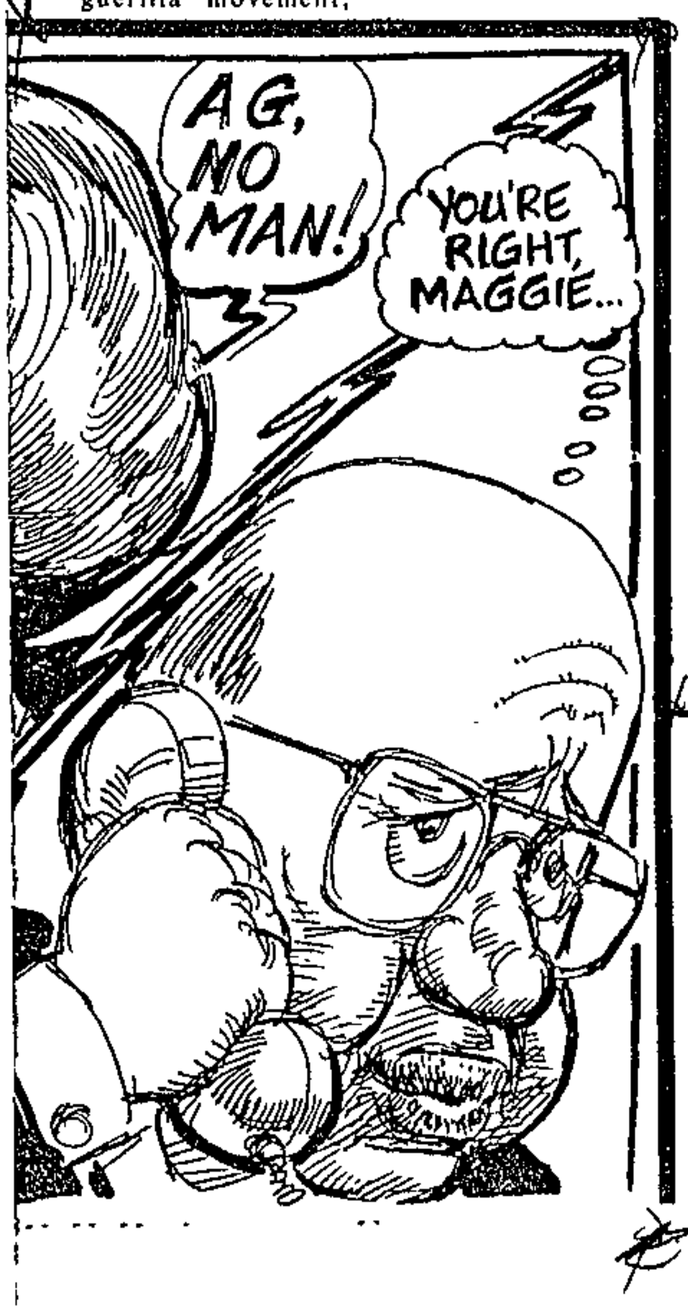
The automobile industry, for decades Port Elizabeth's major employer, has suffered through hard times lately as sales were slowed by fast-rising prices Thousands of jobs were lost two years ago when Ford Motor Co sold its operation to South African owners who moved the assembly plant to Pretoria

"In many grim respects, the Eastern Cape is a mirror image of an unacceptable future other South Africans will have to face unless timeous action is taken," wrote Rory Riordan, director of the Port Elizabeth-based Human Rights Trust

Referring to other experts' warnings that South Africa faces recession and worsening racial tension, Riordan writes "We have seen the future (in Port Elizabeth) and it doesn't work "

Bobby Stephenson, a city councillor representing the anti-apartheid Progressive Federal Party, said there are limits to what Port Elizabeth's whites are able and willing to do to assist their black neighbours

"Security is the first priority in the minds of most whites," he said "They were very frightened in 1985 " — Sapa-AP



Political comment in this issue by Aggrey Klaaste and Sam Mabe Sub-editing, headlines and posters by Sydney Matthaku All of 61 Commando Road, Industria West, Johannesburg

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• Write to the Editor at PO Box 6663, Johannesburg 2000 Nom-de-plumes can be used, but full names and addresses should be supplied or the letter will not be published

AG orders reopening of Guguletu inquest

Star 8/12/88

275

CAPE TOWN — The inquest into the controversial killing of seven alleged insurgents by police in Guguletu two years ago has been reopened "in the public interest".

The Attorney-General, Mr Niel Rossouw, requested this week that the inquest magistrate, Mr G Hoffman, who made his finding on sworn affidavits only, re-open the inquest to take additional evidence.

Mr Hoffman disallowed an application for verbal evidence to be led and found that all seven men died from bullet wounds sustained "in police activity for the combating of terrorism".

The shoot-out between police and the seven alleged guerillas outside a Guguletu men's hostel on March 3 1986 and the subsequent publication of eyewitness reports by the *Cape Times* caused widespread controversy.

Three eyewitnesses claimed that one suspected guerilla was shot and killed after trying to give himself up and that a wounded man was "finished off" by police.

Guguletu Seven inquest re-opened

Cape Times 8/12/88

Staff Reporter

THE inquest into the controversial killing of seven alleged guerillas by police in Guguletu more than two years ago has been re-opened "in the public interest".

Attorney-General Mr Niel Rossouw requested this week that the inquest magistrate, Mr G Hoffman, who made his finding on sworn affidavits only, to re-open the inquest to take "additional evidence".

Mr Hoffman, who disallowed an application for vocal evidence to be led, found that all seven men died from bullet wounds sustained "in police activity for the combating of terrorism".

He also found there had been no act or omission on the part of any person which amounted to an offence.

The shootout between police and the seven alleged guerillas outside a Guguletu men's hostel on March 3, 1986, and the subsequent publication of eyewitness reports by the Cape Times caused widespread controversy.

Three eyewitnesses, all hostel dwellers, claimed that one suspected guerilla was shot and killed after trying to give himself up, and that another, lying wounded on the ground, was "finished off" by police.

Acquitted

Former crime reporter, Mr Chris Bateman, who interviewed the eyewitnesses, was barred from attending daily police crime conferences and former deputy news editor, Mr Tony Weaver, was charged with making untrue statements about police to the BBC.

Mr Weaver was acquitted after a lengthy trial in which the magistrate found that he had reasonable grounds for believing what he had reported to be true. The magistrate, Mr J M Lerumer, also found that expert medical evidence contradicted the police version of what happened.

Mr Rossouw said yesterday that "there have been certain things that have been uncovered and we felt that this had to be stated in open court — under the circumstances it may make a difference".

He added: "I may be underestimating the strength of the new evidence to possibly change the complexion of the whole thing, but something has been uncovered which may make a difference."

"We feel that it is in the public interest for the inquest to be re-opened".

● Mr Weaver is suing the Minister of Law and Order for more than R107 000 for "wrongful and malicious prosecution".

C/Pen. 11/12/88

Bullet casings shown to court

(275)

CP Correspondent

TEN bullet cartridges were displayed in the East London Supreme Court this week in a case in which 16 people are facing charges of murder, attempted murder and public violence.

The accused are alleged to have killed a two-day-old baby, Baba Cetyiwe, and a community councillor, Mzwandile Samuel Ndamana, 44, both of Middleburg, Cape, in April 1986

The charges relate to the burning down of two houses belonging to community councillors

The cartridges were shown to Judge J Jones and two assessors by Lt Goosen, CID commander in Middleburg and surrounding districts.

Goosen said he went to councillor Totise Cetyiwe's house the day after it was destroyed and found the cartridges under broken bricks. He said the investigating officer could not have seen them because it was dark

Goosen disputed allegations that Cetyiwe shot at the group who attacked his house.

Earlier, a State witness who may not be identified, told the court of a meeting he said was held to discuss the issue of informers

He told the court he was forced to attend the meeting by William Mene, 33, one of the accused. He said Mene told him to attend the meeting or else be branded as an "impimpi".

The accused are Nkululeko Amos Mnyaka, 17, Goodman Gana Woko, 21, William Ndamana, 21, Abednego Watermeyer, 21, Simphiwe Blackey, 21, Samuel Ntiki Qatana, 17, William Mene, 33, Leroy Nyaba, 22, John Liso, 21, Amstrong Pike, 21, Michael October, 21, Jackson Tsoto, 18, Mathews Xakaza, 17, Albert Njoli, 21, Vuyisile Mpuma, 36, and Tom Dingiswayo, 21. They all pleaded not guilty.

Dingiswayo was released from prison nine months ago after serving 18 months' imprisonment on charges of public violence.

– Elnews

Inquest to be re-opened

S/Times 11/12/88

By HAMISH McINDOE

THE Government is to re-open an inquest into the controversial killing of seven alleged ANC insurgents by police in a black township two years ago. (275)

This week, the Attorney-General for the Cape, Mr Niel Rossouw, said "fresh information" about the killings had come to his attention and the case was to be opened in the "public interest".

The seven men, who have been linked to the ANC, died in a shootout with riot police in March, 1986, in Guguletu township, near Cape Town.

Subsequently, eyewitnesses interviewed by journalist claimed that one man was shot after surrendering and another, lying wounded on the ground, had been "finished off".

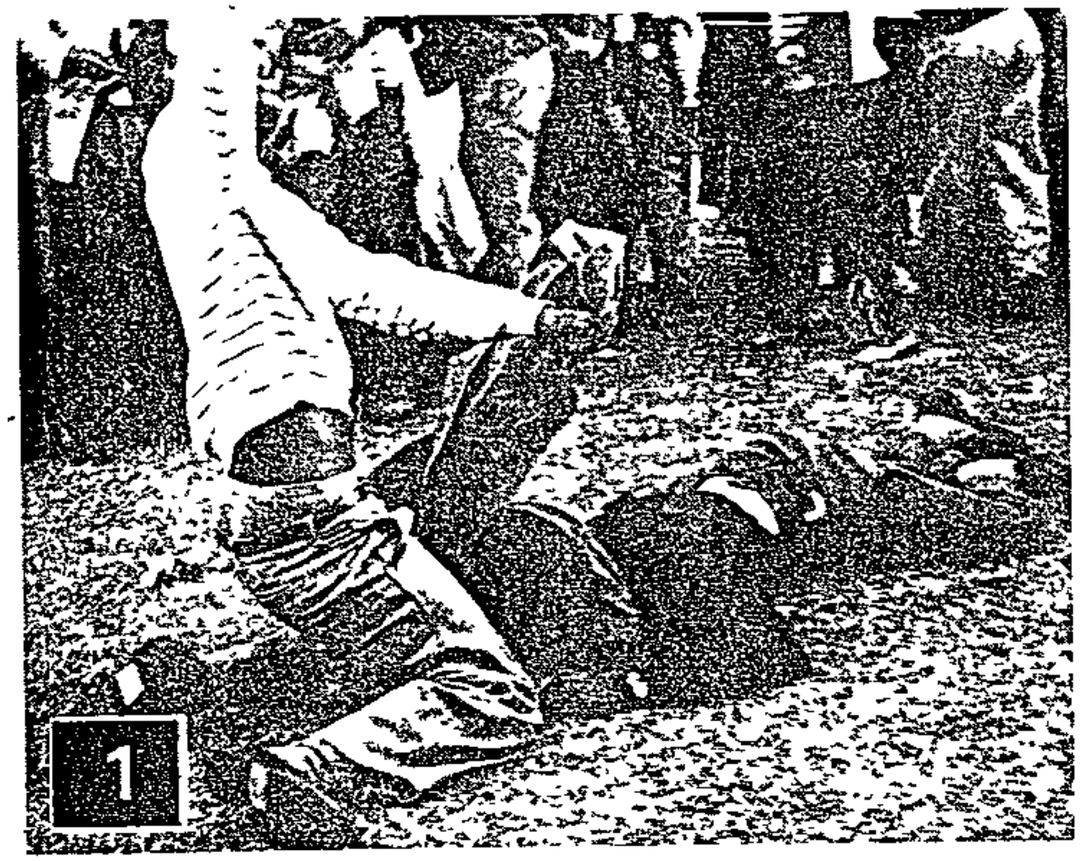
Mr Rossouw declined to elaborate on the new information or from what quarter it had come.

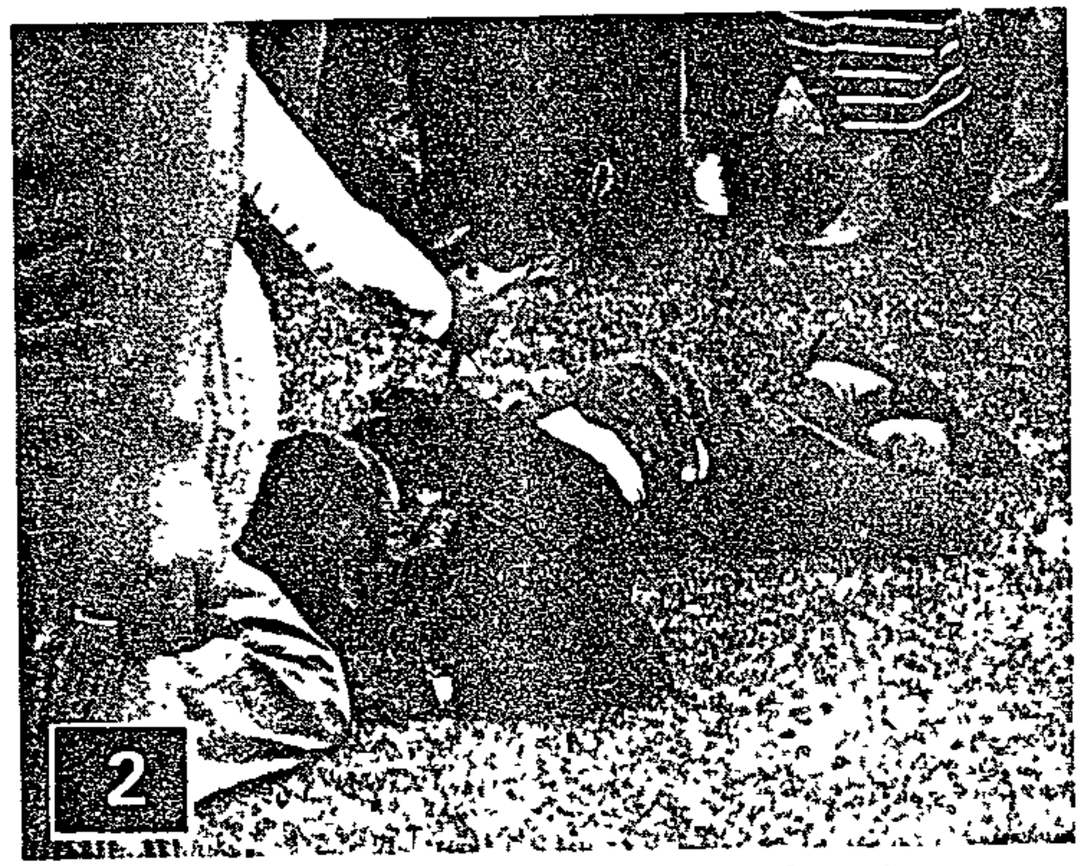
He has ordered the inquest magistrate, who made his finding only on sworn affidavits, to re-open the case.

"It is likely the new information will make a difference to the case, and that is why I have ordered the inquest to be re-opened," he said.

CONCERT CRIMES

HORROR KILLING IN PICTURES





DEATH AT THE STADIUM CONCERT . . . A benefit concert turned into tragedy at the weekend when a security guard was stabbed to death in front of dozens of horrified spectators. These pictures were taken by a photographer who does not wish to be identified **PICTURE 1:** Trapped by gangsters, the security guard lies mortally wounded as a gang member lunges down for a final stabbing **PICTURE 2:** The final blow

GPA Times 12/12/88

Security guard knifed in city gang attack

275

Staff Reporters

A ROCK concert at Athlone stadium for the benefit of disabled children ended in bloodshed and chaos at the weekend when a security guard was knifed to death.

According to an eyewitness the guard was cut off and surrounded by a score of gang members during a running battle between security personnel and the gang.

He was brutally stabbed to death in front of several horrified witnesses

The 30-strong gang had apparently forced their way in late on Saturday afternoon.

The security guard was identified by police as Mr John Koesona of Johannesburg. Mr Koesona was in his mid-20s A murder docket has been opened

The concert, which featured some of the country's top names, including Brenda Fassie and Lucky Dube, drew a crowd of 13 000 fans.

The carnival atmosphere turned ugly after the stabbing and organisers cancelled the rest of the show Riot police were called in to control the crowd and protect equipment.

Stone-throwers smashed the windscreens of several cars outside the stadium Police used teargas to disperse the crowd

Organisers said they had hired a private security company, Tulani Security, to police crowds for the duration of the concert tour.

Guards searched spectators for alcohol and checking tickets

A witness said that about 5 30 there was trouble between security guards and "a group who seemed to have got in without tickets"

About 10 guards armed with sjamboks gave chase to "20 or 30" gang members, he said.

"Two or three guards caught one member and began beating him. Suddenly the others turned around and drew their knives. The guards scattered."

The gang then chased the guards and caught up with one.

"He was stabbed repeatedly," the witness said A crowd of concert-goers looked on in horror before running away.

The gang also scattered and left the stadium.

By yesterday morning the show had already moved to its next venue, Bisho, in the Ciskei.

A string of Lion Lager Road Show concerts organised by SABC-run Radio Xhosa are scheduled countrywide for the benefit of disabled children

The SAP unrest report said "a number of vehicles were damaged in several incidents of stonethrowing". "After one such incident, (in Athlone) a black youth was arrested. Police used tearsmoke to disperse a large group of blacks who had thrown stones at police vehicles. No injuries were reported"

● Bloody weekend — Page 3

EMERGENCY UPDATE

ARGUS 13/12/86

Tearsmoke used to disperse mob

275

PRETORIA. — Police used tearsmoke to disperse a mob attacking a shoe factory building in Pinetown, the latest police unrest report said.

A man was slightly injured and the building and equipment were badly damaged. Two men were arrested.

At Mpumalanga, Hammarsdale, one mob opened fire at another, wounding a man in the leg and a teenage girl in the chest.

Two special constables who tried to help them were also attacked and defended themselves with birdshot. A youth was wounded.

The injured were treated at a clinic.

At Henley, near Edendale, police found the body of a 42-year-old black man with multiple stab wounds.

At Lingelihle, Cradock, a constable was slightly injured when a mob stoned police. — Sapa.

Cape Times 14/12/88

975

Man, girl shot in unrest clash

PRETORIA. — A man and a girl were wounded when one group of people fired shots at another at Mpumalanga, police said. A youth was also injured when two special constables intervened, and fired three rounds of birdshot

Police arrested two men in Pinetown after a crowd caused extensive damage to a local footwear company A man was also slightly injured

At Lingelihle, near Cradock, a policeman was slightly injured by stone-throwers. — Sapa

CAPE TIMES

Wednesday, December 14, 1988

275

We were abused, claim taxi drivers

Supreme Court Reporter

THE "taxi war" case took a new twist in the Supreme Court yesterday when the taxi drivers against whom an interim interdict had been issued claimed in a counter-application that they and their employees had been threatend, abused and taunted.

In papers before the court, Messrs Victor Ntshoko, Wellington Matyolo, Mackonon Nonkonyama, Victor Sibenya, Joseph Mdlankomo and Floris Dumezweni said they and their employees had been threatened with assault, verbally abused and their businesses interfered with.

After hearing argument and with consent between the parties the respondents, Messrs Douglas Boltman, Gordon Makaluza, Menville Poole, Lennox Raba, Maxwell Mzothsho and William Daniels and Mrs Jeanette Makaluza and their employees undertook — without admitting liability — not to:

"Interfere in any manner whatsoever with the taxi businesses by the applicants, breach the conditions of their public road carrier permits and undertook not to operate their taxi business less than 200 metres from the municipal taxi rank at Langa.

The undertaking did not apply to the taxi of Mrs Makaluza, who in terms of her permit is entitled to operate a taxi from the rank at Langa.

On November 22 the court granted an urgent interdict restraining Mr Ntshoko and three others from assaulting or threatening Mr Boltman and five others or their employees. The hearing was postponed.

On November 27 Mr Boltman and the others brought an application asking that Mr Ntshoko and three others be jailed for allegedly being in contempt of the court order granted on November 22. This hearing too was postponed.

'Business hampered'

In yesterday's counter-application, Mr Ntshoko said since the interim interdict was granted on November 22, Mssrs Boltman, Makaluza, Poole, Raba, Mzothsho and Daniels and Mrs Makaluza had adopted an attitude that the court order did not permit them to use the Langa municipal taxi rank.

The business had been severely hampered by taxis of Mr Boltman and the five others cutting in on queues and preventing them from operating at the Langa rank.

In addition the drivers of the respondents (Boltman and co) had verbally abused their drivers, taunted them and threatened them with violence To keep the peace they had withdrawn their vehicles from the Langa rank.

In an opposing affidavit, Mr Boltman said he wished to "state categorically" that none of the respondents or their emloyees had assaulted, threatened, taunted or abused any of the applicants or their employees or interfered with their business.

It was significant that Mr Ntshoko and his fellow applicants were unable to describe a single incident but relied on vague generalisations, he said

Taxi drivers who were not permitted to operate from the Langa rank had for the past 12 years loaded passengers from an area outside the municipal rank

Before making the undertaking an order of court, Mr Acting Justice B Hoberman said "I hope the parties will conduct themselves in a civilised manner pending the outcome of the proceedings."

The hearing was postponed to the Fourth Division for trial next year.

Mr Gavin Woodland, instructed by R H Stuurman and Co, appeared for the respondents. Mr P A L Gamble, instructed by F van Dyk, appeared for the applicants.

Van Gogh thieves may demand

9 killed in faction fights in Transkei

Cape Times 23/12/88

UMTATA. — At least nine people have died in faction fights in Transkei, police said yesterday.

Eight people were killed in fighting at Tabankulu at the weekend. The fight started at a tribal dance at Guburha and spread to Macwereni.

Assegais and bush knives were used in the clash between Sinqina and Sidakeni factions.

A police spokesman said order was restored by police and 19 people were arrested.

In a separate incident at the weekend, one person was stabbed to death in another faction fight at Upper Gqaga, Engcobo. — Sapa